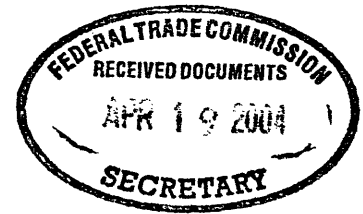


000947



April 14, 2004

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

To the Commissioners,

Your efforts to stop spam are a good attempt but... the proposed requirement for merchants to maintain suppression lists is unrealistic. Besides, I recall reading in the press that some are declaring the CAN-SPAM Act a failure in reducing spam. I can attest that some of my e-mail accounts have not seen a reduction in spam but probably an increase.

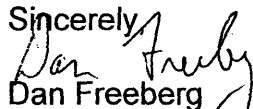
This is not the first time I have seen a knee-jerk reaction attempt to solve a problem and only makes the situation worst for someone else. There are so many problems and costs associated with this idea, and so much damage done to consumers and businesses alike, that I feel I must urge you to reconsider this matter.

The requirement for using the suppression lists will cripple many of the legitimate publications available that use the internet for distribution. My specific concern is the harm to publishers who will be required to obtain permission from the consumer prior to adding them to any list.

They're not who CAN-SPAM was designed to put out of business, but this requirement could 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 which could lead to more spam instead of less.

Upon researching this ruling, I was quite surprised at the potential problems it could involve, and urge you in the strongest possible terms to suppress it.

Sincerely,

Dan Freeberg
Colorado Springs,
Colorado