

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

April 14, 2004

To the Commissioners,

I sell products over the Internet. I also receive a lot of Spam email. The problem I see is the receipt of emails from outside the USA using fake "from" addresses. Email lists generated by programs to spam herds of people. Also, emails about drugs, fake diplomas, and sex. I think if these problems were fixed most spam email would end. As long as I requested to receive email and I can unsubscribe from the requested emails, I am satisfied with the regulations.

My problem is with "unsolicited" emails. 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.

My specific concern is for harm to publishers who require 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 very likely have that 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 spammers, leading to more spam instead of less.

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.

--The implementation of a National Do Not Email Registry: I subscribed to the "Do Not Call" Registry. I enjoy the elimination of the unsolicited calls I used to receive. I think a similar list for emails would be effective. I think that there should be a mechanism to still receive mail from people I want to hear from even if those people might send me commercial email.

--CAN-SPAM violations rewards: I don't like this idea. I have read about the zealots who make it their mission to cause problems for legitimate businesses. Reporting a possible violation is Ok, rewarding reports is wrong.

--Subject line labeling: When an email is an advertisement only then the email subject should accurately reflect the subject and purpose of the message.

Sincerely,



Joe Donnalley  
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