

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

To the Commissioners,

I am grateful that you are trying to curb the problem of unsolicited bulk email. However, I am concerned about the proposed requirement for merchants and/or individuals to maintain suppression lists.

There are so many problems, costs, and plain hassles 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.

Most legitimate e-mail marketers go through a lot of work getting only prospects who opt-in once or even twice to receive e-mail. Then they process any unsubscribe requests. Using a suppression list on top of this defeats the purpose of having people opt-in. Legitimate businesses are hurt, while spammers just find other illegal ways to hide their identity and escape punishment.

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. Maybe they don't want e-mail from someone who just sends out ads, but they do want e-mail from someone who sends out informative e-mail that may have an ad or two in it, even if the ads are the same in both messages. On top of that, these suppression lists could easily fall into the hands of spammers, leading to more spam instead of less. I wouldn't bet on spammers doing something ethical.

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.

Respectfully,

Levi Bloom
MA, USA