



James M. Prendergast
Executive Director

April 24, 2003

The Honorable Billy Tauzin
2183 Rayburn House Office Building
Washington, D.C. 20515-1304

Dear Representative Tauzin:

On behalf of Americans for Technology Leadership, a broad-based coalition of technology professionals, consumers and organizations, I am writing to you today on the important issue of unsolicited commercial email, or what is more commonly known as spam. As you know, some in Congress, as well as a number of officials at the state level, have considered enacting legislation to curtail this form of email. ATL respectfully asks that you consider remedies that are currently available to address the spam problem and we urge you to be deliberative and cautious in your pursuit of any additional legislative solutions to this problem.

As you are well aware, business and consumers are being deluged with spam email that costs them time and money. While there may be some appropriate legislative solutions, we believe it is important that Congress proceed very cautiously here and take a close look at the solutions already taking place in the marketplace before imposing one-size-fits-all solutions.

Recently, AOL Time Warner announced that it was taking legal action against a number of companies and individuals who were flooding their network with spam. In addition to AOL, companies like Microsoft, Earthlink and Yahoo, among others, have filed lawsuits to stop the spam flooding their customers' in-boxes. These court actions will ensure that current laws are used to combat spam, not new laws that may lead to more regulation and unintended costs for the technology industry and consumers.

As recently as January of this year, a judge in New York ordered MonsterHut to stop sending unsolicited email to consumers. We in the industry find the decision to hold this company responsible for their actions extremely encouraging. The court's order and the action by the industry leaders noted above demonstrate that by enforcing existing laws, consumers can be protected from unsolicited commercial email without the need to pass new anti-spam regulation.

Other actions in the marketplace demonstrate that companies are developing solutions to the problem as well. Just recently, Microsoft announced that its new versions of Word and Exchange would more easily detect and filter spam emails. Other companies in the industry are also addressing the needs of their customers by taking similar steps to address the problem through innovations in technology.

These actions by the industry and the courts are victories for consumers and the technology industry that didn't require additional legislative or regulatory action. ATL recognizes there are times when legislative action is needed, and there may still be an important role for Congress to play in this issue. If so, we ask that you please note the innovative advances in technology and the actions by the industry's leaders to combat this problem and consider all the recourses that are available through existing laws before enacting new legislative solutions.

Sincerely,

A handwritten signature in black ink, appearing to be the initials 'JRS' followed by a long horizontal stroke.