



FRONT*line*
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Office of the Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW
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Re: *American Society of Association Executives/ 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).*

My firm is an association management company, part of an industry that collectively manages over 3,000 nonprofit associations and societies with annual budgets of over \$3.4 billion dollars. Communication between our association clients and their members would be negatively affected by the proposed CAN-SPAM rule issued on August 13.

The tax-exempt nonprofit organizations we manage exist to serve their members and constituencies who seek out membership and/or involvement in the organization. To assist individuals and others in achieving their goals, tax-exempt nonprofit organizations continuously strive to offer a variety of messages. Email has become the preferred vehicle to deliver these messages.

The proposed rule would create an unfair regulatory burden on communication with our members. I urge the Commission to provide in its rule a provision expressly stating that messages transmitted by a tax-exempt nonprofit organization, primarily related to one or more of the organization's duly authorized tax-exempt nonprofit purposes, are not considered commercial electronic mail messages under the Act and, therefore, are specifically exempt from regulation under the Act.

Sincerely,

Kim Robinson
President