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

To the Commissioners,

I applaud your efforts to reduce unsolicited bulk email. I too have been annoyed by large amounts of spam in my inbox. However, I am concerned about the proposed requirement for merchants to maintain suppression lists.

Please consider this matter carefully, since the problems and costs involved, as well as the damage done to consumers and businesses alike, could far outweigh any benefits this ruling could provide.

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.

CAN-SPAM was not designed to put legitimate publishers out of business, but this requirement will very likely do just that.

I have never had my email address abused by responsible publishers, the ones who will most likely be affected by the proposed ruling. On the other hand, I have seen how the spammers who have most consistently pelted me with unwanted trash have managed to sidestep one legal impediment after another. I fully expect spammers to find a way around this requirement, while legitimate businesses will have their most effective voice silenced. I anticipate that the unintended result of this requirement could be to stop any business communication by email EXCEPT from spammers. The baby would be thrown out with the proverbial bath water,

Especially in light of current challenges in the economy, the value of email as a resource for responsible small business cannot be overstated. I hope that in your efforts to protect the consumer, you do not inadvertently smother the very kind of entrepreneur the economy needs most right now.

Consumers also could be significantly harmed, since it is difficult to determine exactly why they unsubscribed from a publication. Even more concerning, the suppression lists themselves could easily be stolen by spammers, who would feel no qualms about unloading additional truckloads of malicious spam on the very people whom this ruling is trying to protect.

In light of the potential problems this ruling could involve, I urge you in the strongest possible terms to reconsider its implementation in light of these problems,

Respectfully,



Shirley Freeman
Utah, USA