Geeks like acronyms. One of my friends sends me e-mail entitled YMS (Your Morning Smile); various sources (e.g., Computer Desktop Encyclopedia at http://computerlanguage.com/, The Jargon File at http://jargon.watson-net.com/ or the Geek Dictionary at http://tinyurl.com/rgtou) define lots of TLAs (three-letter acronyms) and other abbreviations used by geeks. In that spirit, I can write that YAJF (Yet Another Junk Fax) appeared on my machine a few days ago, this time touting YAJS (Yet Another Junk Stock) and presumably aimed at YAGF (Yet Another Gullible Fool) stupid enough to spend money on information sent illegally by criminals.

In the USA, sending a fax to someone without an EBR (established business relationship) is a violation of the TCPA (Telephone Consumer Protection Act of 1991) and of the JFPA (Junk Fax Prevention Act of 1995). For complete information about FCC (Federal Communications Commission regulations applying to junk faxes, see their summary at http://tinyurl.com/va8n).

On occasion, I have taken the time to report junk faxes to the FCC, but I had never seen any information about whether such complaints or acted upon. A recent report from the GAO (Government Accountability Office) gives depressing news about the FCC’s enforcement of junk fax laws (see http://tinyurl.com/r9cgu which provides links for a full report in PDF).

The Summary from the GAO includes the following text:

“FCC has procedures for receiving and acknowledging the rapidly increasing number of junk fax complaints, but the numbers of investigations and enforcement actions have generally remained the same. In 2000, FCC recorded about 2,200 junk fax complaints; in 2005, it recorded over 46,000. Using its procedures to review the complaints, FCC’s Enforcement Bureau (EB) issued 261 citations (i.e., warnings) from 2000 through 2005. EB has ordered six companies to pay forfeitures for continuing to violate the junk fax rules after receiving a citation. The six forfeitures totaled over $6.9 million, none of which has been collected by the Department of Justice for various reasons. EB officials cited competing demands, resource constraints, and the rising sophistication of junk faxers in hiding their identities as hindrances to enforcement. . . .”

There is no information in the report itself to indicate what proportion of the recipients of junk fax take the time to send complaints to the FCC. A February 2006 press release from j2 Global Communications about its successful litigation against a major fax-spammer, Venali/Vision Lab Telecommunications, that organization has been sending out millions of junk faxes to j2’s customers < http://tinyurl.com/s3bwk >. I suspect that the FCC’s 46,000 complaints represent the very small tip of a very large iceberg.

Even if we estimate that junk faxes cost individual recipients a modest $.05 apiece, the total cost of wasted paper and toner or ink presumably runs into the millions of dollars a year. In addition, these criminals are bilking their customers of presumably significant amounts of money by pretending to send faxes to willing recipients (see for example the report on the now defunct FAX.COM company at http://tinyurl.com/m3nwe). Worse, according to the FCC document
mentioned earlier, “The person or business on whose behalf a fax is sent or whose goods or services are advertised is liable for a violation of these rules even if they did not physically send the fax themselves.”

If the FCC increased its litigation against the criminals it can find and actually collected money from the court-imposed fines, perhaps it could use the increased revenues to fund increased enforcement efforts.

Wouldn’t it be nice to see at least some junk fax operators reduced to penury and ignominy?

Grrrr.

* * *


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