

March 26, 2002

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

Dear Mr. Secretary:

The American Diabetes Association is the nation's leading nonprofit health organization that is working to prevent and cure diabetes and to improve the lives of all people affected by diabetes. Founded in 1940, the Association now has regional and local offices that provide services to more than 800 communities in all 50 states and the District of Columbia. The American Diabetes Association has invested over \$175 million in diabetes research throughout the nation.

The moving force behind the American Diabetes Association's efforts is a network of one million volunteers, including a membership of 400,000 people with diabetes and more than 20,000 physicians, scientists, nurses, dietitians, pharmacists, social workers, educators, and other health professionals.

The American Diabetes Association relies heavily on small gifts from many donors to raise funds to help people with diabetes. Part of those contributions come from telemarketing calls to donors. The Association relies on professional telephone fundraising bureaus to handle the function of actually contacting the donors. We call literally millions of people every year in an effort to raise the funds needed to help the 17 million Americans with diabetes.

The American Diabetes Association is opposed to the proposal to amend the Telemarketing Sales Rule by creating a national Do Not Call registry that would prohibit some calls by some organizations. If a person asks not to be called, then why are banks, telephone companies, politicians, and religious organization excluded, but not other nonprofits?

Our policy is to not contact people who do not wish to be called. We maintain an in-house suppression list that is updated on a daily basis and we remove from our lists anyone who makes such a request. We use telephone fundraising to call existing donors for upgrade purposes, and we call lapsed donors to reinstate them. In both cases, we are calling people with whom we have a preestablished relationship, but have no practical way of gaining their approval to be called.

The only way to raise funds is to ask for them and the FTC proposal, with its "opt-in" advance approval to receive calls even though we have a pre-established relationship, would prevent us from asking our best donors. This would have a direct impact on our fundraising efforts which in turn would affect millions of Americans suffering from diabetes.

National Office

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For Diabetes Information Call 1-800-DIABETES • <http://www.diabetes.org>

The Association gratefully accepts gifts through your will.

To: Office of the Secretary
From: American Diabetes Association
March 26, 2002

Once again, the American Diabetes Association believes there should not be a national Do Not Call list. If such a list is created, however; then nonprofits should be excluded from it. We are very much opposed to the proposal to amend the Telemarketing Sales Rule. If the FTC cannot prevent all telephone calls, what is the point? Individuals, not our government, should have the right to say who can and cannot make calls.

Sincerely,

A handwritten signature in black ink that reads "Cheryl Edwards". The signature is written in a cursive style with a small square mark at the end of the word "Edwards".

Cheryl Edwards
National Associate Director