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Blocking spam opens another can of worms

By David Nicklaus

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Even with a law in place to can it, spam is refusing to stay contained.

Congress passed the CAN-SPAM Act last year, banning certain spammer tactics and directing the Federal Trade Commission to think about establishing a do-not-spam registry.

But the flood of sales pitches for "herbal Viagra" or "powerful weight-loss systems" continues unabated, costing the American economy billions of dollars in bogged-down computer capacity and lost productivity.

This week, the FTC threw cold water on the idea of an e-mail registry that would work like the national do-not-call list.

An e-mail list wouldn't work, the FTC says, and it would make the problem worse. Spammers could use the registry as a cheap source of government-authenticated e-mail addresses. People on the list would then get more, not less, spam. And because marketers are so good at disguising their identities, the government would have almost no hope of catching the abusers.

A prosecutor in Washington state, the FTC notes, needed four months to track down a single spammer. Private industry hasn't done much better. One Internet service provider was able to identify 91 spammers - but only after 12,000 hours of work by its legal team.

You can bet that those lawyers don't work cheap. Another ISP estimated that pursuing a spammer in court would cost between \$100,000 and \$2 million.

But spam has a huge cost to the ISP, which has to buy extra servers and extra bandwidth to handle the unwanted traffic. Companies also have to overbuild their networks, and they have to buy spam-filtering software to shield their employees from the onslaught.

Here at the newspaper, an administrator told me recently that our spam filter blocks two-thirds of all incoming messages. The volume of unsolicited messages has quadrupled in the past year.

Between 15 percent and 60 percent of the deluge, according to a Microsoft expert, comes from hijacked home or office computers known as "zombie drones." They've been infected by a virus that lets a spammer take control remotely and use them to make mass mailings.

John Lockwood, assistant professor of computer science at Washington University, thinks the spam problem requires a combination of technical and legal solutions. The telephone network, he notes, has both the technology to trace calls and an enforceable no-call list.

With e-mail, he said: "Right now, we don't have either one. We can't find out who really sent the spam, and we don't have a legal mechanism to punish it."

Lockwood and a local company called Global Velocity have developed a piece of hardware that can block spam more effectively than existing software filters. But he says users also will have to embrace some form of electronic signature verification. Such programs are available, but they won't be effective unless they are widely used and incorporated into e-mail programs such as Microsoft Outlook.

The industry, however, hasn't even agreed on which solution to pursue. Microsoft is backing something called Caller ID for E-mail, which would verify the "from" line of a message. Yahoo favors something called Domain Keys, which would add pieces of encrypted code to legitimate messages.

The rising cost of spam should push these companies to agree on something sooner rather than later. Some experts predict that we'll be sending authenticated e-mail within a year.

Unfortunately, writing laws that stop spammers will probably take much longer.

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