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April 13, 2004

To: CAN-SPAM Act Rulemaking, Project No. R411008
Federal Trade Commission
CAN-SPAM Act
Post Office Box 1030
Merrifield, VA
22116-1030

From: Jerold N. Johnson

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

To the Commissioners,

I thank you for 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, especially as it will have a dramatic impact on a small INTERNET based business owner such as myself. I am a small business owner who greatly desires the opportunity to provide for my family and be a contributing member of society, by striving towards the goal of being able to work my Internet business full-time.

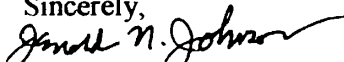
Requirement of the use of suppression lists will seriously damage many of the legitimate publications available on the net. My specific concern is for harm to publishers who require permission from the consumer prior to adding them to any list. I really believe that having an OPT-IN for consumers is a great instrument in confirming their desire and wish to be included in any sort of commercial or business information, and that having an OPT-OUT link in every email issued allows a consumer free-will, in stopping their willing participation in any specific commercial relationship that had been mutually established.

They're not who CAN-SPAM was designed to put out of business, but this requirement will very likely have that effect on small website owners such as myself.

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,

Sincerely,


Jerold N. Johnson

