

CAN-SPAM Act Rulemaking, Project No. R411008

Dear Commissioners,

I appreciate how you are working towards fixing the problem of unsolicited email. However, I think that your act is addressing the issue improperly.

What you want to require unfortunately damages legitimate businesses as well as consumers rather than really fixing the issue at hand.

Suppression lists will make it very difficult for legitimate online publications, in particular those who require permission to add consumers to any list. This isn't the right group to target to put out of business.

Also, consumers can be potentially harmed because by simply unsubscribing from a list, one will be "blacklisted" on a suppression list when they may have unsubscribed for various reasons other than that they do not wish to ever see that product again.

Additionally, it would be easy for spammers to obtain the suppression lists, at which point spam will increase rather than decrease.

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.

Your efforts would be much better and more effectively spent stopping problems at the source. What I mean is that opt-in lists need to provide more information about what lists the company is signing up to. Instead of pursuing suppression lists, instead pursue making the website owners more accountable for how opt-in is handled. Having a check box buried on an order form should not be reason for the web site owner to go selling that information to hundreds of "marketing partners".

I believe it would be much more beneficial for you to require webmasters to disclose who exactly your email address is being sold to, and at what frequency the mailings would be.

For a legitimate venture, one could pass by simply stating "your address is not sold to anyone and you will receive email from us no more than once per week".

For opt-in spam farms, they would be required to state every partner they sell their information to and the frequency of which their partners send you information.

At any rate, with the way the current act stands, I urge you to can the CAN-SPAM act.

Thank You,



Tara Johnson
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