

April 14, 2004

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

To the Commissioners,

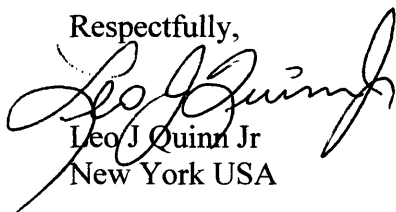
It's great you're doing something about spam. I hate spam as much as the next person. However, your proposed requirement for every merchant who sends email to maintain a suppression list is very problematic for five reasons.

1. Requiring a suppression list for every legitimate person who emails to his or her list comes with a very heavy financial burden that the small or home-based business person simply can't afford.
2. This requirement will force all kinds of technical issues that the "little guy" trying to make a living on the net simply isn't equipped to deal with, nor do they have the financial resources to hire a technical company to help them.
3. It will completely wipe out our affiliate marketing program, which is how we make our living. Our affiliates promote our products for a percentage of the sales. Whenever someone requests their name to be taken off my list all my affiliates have to take that name off of their list. That's just not feasible. Think of the quagmire that will cause. I have over 20 affiliates! It's inevitable that several...if not most of those affiliates will not take the name off of their lists, leaving me and them exposed to a lawsuit.
4. Imagine the suppression lists falling into the hands of spammers. And if you think that's not possible...think again.
5. The CAN-SPAM act might stop a few people here in the U.S. from spamming but 80% of SPAM comes from overseas! All this does is penalize small business owners in the U.S. who are trying to obey the rules and let the vast majority of the real trouble makers keep on spamming.

The CAN-SPAM act (as it stands) goes too far and will put a lot of legitimate people who use the Internet to make a living out of business.

Please reconsider this act and come up with a better solution. Or at least, put a hold on solidifying the ruling until you can find a better way of tackling this problem.

Respectfully,



Leo J Quinn Jr
New York USA