

Michael Russell  


**Project No. R411008**

**Federal Trade Commission  
CAN-SPAM Act  
Post Office Box 1030  
Merrifield, VA  
22116-1030 U.S.A.**

17<sup>th</sup> April 2004

Relating to: CAN-SPAM Act Rulemaking, Project No. R411008

To the Commissioners,

I appreciate you are making a genuine effort to curb the problem of unsolicited bulk email. However, I am concerned about the proposed requirement for merchants to maintain suppression lists and I believe, with good reason.

There are many problems and costs associated with this idea and so much potential for damage to be done to consumers and businesses alike, that I feel I 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 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.

These people are not who CAN-SPAM was designed to put out of business, but this requirement is very likely to have that effect.

There is also the potential for significant harm to consumers, because of the problem of properly knowing their intent when they unsubscribe from a list.

These suppression lists could easily fall into the hands of spammers, despite security measures being taken, leading to more spam instead of less. It has to be borne in mind, that spammers, by their very nature, will flout the law and steal information wherever they can and that they are very adept individuals with a wide range of, albeit illegal, resources. These lists will provide an irresistible opportunity for them to augment their illegal and immoral activities.

I am concerned over the potential problems this ruling could involve and the potential it has to encourage still further illegality and the potential for corrupting minors and urge you in the strongest possible terms to reconsider its implementation,

Respectfully,



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