

000725

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

To the Commissioners,

As a legitimate direct marketer, I appreciate 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. I believe this is a knee-jerk reaction to the proliferation of spam which, unfortunately, does little to stop spammers, while effectively intruding upon people's right to information.

Requiring 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 are not who CAN-SPAM was designed to put out of business, but this requirement will very likely have that effect. Legitimate marketers hate spam more than anyone. We are the people who are actively fighting spam. The requirements of maintaining suppression lists will make it impossible for many of us to do our jobs. Many small businesses will be unable to comply and will be forced out of business by this action.

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.

Respectfully,



Thomas Barnotes

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