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THE TWENTY-THIRD STATE LEGISLATURE  
REGULAR SESSION 2006

Tuesday, March 28, 2006

2:45 p.m.

Conference Room 225

**TESTIMONY ON SENATE CONCURRENT RESOLUTION NO. 228 – URGING THE UNITED STATES CONGRESS TO APPROVE LEGISLATION REQUIRING THE UNITED STATES POSTAL SERVICE TO PROVIDE MAIL RECIPIENTS THE OPTION OF BEING INCLUDED ON A LIST OF THOSE NOT WISHING TO RECEIVE ANY UNSOLICITED COMMERCIAL MAIL.**

TO THE HONORABLE DAVID Y. IGE, CHAIR  
TO THE HONORABLE DONNA MERCADO KIM, VICE-CHAIR,  
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs, Office of Consumer Protection ("OCP") appreciates the opportunity to testify regarding Senate Concurrent Resolution No. 228, urging the United States Congress to approve legislation requiring the United States Postal Service to provide mail recipients the option of being included on a list of those not wishing to receive any unsolicited

commercial mail. My name is Stephen Levins, and I am OCP's Executive Director. OCP takes no position on the resolution itself at this time but offers the following comments.

Currently, citizens have the ability to decrease the amount of commercial advertising mail that they receive by registering with the Direct Marketing Association's (DMA) Mail Preference Service (MPS). When a person registers with the MPS, their name and address is placed on a "do-not-mail" file. All DMA members are required to run their list of prospective customers against the MPS file to remove the individuals who have registered with MPS from their mailings. Although registration with MPS will help reduce the amount of unsolicited mail that one receives, it will not stop all unsolicited mail. It will not stop mail from non-DMA members and it will not stop mail from scammers.

Consumers across the country, including those in Hawaii, are conned out of millions of dollars each year by mass mail scams, including bogus sweepstakes, travel scams, phony invoices, magazine scams, pyramid schemes, phony charities, chain letters, and illegal foreign lotteries. Effective federal legislation that would help diminish the frequency of this type of fraud would certainly be welcomed.

While the Department does not have sufficient information at this time to determine whether legislation regulating commercial mail in the form sought in the resolution is appropriate, it does believe that the issue warrants further examination by the United States Congress to determine whether the action called for in the

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resolution is feasible.

Thank you for this opportunity to testify on Senate Concurrent Resolution  
No. 228.