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Approved as to Form and Legality

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Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmembers Nadel and Quan

Resolution Urging Both The California State Legislature And United States Congress To Establish A Do Not Mail Registry That Will Give Residents The Choice To Stop Unwanted Commercial Junk Mail From Being Delivered To Their Residence Through A State And/Or Federal Registry

WHEREAS, the amount of junk mail delivered in the United States each year has substantial environmental and social costs that can be significantly reduced by the creation of a Do Not Mail Registry; and,

WHEREAS, the production, distribution, and disposal of junk mail contributes to climate change by producing 51 million tons of greenhouse gas emissions¹ - equivalent to that of 10 million automobiles² - at a point when current environmental challenges demand significant and urgent reductions in our carbon footprint; and,

WHEREAS, the amount of paper required to produce the 105 billion pieces of junk mail distributed each year in the United States³ requires the annual harvest of approximately 100 million trees⁴ that, if left standing, would act as important carbon storehouses; and,

WHEREAS, approximately 44% of all unsolicited junk mail arrives in landfills unopened⁵, thereby placing unnecessary stress on our waste disposal systems; and,

WHEREAS, in 1990 Alameda County's voters passed ballot Measure D (The Alameda County Waste Reduction and Recycling Initiative Charter Amendment), setting a requirement for the County to reduce land filling by 75% by 2010; and

WHEREAS, reducing junk mail will help meet Oakland's citywide goals of 75% waste reduction by 2010, set in 2002, and the goal of zero waste by 2020, set in 2006; and,

¹ ForestEthics. "Climate Report". Appendix A. 2008, pp. 5

² The Environmental Protection Agency (EPA) estimates average carbon dioxide equivalent emissions as 8.8 kilograms per gallon of gas, and average fuel economy of passenger cars and light trucks as 20.3 miles per gallon.

³ United States Postal Service (USPS). "The Household Diary Study: Mail Use & Attitudes in FY 2006." March 2007, pp. 1.

⁴ Center for New American Dream calculation from Conservatree and U.S. Forest Service statistics.

⁵ 41pounds.org: <http://41pounds.org/impact/default.asp>.

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WHEREAS, junk mail is an invasion of privacy and has the potential to contribute to the ongoing problem of identity theft; and,

WHEREAS, the requested Do Not Mail Registry would be modeled after the national Do Not Call Registry, which is the most popular consumer rights bill in history; and,

WHEREAS, 93% of likely voters and 89% of likely voters nationwide voiced support for a Do Not Mail Registry in a 2007 nation poll commissioned by Zogby International⁶; and,

WHEREAS, A multitude of states have previously proposed Do Not Mail bills including; Arkansas, Colorado, Connecticut, Hawaii, Illinois, Maryland, Michigan, Missouri, Montana, New Hampshire, New Jersey, New York, North Carolina, Rhode Island, Tennessee, Texas, Vermont, and Washington⁷; and,

WHEREAS, the San Francisco Board of Supervisors has already passed a resolution urging the State of California to establish a Do Not Mail registry, and

WHEREAS, the success of statewide Do Not Mail registries will pave the way for an equivalent registry at the national level; and

WHEREAS, the most effective implementation of a Do Not Mail registry would be as an act of the United States Congress: now, therefore, be it

RESOLVED, that the Oakland City Council hereby urges the State of California to establish a Do Not Mail registry to provide persons of California with an effective, user-friendly system to voluntarily stop the receipt of unsolicited direct mail to their property; and, be it

FURTHER RESOLVED, that the Oakland City Council hereby urges the Congress of the United States to establish a Do Not Mail registry to provide its citizens and residents with an effective, user-friendly system to voluntarily stop the receipt of unsolicited direct mail to their property, and, be it

FURTHER RESOLVED, that the Oakland City Council directs the City Clerk to send a fully conformed copy of this resolution to Oakland's state legislative delegation as well as the President Pro Tem of the California Senate and Speaker of the California Assembly and; be it

⁶ National Poll Commissioned by the Center for a New American Dream and conducted from September 13-16, 2007 by Zogby International. The survey was administered by phone to 1011 likely voters nationwide. Findings from the survey have a margin of error of +/- 3.1%.

⁷ Direct Marketing Association, "State Do Not Mail Bills - 2007," available at: <http://www.the-dma.org/donotmail/2007legislation.shtml>, accessed October 7, 2008.

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FURTHER RESOLVED, that the Oakland City Council directs the City Clerk to send a fully conformed copy of this resolution to the Congressional Delegation representing the City of Oakland, namely, Hon. Nancy Pelosi, Speaker of the House of Representatives, Senator Dianne Feinstein, Senator Barbara Boxer and Congresswoman Barbara Lee.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2009

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID AND
PRESIDENT BRUNNER

NOES -

ABSENT -

ABSTENTION -

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California