

April 14, 2004

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

To the Commissioners,

I recently received several emails concerning your proposed use of "suppression lists" with commercial email. While I applaud your efforts to curb the problem of unsolicited bulk email, I am concerned about the proposed requirement for merchants to maintain such lists.

There are so many problems and costs associated with this idea, and so much damage done to consumers and businesses alike, that I feel I must urge you to consider this matter most carefully.

As the proposed methodology has been reported to me by multiple sources, the use of these lists will be very costly and time consuming.

Requirement of the use of suppression lists will seriously damage many of the legitimate publications available on the net. My specific concern is for harm to publishers who require permission from the consumer prior to adding them to any list.

Small business constitutes a very large segment of the employers and consequently the economy of this nation. Remaining in business is always a struggle. Placing additional regulatory burdens on them will do very little to curb the flood of unsolicited bulk email but will have the effect of forcing many of these tax paying companies out of business.

They're not who CAN-SPAM was designed to put out of business, but this requirement will very likely have that effect.

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 spammers, leading to more spam instead of less.

I was quite surprised at the potential problems this ruling could involve, and urge you in the strongest possible terms to reconsider its implementation in light of these problems. Find another method. One that effectively targets the abusers, not their victims or legitimate business.

Respectfully,



Franklin Beal
Oregon, USA