

Re: Please support Boxer's HOLD on S.714, Junk Fax Prevention Act of 2005 ("JFPA")

Dear Senator X,

On April 14, the S.714, the mis-named "Junk Fax Prevention Act of 2005 ("JFPA") passed out of the commerce committee and will now go to the Senate floor for a vote. **The Senators all thought they were voting for a bill that would REDUCE junk faxes. They were wrong.**

None of the people who actually fight junk faxes support this bill. Therefore, there is something very wrong here. If what the Senators thought was true, then the people who fight junk faxes should be thrilled. In fact, just the opposite is the case!!

Fortunately, Senator Boxer has placed a HOLD on this bill. **Please support that HOLD.**

I agree that the "written consent" requirement must be eliminated from the TCPA regulations. S.714 (in Section 2(g)) does that and we need that. That is the good part of S.714.

Unfortunately, S.714, in Section 2(a) through 2(f), creates a brand new loophole in the law called the Established Business Relationship (EBR) exemption. We do not need an EBR exemption because we use our fax machine responsibly. We do not know why ANY business or organization that responsibly uses the fax machine requires an EBR exemption in order to send unsolicited advertisements via fax without the recipient's consent.

If S 714 passes with this newly created exemption, we will see a flood of new junk faxes, and my costs to do "opt-outs" for all of those with all our fax numbers will be an expensive task.

Unlike other advertising mediums, with fax machines you cannot "turn it off." The proposed EBR exemption opens the floodgates to a torrent of junk faxes because it creates a large legal loopholes that can easily be exploited by junk faxers as was pointed out (and not disputed) at the sub-committee hearing. We should be tightening the junk fax law, not adding new exemptions that no business that responsibly uses the fax machine needs.

In summary, to properly re-set the situation back to what it was before the FCC rulemaking, **Section 2(g) in this bill is required. But Section 2(a) – 2(f) creates a BRAND NEW "EBR exemption" that is NOT NEEDED now and was never needed in the past and will OPEN THE DOOR TO ABUSE.**

Please support Senator Boxer's hold on this bill until the EBR exemption in Section 2(a) – 2(f) is REMOVED from this bill.

6/18/2018

Thank you.

Sincerely yours,