

TO: The Commissioners
SUBJ: CAN-SPAM Act Rulemaking, Project No. R411008
DATE: April 15, 2004

I think your efforts to curb the problem of unsolicited bulk email have generally been good ones. However, I am very concerned about the proposed rules for merchants to maintain suppression lists.

Because I feel quite strongly that there are many big problems and costs associated with this new rule and much unintended damage will be done to both consumers and businesses. I 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. My specific concern is for harm to publishers who require legitimate 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 will have that unintended 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 true spammers, leading to more spam instead of less.

True spammers of unsolicited bulk email are really bad actors who have already shown that they abide by no rules or regulations. They will continue to be bad actors and this proposed requirement will only hurt legitimate, tax paying, businesses and their customers.

This new requirement has many bad, unintended consequences, please, I urge you in the strongest possible terms to reconsideration its implementation.

Regards,



Brian William D
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