

000771



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

To the Commissioners,

I applaud your efforts to curb the problem of unsolicited bulk email. I am however, concerned about the proposed requirement for merchants to maintain suppression lists.

As someone who is trying to do business on the Internet, I am extremely concerned. Thus far the efforts to control SPAM have succeeded in making most Internet business people afraid to attempt legitimate marketing. The damage being done already is tremendous, and has not stemmed the tide of SPAM.

I have products to sell - legitimate products - but have been frozen, for fear of being accused of spamming. I have had emails to my family rejected by their ISP's because I had a link to a website inside, that I wanted them to know about. An email to my son was rejected for the same reason.

Am I mistaken in the belief that I still live in America - land of the FREE? When my emails to my family are not delivered, because some program deems them unacceptable, I wonder where I am living. Is it 1984 already?

How is one to conduct legitimate business in such an atmosphere? Since the WWW is worldwide, if you tie our hands in the USA, all of that business will just go to the rest of the world, where they are not constrained by the fear of SPAM.

I hate SPAM as much as the next person, but the measures being taken are not helping with SPAM. It gets worse every day.

I feel that the efforts being made are well intentioned, but the solutions are not solving the problem, and are increasingly making it impossible for legitimate business people to function.

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, and reconsider, the impact on American Internet business of your measures.

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. I, myself, have frequently unsubscribed from a list, so that I could resubscribe with a different email address. Would I be on a suppression list because I unsubscribed?

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

I implore you to consider seriously all of the possible ramifications of this ruling to American business (especially small businesses); that this ruling could involve, and urge you in the strongest possible terms to reconsider its implementation in light of these potential problems.

Respectfully,

A handwritten signature in cursive script that reads "Teresa Denney".

Teresa Denney  
Portsmouth, NH  
United States of America