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April 16, 2004

Office of the Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

RE: CAN-SPAM Act Rulemaking, Project No. R411008, addressing the definition and implementation of the Act as set forth in sections 3(2)c and 3(17)(B).

I write to associate my company, Administrative Systems, Inc., with the comments previously submitted by the International Association of Association Management Companies, regarding the proposed rulemaking. <http://www.iaamc.org/IRS/index.html>

To summarize those comments, we urge the Commission to clarify that the definition of "commercial electronic mail messages" is directed at regulating activity that primarily furthers the commercial endeavors of taxable for-profit businesses. In this regard, the regulations implementing the Act should specifically provide that the email communications of tax-exempt nonprofit organizations that are consistent with their tax exempt nonprofit purpose are by definition not primarily commercial and therefore do not fall within the definition of regulated commercial electronic mail messages.

Additionally, the regulations should clarify that even where email communications from tax exempt nonprofit organizations sent to current members and/or donors are primarily commercial and not related to the organization's tax exempt nonprofit purposes, they should be excluded from the CEM definition as transactional or relationship messages because such communications are primarily intended to provide information in connection with an organization or association membership and/or deliver goods and services under the terms of an existing member or donor relationship.

Sincerely,

Judith K. Keel
Chief Executive Officer

Copy: IAAMC Headquarters



ASI is a full-service association management company.