

114TH CONGRESS
2D SESSION

H. R. 4709

To amend the CAN–SPAM Act of 2003 to require commercial email messages to include an option allowing recipients to unsubscribe from any such future emails.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2016

Miss RICE of New York introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the CAN–SPAM Act of 2003 to require commercial email messages to include an option allowing recipients to unsubscribe from any such future emails.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Unsubscribe From All
5 Act of 2016”.

1 **SEC. 2. REQUIRING AN OPTION TO UNSUBSCRIBE FROM**
2 **ALL ELECTRONIC COMMUNICATIONS.**

3 (a) IN GENERAL.—Section 5(a)(3)(A) of the CAN-
4 SPAM Act of 2003 (15 U.S.C. 7704(a)(3)(A)) is amended
5 to read as follows:

6 “(A) IN GENERAL.—It is unlawful for any
7 person to initiate the transmission to a pro-
8 tected computer of a commercial electronic mail
9 message that does not, clearly and conspicu-
10 ously displayed, contain—

11 “(i) a functioning return electronic
12 mail address or other Internet-based mech-
13 anism that a recipient may use to choose
14 the specific types of commercial electronic
15 mail messages the recipient wants to re-
16 ceive or does not want to receive from the
17 sender, including an option under which
18 the recipient may choose not to receive any
19 commercial electronic mail messages from
20 the sender, at the electronic mail address
21 where the message was received; and

22 “(ii) a functioning option labeled
23 ‘unsubscribe from all’ or a similar phrase
24 that, upon selection, sends a reply elec-
25 tronic mail message or Internet-based com-
26 munication requesting not to receive future

1 commercial electronic mail messages from
2 that sender at the electronic mail address
3 where the message was received with not
4 more than one additional action required
5 by the recipient.”.

6 (b) TIME PERIOD.—Section 5(a)(3)(B) of such Act
7 (15 U.S.C. 7704(a)(3)(B)) is amended to read as follows:

8 “(B) TIME PERIOD.—It is unlawful for any
9 person to initiate the transmission to a pro-
10 tected computer of a commercial electronic mes-
11 sage that does not remain capable of receiving
12 messages or communications sent under sub-
13 paragraph (A) for no less than 30 days after
14 the transmission of the original message.”.

15 (c) CONFORMING AMENDMENT.—Section 5(a)(3)(C)
16 of such Act (15 U.S.C. 7704(a)(3)(C)) is amended by
17 striking “subparagraph (A)” and inserting “subpara-
18 graphs (A) and (B)”.

○