

April 14, 2004

Re: CAN-SPAM Act Rulemaking, Project No. R411008

To the Commissioners,

I applaud your efforts to deal with the problem of unsolicited bulk email. I am, however, concerned about the proposed requirement for merchants to maintain suppression lists and the many problems and costs associated with this idea. So much damage could be done to consumers and businesses alike, that I feel I must ask you to consider this matter most carefully.

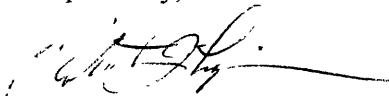
Requiring the use of suppression lists could seriously damage many of the legitimate publications available on the net. Specifically, I am concerned about the harm to legitimate publishers who require permission from the consumer prior to adding them to any list, often requiring not only the recipient's name and e-mail address, but also requiring them to reconfirm their desire to receive e-mail by clicking on a confirmation link, sent to the e-mail address they provided. These publishers also include an unsubscribe link in every e-mail, making it simple for the consumer to unsubscribe at any time, and with very little effort.

They are not who CAN-SPAM was designed to put out of business, but this requirement will very likely have that effect, while the true spammers, often operating from outside our borders, will continue to send unsolicited e-mail.

There's also the potential for significant harm to consumers, because of the problem of properly knowing their intent when they unsubscribe from a list. On top of that, these suppression lists could easily fall into the hands of hackers and spammers, leading to more spam instead of less.

I am quite concerned about the potential problems this ruling could create, and strongly urge you, to reconsider its implementation in light of these problems. With our economy on the mend, this is not the time to put up more barriers between honest publishers, who strive to keep up with, and follow, the latest rules, and their consumers, who only receive their products by choice and can cancel at any time, quickly and simply.

Respectfully,



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