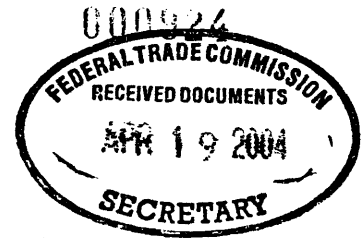


Re: CAN-SPAM Act Rulemaking, Project No. R411008



To the Commissioners,

I am an online newsletter publisher. When a user subscribes to one of my newsletters they have to confirm their subscription by clicking on a link in an e-mail they are sent immediately after they subscribe. If they don't click on that link they are not subscribed to my newsletter and they will never receive correspondence from me. This is known as double opt-in.

Additionally, at the end of each message I send my newsletter subscribers there is a link that lets them unsubscribe quickly and easily. They don't even have to contact me. All they do is click the link and then click a Remove From List button and that's that. Why go through all of this trouble? Simply because I use commercial e-mail legitimately. It is how I make my living.

I do 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.

Respectfully,

A handwritten signature in black ink, appearing to read "Karol Gajda".

Karol Gajda
Michigan, USA