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April 16, 2004

Federal Trade Commission
CAN-SPAM ACT
PO Box 1030
Merrifield, VA
22116-1030

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

To the Commissioners:

While I applaud your efforts to curb the problem of unsolicited bulk email I have great concerns about how the proposed requirement for merchants to maintain suppression lists will affect small business entrepreneurs.

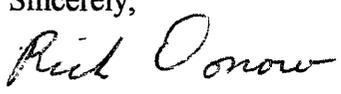
To my knowledge there is no requirement for those who use the US Postal Service to bulk mail their advertisements to keep such lists, and these generally are large corporations with marketing departments. While SPAM is annoying, there has to be a balance between legitimate business needs and protecting the public from SPAM. In all honesty, with the major ISP's and E-mail boxes providers developing stricter SPAM eliminators is it even necessary for government to get involved?

At a time when we look to small businesses for job creation and improving our economy should we be looking at ways to make it tougher for small businesses to succeed?

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,

Sincerely,



Rich Donow
Clermont, FL
USA