



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

To The Commissioners:

I am dismayed at the whole concept of legislating spam in the first place. As with other laws, the only people/companies that will comply and be affected by these laws are those who are inclined to OBEY the law, and not those inclined to break it. Those who are inclined to break the law will break it regardless, killing legitimate businesses' marketing efforts and giving free reign to spammers who are nearly impossible to track and prosecute.

I am additionally 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 I must urge you to reconsider this matter.

The internet has changed the face of business, and is a staple tool for many legitimate businesses who would not otherwise be able to compete in the marketplace. Email marketing has been proven a viable method of business generation for literally millions of small and mid-size businesses in America. To put such stringent requirements onto these business people is a defacto crushing of one of their main forms of advertising.

I run my own small business and I rely heavily on my free email newsletter to reach people who have requested my message each month. I understand that unsolicited spam is a problem, however, to lump people like myself in with the people who harvest email addresses, sending to millions unsolicited is akin to equating the phone company with the companies who flood physical mailboxes with catalogs, simply because the phone company delivers the new phone books. Both companies are delivering something, but that is where the similarity ends.

The proposed required use of suppression lists will seriously damage many of the millions of legitimate publications available on the net. My specific concern is for harm to publishers, such as myself, who already require a double opt-in permission from anyone prior to adding them to any list.

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

Furthremore, these suppression lists could very easily fall into the hands of *actual* spammers, leading to more spam instead of less.

Again, I urge you in the strongest possible terms to reconsider its implementation in light of these potentially devastating problems which could face small business if this legislation goes through.

Respectfully,

Monica Ricci

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a simpler life.*