

April 16, 2004

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Federal Trade Commission
CAN-SPAM Act
PO Box 1030
Merrifield, VA 22116-1030

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

To the Commissioners,

I applaud your efforts to curb the problem of unsolicited bulk email. However, I am concerned about the proposed requirement for merchants to maintain suppression 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.

Requirement of the use of suppression lists will seriously damage many of the legitimate publications available on the net.

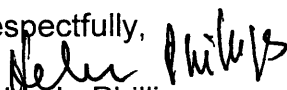
There's also the potential for significant harm to consumers, because of the problem of properly knowing their intent when they unsubscribe from a list. On top of that, these suppression lists could easily fall into the hands of spammers, leading to more spam instead of less.

I believe that an FTC requirement to maintain lists of people who opt-out and distribute such opt-out or suppression lists to advertisers and other Internet marketers will create more spam, not stop it. What's more, the costs of doing this can put small outfits out of business.

Let's penalize the spammers, not legitimate businesses who are trying to e-mail responsibly.

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,

Respectfully,


Helen L. Phillips