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4/15/04

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

Federal Trade Commission
CAN-SPAM Act Rulemaking, Project No. R411008
Post Office Box 1030
Merrifield, VA
22116-1030

To the Commissioners:

Unsolicited bulk email has become a large problem during the last few years. It wastes time, resources and money. It is imperative that any solution to the problem should be simple and easy to implement. I am concerned that the proposed requirement for merchants to maintain suppression lists may end up making the internet and email harder to use, rather than easier for both businesses and individuals.

There are millions of legitimate, honest businesses which use email in their everyday communications, boosting America's productivity, and helping to keep our standard of living the highest in the world. Any program implemented should be designed to stop those few bulk spammers who send untargeted email to millions of addresses at a time, disregarding any desire on the recipient's end to not receive the message without harming the multitudes of people using the technology properly and conscientiously.

There are so many problems and costs associated with this idea, and so much possible damage done to consumers and businesses alike, that I feel I must bring this matter to your attention. I respectfully request that you consider this matter most carefully. Our systems of commerce have quickly been entwined with the internet and email. The wrong move could have a ripple effect with unforeseen, destructive, consequences.

Requirement of the use of suppression lists will seriously damage many of the legitimate publications available on the net. Many small businesses will not be able to keep up with the additional burden the technology of this system will require. In the end, the CAN-SPAM legislation will not only burden and destroy those businesses, but the average consumer as well, who will no longer be able to receive the free flow of information the internet was created to distribute.

The intentions of CAN-SPAM are great, but there is a very serious likelihood of it having disastrous results. Rather than lessen the number of unsolicited emails we receive, these suppression lists would be likely to be gathered and abused by the spammers themselves, leading to more spam rather than less. The spammers are resourceful enough to cloak their whereabouts, or send their spam from another country, beyond the reach of US laws.

I strongly urge you to carefully reflect upon and review the downside of this act, and reconsider its implementation in light of these serious problems.

Respectfully,

Marcus T Haug III, BSc, MSc, PharmD, RPh.

Ohio, United States Of America

P.S. A major downside of this act would be to benefit the big, major businesses but discriminate against small business. I am afraid big business would have even more of a monopoly on internet business.