

4-14-04

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

To the Commissioners.

I applaud your efforts to curb the problem of unsolicited bulk email. However, I am very concerned about the proposed requirement for merchants to maintain suppression lists. I feel this idea will hurt most, the honest business person and have very little effect on spammers.

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 strongly 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.

There are huge problems of potential collateral damage with the way the various possible interpretations of suppression list usage intersect with the definitions of "commercial email" under the Act.

There are significant technical challenges involved in the use of suppression lists by mailers.

There are legal and privacy issues facing publishers who are required to give out the addresses of people who unsubscribe.

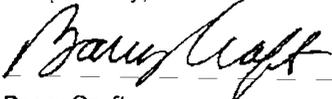
There are other factors that suggest that the mandatory use of suppression lists is bad for consumers, publishers and merchants. The ones listed above are the most serious. They should serve to demonstrate to the Commission that suppression lists are not an effective way to solve any of the problems the Act is intended to address.

They're not who CAN-SPAM was designed to put out of business, but this requirement will very likely have that effect. I for one rely heavily on the income I make online to support my family and this would have a drastic negative effect on my income.

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,



Barry Craft

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