

119TH CONGRESS

1st Session

H.R. _____

IN THE HOUSE OF REPRESENTATIVES

_____, 2026

Mr./Ms. _____ introduced the following bill; which was referred to the Committee on Oversight and Accountability and the Committee on Energy and Commerce

A BILL

To establish an opt-in system for the delivery of saturation advertising mail, to protect consumer privacy and reduce environmental harm, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "**EDDM Consumer Choice Act of 2026**" or the "**Every Door Delivers Only to the Willing Act**".

SECTION 2. CONGRESSIONAL FINDINGS.

Congress finds the following:

- (1) The United States Postal Service 'Every Door Direct Mail' (EDDM) program delivers approximately 3,000,000,000 pieces of unsolicited advertising mail annually to every residential address on targeted postal routes.
- (2) Unlike telemarketing (regulated by the Telephone Consumer Protection Act), email (regulated by the CAN-SPAM Act), text messages (regulated by the TCPA), and fax (regulated by the Junk Fax Prevention Act), saturation postal advertising mail provides consumers no federally protected right to decline receipt.
- (3) According to the Environmental Protection Agency, 44 percent of junk mail is thrown away without being opened, resulting in substantial waste of natural resources.
- (4) The production and disposal of unwanted advertising mail consumes approximately 100,000,000 trees annually, generates 51,500,000 metric tons of carbon dioxide equivalent emissions, and uses 28,000,000,000 gallons of water.
- (5) Local governments bear an estimated \$320,000,000 annual cost for disposing of advertising mail that consumers did not request and do not want.
- (6) The Federal Bureau of Investigation reports that mail-based fraud schemes result in approximately \$4,900,000,000 in annual losses, with senior citizens disproportionately victimized.
- (7) The Supreme Court held in *Rowan v. United States Post Office Department*, 397 U.S. 728 (1970), that 'a mailer's right to communicate must stop at the mailbox of an unreceptive addressee' and that the government may empower individuals 'to insulate themselves from objectionable mail matter.'
- (8) The Netherlands has successfully implemented an opt-in system for advertising mail delivery (the 'JA-sticker' system), which has been upheld by the Dutch Supreme Court and adopted by municipalities representing 40 percent of the Dutch population, resulting in an 81 percent reduction in advertising mail deliveries.
- (9) Establishing an opt-in system for saturation advertising mail will protect consumer privacy, reduce environmental harm, decrease fraud victimization, and save taxpayer funds spent on waste disposal—while preserving the ability of willing consumers to receive advertising they wish to review.

SECTION 3. DEFINITIONS.

In this Act:

(1) COMMERCIAL SENDER.—The term 'commercial sender' means any person, partnership, corporation, or other entity that, for commercial purposes, causes to be delivered saturation mail, or on whose behalf saturation mail is delivered.

(2) COMMISSION.—The term 'Commission' means the Federal Trade Commission.

(3) DELIVERY ADDRESS.—The term 'delivery address' means any residential address, including single-family homes, apartments, condominiums, mobile homes, and post office boxes, that receives mail delivery from the United States Postal Service.

(4) EDDM.—The term 'EDDM' means 'Every Door Direct Mail,' a program of the United States Postal Service that enables commercial senders to deliver advertising mail to every address on a postal route.

(5) OPT-IN REGISTRY.—The term 'Opt-In Registry' means the Saturation Mail Opt-In Registry established under section 4.

(6) POSTAL SERVICE.—The term 'Postal Service' means the United States Postal Service.

(7) SATURATION MAIL.—The term 'saturation mail' means any mail matter—
(A) that is advertising or promotional in nature;
(B) that is delivered to 90 percent or more of the delivery addresses on a postal carrier route;
(C) that is not addressed to a specific named individual; and
(D) that uses addressing such as 'Postal Customer,' 'Resident,' 'Occupant,' 'Our Neighbor,' or similar generic designations.

(8) SENDER.—The term 'sender' means any commercial sender or nonprofit sender.

(9) NONPROFIT SENDER.—The term 'nonprofit sender' means any organization described in section 501(c)(3) of the Internal Revenue Code of 1986 that causes to be delivered saturation mail for the purpose of soliciting charitable contributions.

SECTION 4. ESTABLISHMENT OF SATURATION MAIL OPT-IN REGISTRY.

(a) ESTABLISHMENT.—Not later than 18 months after the date of enactment of this Act, the Commission, in consultation with the Postal Service, shall establish and maintain a 'Saturation Mail Opt-In Registry' (referred to in this section as the 'Registry').

(b) OPT-IN SYSTEM.—The Registry shall operate on an opt-in basis, under which—

(1) the default status for any delivery address not registered shall be that the address does NOT receive saturation mail; and

(2) a delivery address shall receive saturation mail only if the occupant has affirmatively registered the address on the Registry or displayed a physical indicator described in subsection (e).

(c) REGISTRATION METHODS.—The Commission shall provide the following methods for occupants to register delivery addresses on the Registry:

(1) INTERNET REGISTRATION.—A secure website accessible at no charge to the registrant.

(2) TELEPHONE REGISTRATION.—A toll-free telephone number accessible at no charge to the registrant.

(3) MAIL REGISTRATION.—A postal mail registration process using a standardized form available at post offices and online.

(d) REGISTRATION PERIOD.—(1) DURATION.—A registration on the Registry shall be effective for a period of 5 years from the date of registration.

(2) RENEWAL.—Not later than 60 days before the expiration of a registration, the Commission shall notify the registrant of the pending expiration and provide instructions for renewal.

(3) REMOVAL.—A registrant may remove a delivery address from the Registry at any time through any of the methods described in subsection (c).

(e) PHYSICAL INDICATOR OPTION.—(1) ESTABLISHMENT.—The Commission, in consultation with the Postal Service, shall establish a standardized physical indicator system (such as a mailbox sticker or placard) that occupants may display to indicate their consent to receive saturation mail.

(2) EFFECT.—A delivery address displaying the physical indicator established under paragraph (1) shall be treated as registered on the Registry for purposes of this Act.

(3) AVAILABILITY.—The Commission shall make physical indicators available—

(A) at no charge to consumers, at post offices and through mail request; and

(B) for purchase by commercial senders for distribution to prospective recipients.

(f) DATABASE ACCESS.—(1) REQUIREMENT.—The Commission shall make the Registry available to the Postal Service and to senders in a format that enables compliance with this Act.

(2) UPDATES.—The Commission shall update the Registry not less frequently than once every 7 days.

(3) PRIVACY PROTECTIONS.—The Registry shall be accessible only for the purpose of compliance with this Act. The Commission shall establish safeguards to prevent unauthorized use of Registry data.

SECTION 5. FEES.

(a) ACCESS FEES.—The Commission shall assess the following fees on commercial senders accessing the Opt-In Registry:

(1) PER-ZIP CODE ACCESS.—\$100 per 5-digit ZIP code, per calendar year.

(2) STATEWIDE ACCESS.—\$5,000 per State, per calendar year, for access to all ZIP codes within that State.

(3) NATIONWIDE ACCESS.—\$25,000 per calendar year for access to all ZIP codes nationwide.

(b) NONPROFIT RATE.—Nonprofit senders shall pay fees at 50 percent of the rates specified in subsection (a).

(c) ADJUSTMENT FOR INFLATION.—The Commission shall adjust the fees specified in subsection (a) annually to account for inflation, as measured by the Consumer Price Index.

(d) USE OF FEES.—Fees collected under this section shall be deposited in a dedicated account and used exclusively for—

(1) administration and maintenance of the Registry;

(2) consumer education under section 8;

(3) enforcement activities under section 6; and

(4) annual reports under section 9.

SECTION 6. ENFORCEMENT.

(a) PROHIBITION.—It shall be unlawful for any sender to cause saturation mail to be delivered to any delivery address that is not—

(1) registered on the Opt-In Registry; or

(2) displaying the physical indicator established under section 4(e).

(b) FEDERAL TRADE COMMISSION ENFORCEMENT.—(1) UNFAIR OR DECEPTIVE ACT.—A violation of subsection (a) shall be treated as an unfair or deceptive act or practice in violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)).

(2) CIVIL PENALTIES.—Any sender who violates subsection (a) shall be subject to a civil penalty of not more than \$50,000 for each violation, as determined by the Commission.

(3) PATTERN OR PRACTICE.—If the Commission determines that a sender has engaged in a pattern or practice of violations, the civil penalty shall be not less than \$100,000 and not more than \$500,000 per violation.

(c) USPS OFFICE OF INSPECTOR GENERAL.—(1) INVESTIGATION AUTHORITY.—The Office of Inspector General of the Postal Service shall have authority to investigate complaints of violations of this Act.

(2) REFERRAL.—Upon finding evidence of a violation, the Office of Inspector General shall refer the matter to the Commission for enforcement action.

(d) STATE ATTORNEY GENERAL ENFORCEMENT.—(1) AUTHORITY.—The attorney general of any State may bring a civil action in any court of competent jurisdiction on behalf of the residents of that State to enforce the provisions of this Act.

(2) CIVIL PENALTY.—In any action brought under paragraph (1), a court may award a civil penalty of not more than \$1,000 per violation.

(3) NOTICE REQUIREMENT.—Prior to filing an action under this subsection, the attorney general of a State shall provide the Commission with—

- (A) written notice of the action; and
- (B) a copy of the complaint.

(4) INTERVENTION.—Upon receiving notice under paragraph (3), the Commission may—

- (A) intervene in the action;
- (B) upon intervening, be heard on all matters arising in the action; and
- (C) file petitions for appeal.

(e) PRIVATE RIGHT OF ACTION.—(1) RIGHT TO SUE.—Any person who receives saturation mail at a delivery address in violation of subsection (a) may bring an action in any court of competent jurisdiction.

(2) DAMAGES.—A court may award to a prevailing plaintiff—

- (A) actual damages, but not less than \$500 for each violation;
- (B) in the case of a willful or knowing violation, treble damages or \$1,500 per violation, whichever is greater;
- (C) reasonable attorney's fees and costs; and
- (D) such other relief as the court determines appropriate.

(3) CLASS ACTIONS.—A class action may be maintained under this subsection if—

(A) the numerosity, commonality, typicality, and adequacy of representation requirements of rule 23(a) of the Federal Rules of Civil Procedure are met; and

(B) questions of law or fact common to the class predominate over questions affecting only individual members.

(4) STATUTE OF LIMITATIONS.—An action under this subsection shall be filed not later than 4 years after the date on which the violation occurred.

SECTION 7. POSTAL SERVICE COOPERATION.

(a) DELIVERY PROHIBITION.—Beginning on the effective date established under section 13, the Postal Service shall not deliver saturation mail to any delivery address that is not—

(1) registered on the Opt-In Registry; or

(2) displaying the physical indicator established under section 4(e).

(b) ROUTE LIST PROVISION.—(1) REQUIREMENT.—The Postal Service shall provide to the Commission, not less frequently than monthly, updated lists of all delivery addresses on each postal carrier route.

(2) FORMAT.—The lists provided under paragraph (1) shall be in a format compatible with the Registry database.

(c) TRAINING.—The Postal Service shall provide training to postal carriers regarding the requirements of this Act, including—

(1) identification of physical indicators;

(2) procedures for confirming Registry status; and

(3) reporting of suspected violations.

(d) REPORTING.—The Postal Service shall report to the Commission, not less frequently than quarterly—

(1) the number of saturation mail pieces processed;

(2) the number of delivery addresses receiving saturation mail under this Act;

(3) any operational issues in implementing this Act; and

(4) recommendations for improving implementation.

SECTION 8. CONSUMER EDUCATION.

(a) PUBLIC AWARENESS CAMPAIGN.—The Commission, in consultation with the Postal Service, shall conduct a public awareness campaign to inform consumers

of—

- (1) the existence and purpose of the Opt-In Registry;
- (2) the methods for registering on the Registry;
- (3) the availability of physical indicators;
- (4) consumer rights under this Act; and
- (5) the process for filing complaints regarding violations.

(b) MATERIALS.—The Commission shall develop and distribute educational materials, including—

- (1) informational brochures;
- (2) a dedicated website;
- (3) public service announcements; and
- (4) multilingual materials for non-English-speaking communities.

(c) POST OFFICE NOTICE.—The Postal Service shall prominently display notices regarding the Opt-In Registry and physical indicators at all post office locations.

SECTION 9. ANNUAL REPORTS TO CONGRESS.

(a) COMMISSION REPORT.—Not later than March 1 of each year, the Commission shall submit to the Committee on Oversight and Accountability of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report including—

- (1) the number of delivery addresses registered on the Opt-In Registry;
- (2) the percentage of total delivery addresses registered;
- (3) the number of physical indicators distributed;
- (4) fees collected under section 5;
- (5) enforcement actions taken under section 6;
- (6) consumer complaints received;
- (7) an estimate of the environmental impact, including paper, water, and carbon emissions avoided; and
- (8) recommendations for legislative or regulatory improvements.

(b) GAO STUDY.—**(1) INITIAL STUDY.**—Not later than 3 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study on the implementation and effectiveness of this Act, including—

- (A) compliance rates among senders;
- (B) consumer satisfaction;
- (C) economic impact on the direct mail industry;
- (D) environmental benefits; and
- (E) impact on Postal Service revenue and operations.

(2) SUBSEQUENT STUDIES.—The Comptroller General shall conduct follow-up studies at 5-year intervals.

SECTION 10. IMPLEMENTATION TIMELINE.

(a) PHASE 1: PLANNING AND DEVELOPMENT (MONTHS 1-12).—(1) The Commission shall promulgate regulations implementing this Act.

(2) The Commission shall develop the Registry database and registration systems.

(3) The Commission shall design and produce physical indicators.

(4) The Commission and Postal Service shall develop training materials.

(b) PHASE 2: PUBLIC EDUCATION (MONTHS 13-18).—(1) The Commission shall launch the consumer education campaign under section 8.

(2) The Postal Service shall distribute physical indicators and informational materials.

(3) The Commission shall begin accepting registrations on the Registry.

(4) Commercial senders shall be permitted to access the Registry to prepare for compliance.

(c) PHASE 3: ENFORCEMENT (MONTHS 19+).—(1) Beginning 19 months after the date of enactment, the delivery prohibition in section 7(a) shall take effect.

(2) Enforcement actions under section 6 may commence.

(3) Civil actions under section 6(e) may be filed for violations occurring after the effective date.

(d) DELAYED ENFORCEMENT FOR SMALL SENDERS.—For senders with annual saturation mail volume of less than 100,000 pieces, the enforcement provisions of section 6 shall not apply until 24 months after the date of enactment.

SECTION 11. AUTHORIZATION OF APPROPRIATIONS.

(a) INITIAL APPROPRIATION.—There is authorized to be appropriated to the Commission \$15,000,000 to carry out this Act during the first 2 fiscal years following the date of enactment.

(b) SUBSEQUENT APPROPRIATIONS.—For each fiscal year thereafter, there is authorized to be appropriated to the Commission such sums as may be necessary to carry out this Act, to be supplemented by fees collected under section 5.

SECTION 12. EXEMPTIONS.

(a) EXEMPT MATTER.—This Act shall not apply to the following:

(1) OFFICIAL GOVERNMENT COMMUNICATIONS.—Mail matter from Federal, State, local, or tribal governments regarding—

- (A) tax notices or payments;
- (B) voter registration or official election materials;
- (C) census or survey participation;
- (D) public health or safety emergencies;
- (E) law enforcement notifications; or
- (F) utility service or public works notices.

(2) FIRST-CLASS MAIL.—First-class mail addressed to a specific named individual.

(3) NEWSPAPERS AND PERIODICALS.—Newspapers, magazines, or periodicals registered as Second-Class (Periodicals) mail under 39 U.S.C. 3621.

(b) MATTERS NOT EXEMPT.—For the avoidance of doubt, the following are NOT exempt from this Act:

- (1) Political campaign advertising, including mail from candidates, political parties, political action committees, and independent expenditure organizations.
- (2) Charitable solicitations other than disaster relief communications from organizations designated under 26 U.S.C. 501(c)(3) within 60 days of a federally declared disaster.
- (3) Mail from religious organizations, except official notices of religious services.
- (4) Advertising mail from businesses with which the recipient has an existing commercial relationship, if delivered through EDDM or other saturation mail programs.

SECTION 13. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this Act shall take effect on the date of enactment.

(b) DELIVERY PROHIBITION.—The delivery prohibition established under section 7(a) shall take effect 19 months after the date of enactment.

SECTION 14. SEVERABILITY.

If any provision of this Act, or the application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this Act, and the

application of the remaining provisions to any person or circumstance, shall not be affected thereby.

SECTION 15. PREEMPTION.

(a) FLOOR, NOT CEILING.—This Act establishes minimum protections for consumers. States may adopt and enforce laws that provide greater protection than the protections provided under this Act.

(b) NO PREEMPTION OF STATE LAWS.—Nothing in this Act shall be construed to preempt any State law that is not inconsistent with this Act.