

CRS Report of the Week - "Spam": An Overview of Issues Concerning Commercial E-Mail

July 3, 2008

The report gives an overview of CAN-SPAM (Controlling the Assault of Non-Solicited Pornography and Marketing Act), how it is implemented, related legislation, and legal actions based on the act. The report also looks at the FTC rules on CAN-SPAM compliance and related state anti-spam laws. [CRS No. RL31953](#) [1], May 14, 2008 From the report's summary:

Proponents of CAN-SPAM have argued that consumers are most irritated by fraudulent email, and that the law should reduce the volume of such email because of the civil and criminal penalties included therein. Opponents counter that consumers object to unsolicited commercial email, and since the law legitimizes commercial email (as long as it conforms with the law's provisions), consumers actually may receive more, not fewer, UCE messages. Thus, whether or not "spam" is reduced depends in part on whether it is defined as only fraudulent commercial email, or all unsolicited commercial email. Many observers caution that consumers should not expect any law to solve the spam problem - that consumer education and technological advancements also are needed.

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