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April 14, 2004

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

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

To the Commissioners,

I appreciate your efforts on the unsolicited bulk email problem. But I am concerned about the proposed requirement for merchants to use and maintain suppression lists.

This can create a lot of damage to consumers and businesses alike, including costs and other problems associated with this idea, and I feel I must urge you to reconsider this matter most carefully.

The requirement of the use of suppression lists will seriously harm many of the legitimate publications already available on the net.

My specific concern is the harm this will create for publishers who already require consumer permission before adding them to any list.

They are not the culprits that CAN-SPAM was designed to put out of business, however this requirement will most likely have that effect.

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

In addition, spammers could easily get their hands on the suppression lists, which would actually lead to more spam instead of less.

I was very surprised about the foreseeable problems this ruling could create. I strongly urge you to reconsider its implementation in light of these problems.

Respectfully,

*Dianne Pearce-Hiatt*

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