

# **OECD-EU Workshop on spam**

**Session 5, February 3, 2004**

## **“Regulation & Self-Regulation”**

**Patricia M. Sefcik**

**Director, Office of Information Technology & E-Commerce**

**International Trade Administration**

**U.S. Department of Commerce**

# The Challenge & Impact on Stakeholders

- The Digital Community
- The Emergence of National e-Plans
- Global Cooperation
- Creating Solutions to Protect Privacy and Enhance Online Trust as well as -
- Legitimate Commercial Interests

# No “Silver Bullet”!

## How Can We Combat Spam?

- Gather and Analyze Data to Determine Actual Roots of Problem
- Seek Global Solutions for Global Impact
- Diversify Anti-spam Approaches:
  - ◆ Regulatory Solutions Coupled with Education and Technology Solutions
  - ◆ Involvement of All Stakeholders
- Avoid Unintended Consequences Such as Interruption of Legitimate Business Activities

# The Role of Legislation & Regulation

- **U.S. CAN-SPAM Act of 2003:**
  - ◆ **Opt-Out Approach – Striking a Balance**
  - ◆ **Unsolicited Commercial E-mail Must Be Labeled**
  - ◆ **Prohibit Use of Deceptive Subject Lines and False Headers, Harvesting and Dictionary Attacks**
  - ◆ **FTC Is Authorized to Investigate the Feasibility of a "Do-not-email" Registry**
- **Federal V. State Legislation**
- **Confronting Harmful spam**
- **Technical Solutions (NIST)**

# Private Sector Solutions & Education

- Governments Must Demonstrate Flexibility & Support Private Sector Initiatives
- Research & Development
- Anti-Abuse Working Group
- Do-not-spam Registries
- Technical Solutions and Trust Programs
- Anti-spam Education & Outreach

# Cross-Border Cooperation & Enforcement

- International Problem:
  - ◆ Cross-Border Cooperation is Critical
  - ◆ Information Exchange and Collaboration with Other Multilateral Fora is Imperative
  - ◆ Focus on Anti-spam Initiatives and Enforcement is Essential
- Our Digital Economy Depends on This

**Thank You - Merci !**

**Patricia M. Sefcik  
U.S. Department of Commerce**



**[patty\\_sefcik@ita.doc.gov](mailto:patty_sefcik@ita.doc.gov)**