

4/17/04

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

To the Commissioners,

I am glad for your continuing efforts to stop e-mail that I haven't requested through list signup. The regulations currently in effect do not stop the problem as far as my e-mail account is concerned; but I'm concerned about the proposed changes to require 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 feel I must urge you to consider this matter most carefully.

Requirement of the use of suppression lists will seriously damage legitimate publications and businesses such as my own. We require permissions for those who opt into our list and provide valuable information along with invitation to visit our product. This is a vital part of any business to be able to legitimately market their client base. In any marketing venue, there are those who unethically abuse the method; and eliminating the method or severely restricting it for everyone is not the answer.

I don't believe that CAN-SPAM was designed to put these legitimate businesses 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. 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,

Laura Bankston



Anchorage, AK 99508

Other issues:

Regarding commercial intent of an e-mail; should be if the unsolicited e-mail is an advertisement only

Regarding forwarding e-mails: regulating this area is a nightmare with potential consequences to totally innocent parties. Each individual should have the right to forward any e-mail to whomever they choose; and if friends and families have a problem, they can deal with their friends and families.