

EDDM Consumer Choice Act of 2026

EXECUTIVE SUMMARY & LEGISLATIVE PACKAGE OVERVIEW

What This Document Contains

This executive summary provides a comprehensive overview of the EDDM Consumer Choice Act legislative package. It is designed to help you understand what model legislation looks like, what supporting documents accompany a bill, and how this package can be used for advocacy purposes.

The Complete Legislative Package

A complete legislative package typically includes the following documents, all of which are provided in this folder:

Document	Purpose	Audience
Model Bill Text	The actual legislative language that would be introduced in Congress	Legislators, Legislative Counsel
Executive Summary (This Document)	High-level overview explaining what the bill does and why	Legislators, Staff, General Public
Section-by-Section Analysis	Detailed explanation of each section with legal basis	Legislative Staff, Attorneys
One-Pager Fact Sheet	Quick reference with key statistics and talking points	Legislators (busy schedules), Media
Talking Points	Stakeholder-specific messaging for different audiences	Advocates, Lobbyists
FAQ for Legislators	Anticipates and answers common questions	Legislative Staff
Supporting Statistics	Sourced data backing up the need for legislation	Anyone needing citations

The Problem This Bill Solves

The Regulatory Gap: Every major marketing channel has federal consumer protection—except postal advertising mail.

Channel	Consumer Opt-Out	Federal Law
Phone Calls	Do Not Call Registry	TCPA / TSR
Email	Required unsubscribe	CAN-SPAM Act
Text Messages	Prior consent required	TCPA
Fax	Prior relationship required	Junk Fax Act
Postal Mail (EDDM)	NONE	No protection

Key Statistics:

- 100 million trees cut annually for junk mail
- 51.5 million metric tons of CO2 emissions
- \$320 million taxpayer cost for disposal
- 44% of junk mail thrown away unopened
- \$4.9 billion in mail-based fraud losses annually
- 3 billion EDDM pieces delivered each year

The Solution: Opt-In, Not Opt-Out

Current System: You receive advertising mail unless you opt out (but you can't).

Proposed System: You receive advertising mail *only if you opt in.*

This approach is modeled on the successful **Netherlands JA-sticker system**, where households display a 'Yes' sticker to receive advertising. Result: **81% of households chose NOT to receive advertising mail** when given a genuine choice.

What the Bill Does (Summary)

Creates an Opt-In Registry: Administered by the FTC (not USPS), the registry tracks which addresses want to receive saturation advertising mail. Default is NO mail.

Provides a Physical Sticker Option: Like the Netherlands, consumers can display a sticker on their mailbox to indicate they want advertising.

Establishes Strong Enforcement: Three layers: FTC penalties up to \$500,000, State AG enforcement, and private right of action (\$500-\$1,500 per piece).

Phases In Over 24 Months: Gives industry time to adapt. Small senders get extra time.

Keeps Exemptions Narrow: Official government mail and periodicals exempt. Political campaign ads are NOT exempt.

Key Innovation: Private Right of Action

The most important feature of this bill is the **private right of action**, modeled on the Telephone Consumer Protection Act (TCPA). This allows individuals to sue violators for \$500-\$1,500 per piece of unauthorized mail.

Why this matters: Previous Do Not Mail bills relied solely on government enforcement. The TCPA's private right of action has generated settlements exceeding \$200 million, creating powerful deterrence without depending on government resources.

Constitutional Basis

This bill is designed to survive First Amendment challenge based on established Supreme Court precedent:

Rowan v. United States Post Office Department (1970): "We therefore categorically reject the argument that a vendor has a right under the Constitution or otherwise to send unwanted material into the home of another."

The Do Not Call Registry faced identical First Amendment challenges and prevailed in *Mainstream Marketing v. FTC* (10th Cir. 2004).

How to Use This Legislative Package

For Meeting with Legislators:

- Bring the One-Pager Fact Sheet for the legislator
- Have the Talking Points ready for your conversation
- Leave behind the Executive Summary for their staff
- Offer to provide the full bill text if requested

For Working with Legislative Staff:

- The Section-by-Section Analysis explains legal basis for each provision
- The FAQ anticipates questions staff will have
- Statistics are fully sourced for verification

For Media Outreach:

- Use statistics from the One-Pager
- Key message: "Americans can stop robocalls. They can unsubscribe from emails. Why not junk mail?"
- The Netherlands success story (81% opted out) is newsworthy

For Finding a Sponsor:

- The bill has bipartisan appeal: property rights (conservative) + environment (progressive)
- Look for legislators with environmental, consumer protection, or USPS reform interest
- The bill is "model legislation" - it can be adapted by an actual sponsor

The Legislative Process: What Would Happen Next

- 1. Find a Sponsor:** A Member of Congress agrees to introduce the bill. They may suggest modifications.
- 2. Bill Introduction:** The sponsor officially introduces the bill, which receives an H.R. number.
- 3. Committee Referral:** The bill is referred to committees (likely Oversight and Commerce).
- 4. Hearings:** Committees may hold hearings where supporters and opponents testify.
- 5. Markup:** Committee members debate and may amend the bill.
- 6. Committee Vote:** If approved, the bill is reported to the full House.
- 7. Floor Vote:** The full House debates and votes.
- 8. Senate Process:** If passed, the Senate goes through a similar process.
- 9. Conference:** Differences between House and Senate versions are reconciled.
- 10. Presidential Signature:** The President signs the bill into law.

Why This Bill Is Different from Previous Efforts

Multiple Do Not Mail bills failed in 2007-2009. This bill addresses their weaknesses:

Feature	Previous Bills	This Bill
Default	Opt-OUT (consumer registers to stop)	Opt-IN (consumer registers to receive)
Enforcement	FTC only	FTC + State AG + Private lawsuits
Penalties	\$10,000 max	\$500-\$1,500/piece (private) + \$500K (FTC)
Political Mail	Exempt	NOT exempt (only official election materials)
Administration	FTC or State	FTC (avoids USPS conflict of interest)
Sticker Option	No	Yes (Netherlands model)

Contact and Resources

Website: zerojunkmail.org

Petition: change.org/p/do-not-deliver-eddm-junk-mail

This legislative package was prepared by ZeroJunkMail.org, a consumer advocacy project dedicated to giving Americans the right to opt out of unwanted postal advertising.

— *End of Executive Summary* —