

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

(Also posted at your website-form at: <https://secure.commentworks.com/submitcomment.aspx>)

Comment as posted from your website:

I have to answer "blank" to most of your questions as the way I see and feel, they give to limited approach as concerning the alternatives available.

In most cases, also I find the questions to be leading to give an answer or statement not appropriate to the answers I'd like to submit...

Thus, please accept my enclosed document (RTF format) as my answer to this proposed regulation.

Thank you.

Sincerely

Arne Yri

P.S:

This very same document will be sent by ordinary mail.

Below is letter as attached to this mailing.

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

Dear Sirs...

Dear Madams at the FTC Board...

I want you to know that I really appreciate your efforts to deal with the problem of REAL unsolicited bulk email.

However still due to the latest progress of events, I am DEEPLY concerned about the proposed requirement for merchants and website and e-mail publishers to maintain what you refer to as suppression lists.

To make my concerns clearer and let you better know my concerns and how I feel about the situation, let me First ask you a simple question..

How would you feel, or look upon loosing your favorite newspaper, magazine or even the chance of going to see a movie you'd love to see? And not least... How would you feel if somehow your e-mail address were put into the open public so every spammer in the universe could get hold of it, and e-mail your brains out with garbage? (Yes, spammers – NO matter how “good” your systems for this – WILL GET and USE this list, and the problem will be bigger! And how about all the people these publishers have solemnly promised by their honor NOT to share with anybody else?)...

How would that look or sound to you? My guess is you'd hate it severely... wouldn't you?

Imminent Danger is at your doorsteps.

That's right. We're in danger of losing access to our favorite "magazines, newspapers and movies" due to the possible turns of the new legislations in "CAN-SPAM Act Rulemaking, Project No. R411008"!

Not least our privacy from prying eyes and people with ill-wills...

Another thing that I didn't consider a serious issue, or an issue at all – until made aware of it today – REALLY made me wonder...

WHAT ABOUT PERSONAL SECURITY

You're proposing one of the ways of meeting your requirements is by putting your physical address in every business email. For many this will be their private home address as they're working from home as more and more people chose and are able to do because of the internet. And, if they're forced to only be allowed to put their own street address – and not p.o. box... Just think about it for a minute....

Would that be a very safe thing to do these days, especially when realizing that many of these people are women living alone.

Please let me assure you yet again, I have the greatest respect for your difficult task of taking care of the arisen spam-problems on the web today...

And with immediate danger of coming across as arrogant, please let me assure you that is ABSOLUTELY not my intention...

However, as a former project manager in the IT/Telecom industry, I know how difficult it is to stay ahead of events at every given period of time... And particularly so concerning the web and email concerns of today.

Just as with my projects, sometimes tens of millions of dollars and more in size, things were moving so fast, I never - EVER had the chance of knowing it all... Besides, if I'd even try, I'd go crazy in minutes because of information overload...

FORTUNATELY, that's why I always had skilled professionals at my side to consult and draw ideas and thoughts from... And, as a professional myself - Whenever I was in a situation where I did not have the proper resources at hand...

**IT WAS ALWAYS MY JOB TO MAKE SURE I GOT HOLD OF THE
MOST IMPORTANT PARTS OF THE PUZZLE before I made a move...**

With so much money... So many people's lives and financial, and personal security and well-being at stake, I could not afford to make many mistakes like that... Or we'd be out of business faster than you could blink your eye...

As with the IT/Telecom industry, the web is a similar arena where things are happening so fast that it may at times be darned hard to simply hang in there... -- New problems... New solutions... New criteria and people to be dealt with by lightning speeds.... It's simply overwhelming... And here is where I fear to come out as arrogant, as I'm close to the zone where I'm coming across stating you're incompetent with your job...

Believe me, I'm NOT indicating any such thing.

You see, when I consulted as a project manager, many times I didn't know one iota of what I was doing...

Well, just as with your case, this is somewhat an overstatement..

Still, the thing is, I never had the complete picture or the complete touch of the project in its early stages...

There were challenges and problems to be laid out and solved... ..And in order to make the best possible decisions, we always had to decide what was the results we wanted, and what was the possible pitfalls on our way of getting there successfully...

Sometimes this procedure took hearing after hearing to make it right, which I believe is the way you're working too!
(Why else would you need or want external input after all?)

You have some very important decisions to take care of...

Decisions that can improve the lives of hundreds of thousands... ..Yes, even millions upon millions of people around the world will be affected and hopefully improved upon because of your acts...

Or heaven forbid... scrutinized and damaged....

It's easy to have good intentions... I've seen that a lot even in my own projects... And even with a 100% success rate – taking broken projects - up and running within 3 months or less - no exception - I've still had plenty of my own mistakes to go through and sort out to get there...

I would never have experienced much success if it wasn't for all the good advisors around me! And most importantly, the users of the systems we were to design, create and implement... Without them, I would probably have been the biggest fiasco in my industry... And, I don't even dare think of the fatal consequences if I'd refused to listen, look or come to my senses when I was heading the wrong directions...

Fortunately, as I've been informed, you're not like that! And I have only the biggest respect for people who are open-minded and willing to listen and take a closer look in order to make sure everything is taken care of in the best possible way...

Just like in my projects, a lot of people used to complain that nothing happened... I spent too much time asking too many questions and on... and on... Still the same people whose projects or even departments were a total mess, couldn't understand why my projects were taking off like crazy, while they, who even had more resources, more education... and even did things "faster" than me - didn't have the same rate of desired results from their efforts...

Incredible as it may seem, feel or sound, the secret was always the simple old... and the very same... -- Proper investigation, planning, willingness to listen look and feel... And flexibility to change what didn't give the desired results...

That was all it ever took to have a 100% success rate taking trashed project that "everybody" had given up on - into a killer in no time... Sure! I still made mistakes, but that's not important when you take care of the matters ahead in this manner...

Simple - but equally difficult, if not handled seriously.

Anyways, now you're that project manager. In charge of the well-being and destinies of hundreds and millions of people both in the United States... And everywhere around the world...

Your decisions could make or literally break the lives of millions of people depending on the web. And certainly the web is the Ultimate new channel worldwide both for fun, recreation, pleasure entertainment, true information and business...

Whether we like it or not, business is the key and the secret to our civilizations welfare, both financial and personal as we know it today... And we all know that if it wasn't for modern industry and commerce, we'd be 'bumping' around, still trapped in the realms of the caveman...

Just go back a century or two in history, and you'll soon discover it was "modern" Industry and commerce that made the United Kingdoms the most powerful nation in the world at the time... They were thriving, while other nations were crawling in the dirt as imbecile cattle...

No infrastructure... No education... No healthcare... NO convenience... NO NOTHING, but filth and poverty...

Eventually... The same principles made the United States the most powerful nation in the world...

All due to personal enlightenment and the new financial and cultural structure that evolved as results of the new industrial revolution...

And nothing... NOTHING of what we're surrounded with today would've ever been possible without this new development that got it's birth with its offspring from among others... Adam Smith...

Today, Internet is THAT new breakthrough. Both in personal and economical ways... And where there is no positive cashflow and economy is down... there is nothing but poverty, disease and grief...

Taking the life-blood out of this new industrial medium would be the same as cutting off both legs and arms of Adam Smith in his infancy... - Or how about doing the same with every president, politician, bureaucrat, employee or business in the United States today?

You'd be in big trouble faster than you could say "cheese cake", and your great nation would soon be but history... (Some communist psychopath or Taliban geek probably would love that, but we both know as law and fact: -Where there is no positive flow of energy... ..money or power.. there is no life. Just decay, poverty, filth and death...)

Would you truly want to go back to the stone ages living in the dirt as cavemen did - compared to the way you live today? Would you really be willing to abandon all your comfort and pleasure brought to you by modern life?

Things like the cures for disease and pain? The luxury of enjoying fresh crisp food – instead of having to settle for worms and whatever you could find around? Would you really sentence your possibilities for growth and prosperity back to obscurity?...

Would you really?

Then what about freedom of speech? Or freedom of thought? Something considered so important it is even legislated in the very essence of your Constitution.... –So then: How would you like me to take away and ban your favorite magazine or newspaper - just because it had some ad for something I didn't like or approve of in it?

You don't read your favorite magazine or newspaper just because of the advertisements in it... Right? Even though at times you find ads for products or services in which you find no interest... You still buy your favorite magazine and/or newspapers...

And the real reason you buy your favorite magazine/newspaper is because you get things there of personal interest, comfort, useful information, joy and personal pleasure... Isn't that so? And, you even know, if that magazine/newspaper didn't carry ads paid by other people, there would be no favorite magazine and newspaper left for you to read...

I'm even positive at one time or another you found ads that made you buy something you loved as result of it... All because it presented you with a product/service that really benefited you and made your life easier or joyful. Still my guess is, you never actually read everything inside your newspaper or magazine... Yes some do, but most don't... You just skimp to whatever of most interest to you....

**AND THE SAME GOES FOR ANY AND EVERY
INFORMATION BULLETIN OR
NEWS-EMAIL BULLETIN ON THE WEB.**

Obviously, I'm talking about the SERIOUS publishers – running LEGITIMATELY – EITHER as a professional or a hobbyist. And they all share the same characteristics. It's exactly as with your favorite magazine or newspaper...

You decide you want to buy and read them, despite the fact you're not necessarily interested in the advertising inside.. (Yet at times, that's exactly why we buy our magazines and daily papers)...

Furthermore, when that periodical no longer brings you any pleasure - what do you do? You simply unsubscribe or do not buy it anymore...

So, what about spam?

I receive between 100 to 300 emails in my personal mailbox every day... From these maybe only 20 to 50 are emails that I have asked to receive. And I would gladly get rid of most of the unsolicited ones. I can assure you that.

However... Are the newspapers and magazines you're reading spamming you – just because they're carrying ads from other companies, organizations, personals or whatever? - You didn't ask particularly for that ad on page 3 did you? You may even hate the guts of that company that's on the back or front cover... And you may even have told you never ever will have anything to do with them again, for whatever reason...

You may even get mad about that ad.. or company... or even mad about that darned magazine...

STILL:

Did anybody force you to buy or read that ad? Did anyone force you to keep reading what you were reading?

Isn't it easier then to stop reading, stop subscribing to, or stop buying something if you hate it that much?

Would it be right for me to FORCE YOU - to NOT read YOUR favorite magazine EVER again? Knowing you still you want to have it so badly it hurts YOU to the bone...

And take a look at this:

What if I forced YOUR publisher NOT to give YOU your favorite magazine – TV show etc EVER again?

How about I told them, I'd PUNISH them so BRUTALLY and MERCILESSLY, so they'd lose every wish to continue living anymore?

For what reason? They broke this strange rule I gave them – and in spite of that they sent you and let you read your favorite magazine?

NOW...

Can you see that even because you decided to unsubscribe from Janet's e-mail list – that doesn't logically or even emotionally need to say or mean – YOU cannot deal with Uncle Sam any longer just because he is somewhat related to – and promotes Janet's stuff too?

Isn't there still possibility that YOU STILL love Uncle SAM's stuff so much that you don't care if Janet's stuff is in there too? And you still want to, and you EVEN are DEAD EXITED about getting Uncle Sam's STUFF so you hardly could sit still in anticipation?

Isn't that a very likely possibility? Just like it is a VERY HUGE possibility that you will continue watching your favorite TV shows as usual – You will continue reading the same magazines – the same newspapers or whatever you do – EVEN THOUGH there may be things in there from time to time that you consider filthy?

So... What is the problem? I will also predict, that if you stop reading your favorite stuff – just because of some ad or whatever... Then you're already so tired with your "favorite" magazine/paper – That you would've stopped getting it anyways...

YOU SIMPLY UNSUBSCRIBE TO THAT TOO, WHEN – AND - IF IT BOTHERS YOU THAT MUCH!

Would I like to have imposed on me - from a third party - that I no longer should receive this service (that I rely upon and expect to get e-mails from) just because it contains ads or info about some other product or service?

ABSOLUTELY NOT!

NOT EVEN SO IF THAT IS A PRODUCT OR SERVICE GIVEN FROM A SUPPLIER, OF WHOSE LIST I MAY HAPPEN TO FORMERLY HAVE UNSUBSCRIBED - FOR SOME REASON OR ANOTHER...

That is a decision I entirely want to make on my own. And so would millions of people along with me...

So, I ask of you this simple little thing:

Is it fair, that if you can chose what you want to read and receive – that you give me – and everybody else that VERY SAME respect and courtesy?

Because you see – That is what REALLY is AT STAKE HERE! AND THE PURE THOUGHT OF THIS MAKES ME ANGRY AS HELL!

AND IF YOU ARE TO BE HONEST WITH ME – HONEST WITH YOURSELF AND HONEST WITH THE REST OF THE WORLD – YOU'D BE PISSED OFF TOO – IF I OR SOMEBODY CAME TO YOUR DOORSTEP AND TOOK YOUR LITERATURE, YOUR LOVED ONES AND YOUR WORK AND HOBBIES AWAY!

Honestly – wouldn't that piss you off and make you cringe?

The Nazi's tried this experiment before and during ww2. They burnt books, they burnt poems, they burnt works of art...

All in PUBLIC!

AND THEY EVEN BURNT PEOPLE... And because they made the rules – right or wrong – criminal rules or not – THEY MADE THE RULES – SO THEY GOT AWAY WITH IT...

.....until

.....fate stroke

.....back on them....

You see, as long as the e-mail I get is from sources of which I have given my permission - one way or the other - I really don't "care" if what they put inside their publications doesn't interest me to a 100% degree... In most cases I don't even expect that to happen!

Just like with offline publications, books, newsletters, magazines and newspapers - I NEVER or SELDOM read everything inside. - Still, just like most people (and probably you too) I (we) just read the parts that interests me/us now – at THIS VERY MOMENT!

The rest we don't care one iota for, so we skip it elegantly... -- However, still we go the next day buying the same publication, fully aware that probably most of the stuff inside is of no interest to us...

(And neither do I care whether the e-mail address is from whom it says it is – AS LONG AS THE INFO IS FROM SOMEONE THAT I HAVE TOLD IT IS OKAY TO E-MAIL ME – I DON'T CARE IF THE EMAIL ADDRESS SAYS IT IS FROM JUPITER. I DON'T CARE. ALL I CARE IS THAT THE INFO IS FROM THIS PARTICULAR COMPANY OR PERSON AND IT IS SOMEONE THAT I SAID OKAY TO EMAIL ME. So, if I signed up at www.abc.com and their e-mails are telling me they're sending from www.cba.com or whatever – is of NO – **and still should be considered of NO consequence** as long as there is no fraud or attempt of fraud involved. And emailing someone who has subscribed to a list – until that someone unsubscribes from that list with ALL and every e-mail address subscribed – THAT is NO WAY – NO MATTER IF THE LAW SAYS SO OR NOT – THAT IS NO ATTEMPT OF FRAUD - because the person is telling you who it's from inside – AND THAT IS NO WAY A CRIMINAL ACT. Making such a thing a criminal act – is an act of crime and should be punished in itself.)

We all do and expect things to be like this in the "off-line-world", so why should it be anything different in the "online-world"?

BECAUSE IT SHOULDN'T!

And if that should be the case, the things we all know and take for granted about the Internet today, will quickly dissolve and perish.

Remember, the web only accelerated in its growth AFTER the commercial interests moved in and made it available to the general public! (Not the other way around...) Without all these resources and money put into it, there wouldn't really be any internet at all.... It's just too damned expensive to run without any source of income out of it... And if no income, there soon enough will be no reason whatsoever to either run or own a website... and when no website or no-one there to take care of information.. NO-One in their right minds would ever go there... knowing they'd find nothing new... Nothing of interest or value whatsoever... Just a blank empty screen, or propaganda from the dictator minister of some "Taliban" country...

That's just simple logic and common healthy reason.

The media as we know it, would be impossible to run, use or even administrate or control for those forces that wish to do so...

All the time when I'm talking here, I'm referring to what we all know as respectable **opt-in** e-mail either used for marketing, sales, pure information or other uses... – Not at all referring to e-mail harvesters and those kinds of spammers – as that's another story. I have several "fake names" that I have put onto my own test web pages, and VOILA, suddenly I'm getting commercial mails from total strangers to these names... Somebody harvested my site and suddenly I'm flooded with garbage...

And that is what you're after. These guys and gals were never invited to flood my inbox with their unsolicited garbage...

And as long as this law would kick these persons out of business, making their days harder I would only be to happy. But, I , and AWFUL lots of people with me, are only fearing that these new regulations will only terrorize and make it harder on the people playing by the rules and respecting other peoples privacy... The serious guys knows for real, that if they don't abide by their promises – they'll soon be out of business. They also know that not everybody will always want to be on their lists, so they give EASY opt-out systems.

AND:

As long as a person have opted in to some list with her or his e-mail... That very same person,(you and me included) must be held personally responsible for that action.

Then, to cancel or "opt-out" and stop mailings to that particular e-mail address, that person must be held responsible for taking necessary action to unsubscribe from "that" particular list - if he or she no longer wishes to receive mailings from that particular publisher...

Attention:

Just because I'd cancel my subscription from publisher A, doesn't mean – and must **never** be misunderstood for me not wanting any more mailings from publisher B.... or C... or D or... Z..... or.... to whom I have also opted in.

And even if Publisher B, C or Z should happen to promote, in one of their mailings (or websites... or whatever), a product / service from publisher A – that does **NOT** mean I or anybody else should have the legal rights to dictate what the publisher should or should not send out.

It simply is not for me or you to decide what the publisher should send out in his mailings or post to his or her websites.

That is the courtesy of the publisher to decide online – as well as in the offline world.

Your and my courtesy however, is that we have the power to cancel out the subscription or not to visit their websites – if we chose to do so - or if we are so bothered by the stuff they're sending us.

It is the publishers sole decision and responsibility to decide what to put into his or her publication/website... And if the receiver of such publication does not agree with that, it is within his or her powers to complain or even demand the publisher alters his publishing style...

However, that does not give anyone the right to press charges against the publisher, just because he ran such and such advertisement...

Of course, as always you're free to complain to publisher or ask that he alter his ways. YES!... But, if you as receiver or visitor of website don't like it – and the publisher still want it as is – you as a customer, visitor / receiver of emails from opt-in list - you have your ultimate choice of either accepting it and go on with the relation....

Or simply to opt out... And that's a decision only for me and you and whoever involved to take on a personal level. PERIOD.

The reason why I “stopped” my subscription from publisher A, may be many.... -- Ranging all from me “hating” the guts of that publisher and his/her service.. .To even that I'm completely in love with their service.

Sometimes I have even bought product from some publisher, and still for permanent or temporary reasons I have chosen to stop subscription on permanent or temporary time-basis from the very same publisher...

Sometimes I may even un-subscribe because I find I have made several subscriptions to that publisher with the same e-mail address already. - And sometimes I even find I have subscribed several times using different addresses.

HOWEVER: in each and every such instance it is **NEVER** the publishers responsibility that I subscribed several times - or even with several addresses.

It is MINE and mine ALONE!

Thus it is my responsibility ALONE to stop mailings from that publisher with ALL my subscriptions and all my E-mail addresses if I decide to do so...

Why punish a publisher for something I did and gave my permission to?

That's UN-LAWFUL and criminal behavior in itself and should not be advocated as unfortunately there are many instances of today!

If that publisher is really going fraudulent upon me – or anyone else – and I'm talking fraudulent in a legitimate evaluation of a legitimate law – as in conning me – swindling me – not living up to his promises – Then things are different. Then it is my job to go after him or her and do what is necessary. But that's another story, isn't it?

As long as the publisher gives me an easy way (as all the respectful publishers I know do) to opt out of their mailings, I am satisfied, and they have fulfilled their promises and obligations to me!

Any law that declares otherwise is NOT a LAWFUL legitimate law, and therefore must be discarded as illegal criminal acts and violations against human rights!

A publisher, to whom I have given my permission to e-mail me, who have some device for unsubscribe with my e-mail address should NEVER be punished by law for emailing me. That goes no matter if the mailing contains ads or information from any third parties.

AND that goes even though that third party is someone or some entity of whose or which list I have previously un-subscribed.

IF I DON'T LIKE THE CONTENT OF THE E-MAIL FROM THE PUBLISHER OF WHOM I HAVE GIVEN PERMISSION TO E-MAIL ME - I SIMPLY WANT TO DECIDE MY NEXT STEP MYSELF! (And so do all other intelligent people I know of too!)

And, in any such case I always have the following choices, as do every body else:

- 1) I can ignore this particular mail
- 2) I can ignore the part concerning the other publisher that I have formerly un-subscribed...
- 3) I may still want to read this stuff even though I have formerly un-subscribed from the publications of publisher "B" as in example above...
- 4) I may decide to read the rest of the newsletter or e-mail, but the part about "B" or simply
- 5) If I for any reason no longer wishes to receive mailings from this particular publisher, I must simply take proper actions to un-subscribe from her or his list!

Anybody who can NOT take this kind of responsibility for their own lives, should NEVER sign up to any lists anyways! -- Neither should they buy magazines, books, newspapers or anything else in the offline-world. And, they should not even try to access the web.

BESIDES:

Trying to impose or execute rules stating otherwisely, is a serious incrimination upon human rights, personal freedom and even the constitutional rights of every man, woman and child alive today.

And that itself, **no matter how good** the intention is a **SERIOUS CRIME AND OFFENCE!**

Now, you have the power of avoiding this crime being imposed upon me, you and everybody else...

I urge you to use it wisely!

Ever heard the story where they executed the baker in place of the blacksmith in town?

If you are honest with yourself, I am sure that is **not** the kind of world you would be happy to live in... Because if it was, you would NEVER KNOW when you'd be the next victim on the list...

This kind of reality have been tried out, but to many times before in the name of "good"...

Like the reality that Kafka describes in his books, and particularly in the works known as "The Process"... No matter what you do... No matter where you put your foot you're in danger of violating some rules... committing some crimes that you never even knew existed. – (.that even no-one in their right minds would consider being criminal in the first place...) And "damned be you" if you didn't know of this crazy rule in the first place....

Now, I believe that in the minds and hearts of every intelligent being on this planet, the word for that condition is simply DICTATORSHIP, just like it's practiced by the communist regimes around the world, and even by the nazis during and before ww2. -- And, most of the people in the world do not want anything to do with that! Not off the web... So why even suggest reinforce circumstances and offences like that on the web?

You want a free world where you're free to act and speak your mind... Right?

..and so do I..

So why punish the legitimate publishers for something I as the subscriber did?

Nobody forced me (or anybody else) to subscribe to the publishers e-mail list, or even go to his or her website...

- **I DID THAT!**
- **YOU DID THAT!**

I gave my permission, and that mean the publisher is in his or her full rights to e-mail me UNTIL I give other directions!

And when I do, it is ALWAYS my responsibility to take the proper actions to stop these mailings by un-subscribing with EVERY e-mail address that I have signed up with.

And in such case, BOTH You and I must do so, until all our accounts are terminated in that particular publishers list.

If you want a society where you're sentenced to jail-time or punished one way or the other for my crimes... then please go ahead and punish the publishers and web-owners on the internet for my actions or lack of the same...

BUT please! Look out... Because if you do chose this way of imposing new rules and regulations, You will only to sadly discover you're soon to be the next victim strapped up in the chair... (Ready for barbeque time yet? Hopefully not...)

And someone else, either by good or malicious will, will push the button and nail you for something you never did... - for something you never were responsible of in the first place...

So, If that is the kind of world you'd like to live in, please go ahead! Cut their heads off... But know this... ..It's just a matter of time before your head is next on the stand for someone else's "crime"...

HOWEVER:

IN THIS CASE, THERE IS NO INCIDENT OF CRIME!

All the legitimate publisher to which lists I have opted in, are just fulfilling their contracts with me. **They promised to e-mail me with content of whatever I agreed upon receiving in my mailbox...**

And, to the extent where I am happy with this, I chose to stay, or not to stay subscribed to their lists. - And whether they email ads promoting other peoples/companies product/service – whose e-mail lists you have formerly un-subscribed from - is of NO consequence or relevance what-so-ever. If you don't like it, you still have the choice of opting out, NOT visiting that particular website, etc.

Just like when you buy your magazines or newspapers, there is never any promise that you always will like, or either read everything that goes into those pages - So, why should that be the case with that e-mail or website...?

Still, you, just like me, are in full control when to stop reading or getting these publications - on as off the web.

So, just as you would hate it if I tried to STOP YOU from reading your FAVORITE newspapers, publications, magazines or whatever... **..I would hate that too...** If you should force my publishers to stop sending me their publications - for any reason other than the fact that I told that particular publisher, "not to e-mail me anymore at this particular e-mail address...."

Unfortunately, the way we are set today we stand in imminent and constant danger of executing the baker in place of the blacksmith....

You wouldn't want that to happen either, because, you as the rest of us (unless you're the psychopath dictator) will always want the freedom to chose what to do with your life... What you want to sign up for and what to read and so on...

So please, grant me and the untold millions of Internet users around the world that very same courtesy and respect...

Just as with my projects, sometimes just one bad wording of a term, rule or action could lead into irreparable disaster. Likewise I know you have a great and difficult task ahead, and must consider carefully your next move...

I still want to get e-mails from my chosen publishers... These business owners... big or small goes out of their way to bring me good content every day of the week... Sometimes they succeed by flying colors... Yet other days they don't... but still, that's no good reason to make their

lives a living hell. So please let me... let us decide when we no longer wish to receive their material, and as long as they have proper mechanisms to un-subscribe me (as most do) I'm happy!

These honest hard working publishers are not what you are after with your CAN-SPAM Act Rulemaking, Project No. R411008

Right? You are after the spammers.

And you know it as well; most publishers out there are legitimate - they asked our permission before e-mailing. And they don't e-mail unless given permission - And they don't email after canceling subscription to any and all of our e-mail addresses in their database.

If I fail to unsubscribe all my accounts - I am the one to blame if I get more mail from this or that particular publisher. While that is no crime, it is still my responsibility and there is **NO** crime involved for you to punish. And the same goes for you and every other person there is. Just simple logic...

And that's just as it should be!

CONCLUSION:

These are not the guys or entities you are after with your laws... -- So why make a law that stands in danger of seriously punishing, discriminating or even seriously hurting these people for no good reason at all?

Yes, in some situation or the other, you may or may not have a spam complaint from somebody towards somebody else... But that's inevitable... That's just like people getting killed in traffic... Even if you banned all cars, or put all speed limits to 10mph - people would still die in traffic...

In to many cases of spam complaints towards what I refer to as legitimate publishers, businessmen and women, we're not even dealing with true incidents of spam in the first place.

More often than not, such complaints are due to the reason that the person simply forgot she or he subscribed to the list... (AND WHAT ABOUT "SPAM" GENERATED BY CRACKERS OR VIRUSES? There is no way to have control of that...)

She/he has a bad day, and takes it out on the first and the best... -- Somebody even uses this as a perfect channel of taking out their malice and disgust with the world... Yes, it's true, while most people are honest and not that kind at all... unfortunately some are and they use these means as a way to make your life as pitiful as theirs... (Very much the same as when someone are having a great time, having great fun sabotaging your computer or networks with making and spreading malicious computer-viruses...)

Why?

Because we have laws that allows for them to do so.... and get away with it... And, unfortunately, even though spam is a serious problem, there seem to be **to much** of a hysteria about the problem...

It's like cutting the head of those trolls... or dragons from the fairy tales... and for every head you cut off... Out pops seven more of lunacy, terror and hysteria...

Only when it comes to spam, it seems like the hysteria is complete, and the realms of the fairy tales lives comfortably, safe and secure next to us all - terrorizing us to madness and beyond. -- Suddenly we're no longer willing to listen to reason or look at the facts... ..OR even take time to feel what is right or what is right or wrong....

We're to damn scared and terrified of becoming the next victim for this blind stupidity - that this fearful hysteria is surrounded with...

And that my friend... That is the perfect beginning of the terror and disgust so perfectly pictured and told about in the books of Franz Kafka... You don't want to live in a living hell like that in the offline world... ..So why the hell produce its equal in the online world?

We're all humans even there... Besides, as in my projects where millions of dollars could be at stake due to some stupid mistake - by either me or one of my crew or associates... I never cut their heads off without listening to reason or looking at facts first... (And, I'm daring enough to claim that's one of the main reasons for producing the results as fast and successfully as I did.... Thus saving my contractors and clients millions of dollars in revenue.)

In other words:

These publishers are not who you're after. These publishers are NOT spammers - I (and maybe even you) gave them your permission to e-mail you at your particular e-mail address... Remember?

These guys and gals are legitimate hard working people... Mothers, fathers, taxpayers and countrymen doing their best to stay alive and provide valuable information and service!

These are not the guys you're after nailing down with your rules and legislations...

You're after the spammers... Isn't that so?

- The ones that are emailing us all WITHOUT our permission...
- The ones that are drenching us with garbage we never asked to get into our e-mailboxes...

The ones that never gave us any chance to sign up for something...
..providing for no way of stopping their unwanted mailings...

These are the ones you're after...

And as I told you... Every day in my e-mail box, I'm getting between 100 to 300 emails...

From these mailings - 20 to 50 a day are from sources that I have particularly ASKED to receive information on whatever basis.

**AND I WOULD STILL LIKE TO DO SO,
NO MATTER WHAT THEY PROMOTE
OR DO NOT PROMOTE....**

That is ...UNTIL I decide for myself, that I no longer want to receive more from this or that particular publisher/website publisher...

Just like you DON'T like the idea of me to TELLING OR DICTATING you what magazines or newspapers you should and should not READ - or even can not read -- I also want to be the one to decide what publications, no matter on or off the web - that I will read and subscribe to!

So, I welcome any good contribution to reducing the illegitimate spam problem, as long as you let my publishers freely fulfill their contracts and obligations towards me....

Thank you for your time and concern!
Best regards from

Arne Yri
2050 Jessheim
Norway

P.S:

Why did I even bother to write this letter, I'm a Norwegian for crying out loud?

Well, to me that is rather simple...

I've been following the debate on spam for a long time now, and even though it is a valid problem...

...Way to much hysteria is involved...

Sometimes when people hide behind a computer, it seems there is no longer any reasons to use logic and... simply REASON things out any more... And that's a dangerous state to be locked up in...

Furthermore, it IS a fact that most of development comes from the United States of America both in terms of new inventions, world economy and not least the internet...

So, whatever comes around concerning laws and the web, eventually will spread to the rest of the world...

So, NATURALLY when I see, hear or senses anything that may threaten the very foundation of FREEDOM... as in exchange of thought, ideas and interaction - commercial or not... I get somewhat scared and alarmed!

AND, when IT comes from what is maybe one of the last "outposts" left in the world -- in favor of the FREEDOM of SPEACH and THOUGHT...

...Namely the US of A... Then I really get TERRIFIED.

Because, you see... I believe the reason behind your power and greatness as a nation, is just these lines that you even have legislated into your constitution... (Or... is that maybe just an illusion to make us believe... ...I certainly hope not!)

There is to much scared conformity in this world as is already.

Conformity imposed on us as living human beings by the vast amount of dictators around the world... ..Scaring their people half to death with threats and even more - censorship and buried truths"

It's quite interesting though...

A former chief KGB propagandists stepped forward recently and told their secret on how they were able to keep in control – despite the terror and injustice for so long. And the most IMPORTANT AND POWERFUL assets they had, was their power to hold back or disguise information - only telling distorted and incomplete versions of the truth...

Alarmingly... That was what it took for maybe the biggest madman in history to take the lives of somewhere between 40 and 60 MILLION PEOPLE... All in just a few years time...

Can you Imagine this?

ONE MAN IN ESSENCE - BEING IN CONTROL - RESPONSIBLE FOR LIQUIDATING
AND TORTURING SOMEWHERE BETWEEN 40 AND 60 MILLION PEOPLE - **TO DEATH...**

(YES, you're reading that correctly... THESE NUMBERS ARE by the **millions**... That's about a quarter of the US population...)

And how many did Saddam put out of the way? Who knows...? - However, Adolf Hitler who initiated the 2nd world war, had the same teacher as did Saddam... And that "same" teacher was the one responsible for killing the 40 - 60 MILLION people just mentioned...

Now... Would you care to know who that person was?

Bet you would...

..And his Name was Joseph Stalin.... Former leader of the Soviet Regime.

40-60 million friends, enemies, family members and fellow citizens brutally and cynically slaughtered like garbage - for the sake of the "cause" - And for the sake of this mans sickness and lunacy... -- That peculiar psychopath, and sociopath even, has gotten remarkably little attention for his ill-doings in the western world - as compared to his "little brother" and student named Adolf Hitler, who in comparison "only" liquidated about 4 to 6 million people during his 5 year period of terror...

Scary stuff... Huh?

Well now, I got a little side-tracked here... but, why then, as dictatorships starts to dissolve and fall apart - why then build new ones that will only put people and nations back into the realms of darkness, poverty and gloom?

Where I come from, Norway, we are no more than about 4,5 million people. 4,5 million is not a lot when compared to the approximate 268 million living in the USA - alone.

And that shows on the range of product, service and even public ideas available...

I remember some years back when I traveled some of the countries in Central America... Great was my amazement when six months after returning home I started seeing movies at the cinemas.. Movies promoted as "New" releases here... Even though I'd seen them as much as 6 to 9 months earlier in a "so-called" development country...

(and even though, Norway is considered one of the richest countries in the world... the structure and nature of the Internet has made it more possible than ever before to stay recent concerning information, product and services now available... However, providing the "plentiful" as you will find in more populated countries as for instance the US, is somewhat difficult in a less populated area as Norway.)

So in contrast, the internet provides an excellent window to what's going on in the rest of the world like never before... -- And that is to important to be ruined by some premature or rushed solution to a rather "minor" problem...

As I told, between 100-300 emails enters my inbox everyday - Still I'm more than willing to accept my share of that spam, and my part of that problem in exchange for a just and reasonable solution to the problem - That in exchange for freely having access to what's going on out there in the rest of the world...

It's no more difficult than just deleting the garbage, and making sure to sort whatever I want to have – automatically into different subcategories of my e-mail inbox.

So, please go after the real spammers!

**BUT LEAVE THE LEGITIMATE PUBLISHERS AND BUSINESSES
ALONE! LET THEM FULLFILL THEIR OBLIGATIONS TOWARDS ME, AND
ALL THEIR OTHER OPTED IN SUBSCRIBERS!**

Besides, as goes for friends or associates who for some reason or the other, wants to make me aware of some or another promotion, business, occasion, service or product out there – SHOULD NOT be punished by authorities just for taking their time to make me aware.

However, if that friend or associate continues contacting me, after me several times telling them I am not interested in their notices - then, and only then should action be taken.

HOWEVER YET AGAIN:

IF my friend or associates propose to me a third party product, service – etc... The vendor can under NO circumstance be held responsible for other people mentioning their product or service to others.

If I want to tell my friends and associates about a service/product – commercial or not, that is between my friends/associates and me... And vice versa... And not an act that can be used as to punish the provider of service/product. -- Not so even though the provider of product/service provided the referring party with the forms (like those "tell a friend" forms) to enter name and e-mail of referrer's friends.

Yet again, that would be exactly the same as executing the baker in the name of the blacksmith.

Sure... In such cases – where someone shouts "spam" there may be the problem of proving who sent what to whom...

However, still as in the offline world, anyone can accuse anybody of committing a crime...

Does that mean that you are a cold hearted killer – even though I, or somebody else randomly accused you of committing murder?

Absolutely not!

And... Hopefully still, you are innocent until proven differently, or else - pray that someone be merciful upon your soul...

That kind of madness terrorized the world of Franz Kafka... And that's about what happened in Hitler's nazi-regime...

And yet again: That happened to the unfortunate people that were slaughtered in the morbid world of Joseph Stalin...

That's the power of distorting the truth, taking – even stealing the power from the people you're set to serve.

So, I expect you to administrate this power respectfully and with awe.