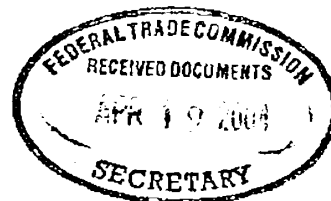


Dan Butler

000937



Thursday, April 15, 2004

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

To the Commissioners,

I appreciate your efforts to curb the problem of unsolicited bulk email. However, I am concerned about the proposed requirement for merchants like myself 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 myself and many other 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. See our readers have already asked and acknowledged that they want to receive material from us.

Legitimate publishers are not who CAN-SPAM was designed to put out of business, but this requirement will very likely have that effect. The new regulation would make it too burdensome for smaller publishers such as myself to continue publishing.

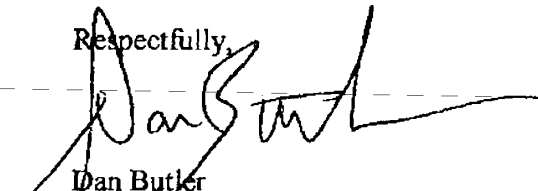
There is also the potential for significant harm to consumers, because of the problem of properly knowing their intent when they unsubscribe from a list. The proposed ruling would lead to more confusion with consumers rather than confidence.

On top of that, these suppression lists could easily fall into the hands of spammers, leading to more spam instead of less.

I personally would like to see more effort put into penalizing those who forge and hide who they really are when sending their bulk email. Especially when they use innocent third parties as source of their forgery. These are the people who are causing the harm.

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,


Dan Butler
Saginaw, TX USA