

April 15, 2004

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

To the Commissioners,

We applaud your efforts to curb the problem of unsolicited bulk email. However, we are 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 we feel we must urge you to consider this matter most carefully.

The requirement of the use of suppression lists will seriously damage many of the legitimate publications and home based businesses available on the net.

Our 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.

We were 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,



Don and Peggy Lewellen
Vermont USA