

Gigtime Media
2B Deerfield Drive
Wimberley, TX 78676



April 14, 2004

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

To the Commissioners,

Let me start by saying I commend any efforts to put an end to unsolicited bulk email. I personally receive between two and three hundred such emails every day despite having filters in place within my email program.

I'm very concerned, however, with the proposed requirement for marketers to be responsible for maintaining suppression lists.

This idea will cause numerous problems (and costs) to both consumers and businesses alike. I urge you to consider alternative solutions.

Requiring the use of suppression lists will do serious harm to many legitimate newsletters and ezines on the Internet. I'm specifically concerned about harm to publishers, like myself, that require permission from the consumer before to adding them to my database. I've already gone to the expense of setting up a double opt-in system as well as tracking IP addresses to make sure every subscriber legitimately wishes to receive my newsletter.

I don't believe it is online publishers that CAN-SPAM was designed to shut down yet requiring the additional expense of suppression lists will very likely have that effect. The hundreds of junk email messages that flood my inbox every day aren't newsletters or other publications I've opted in with, they're ads for drugs, mortgages, dating services, etc. from companies seeking to hide their true identities. Suppression lists won't deter these companies; they'll simply shift their operations outside the U.S. if they haven't done so already.

Also, what about the potential damage of suppression lists to consumers? As a consumer, I rely on numerous online newsletters for information, as do thousands of others. How do we gain by having legitimate publishers put out of business because they can't afford the expense of maintaining suppression lists?

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,


Bill Hibbler
President