

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
Rules and Regulations Implementing the)	CG Docket No. 02-278
Telephone Consumer Protection Act of 1991)	
)	
To: The Commission)	
)	

**TRAVEL INDUSTRY GROUP'S
PETITION FOR RECONSIDERATION AND CLARIFICATION
OF UNSOLICITED FACSIMILE ADVERTISING RULES**

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August 25, 2003

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I. INTRODUCTION AND SUMMARY.

The American Society of Travel Agents (“ASTA”), American Hotel and Lodging Association (“AH&LA”), National Tour Association (“NTA”), International Council of Cruise Lines (“ICCL”), and Cruise Lines International Association (“CLIA”) (collectively the “Travel Industry Group”) hereby request reconsideration and clarification of the new rules pertaining to unsolicited facsimile advertisements (“new fax rules”) adopted by the Commission in its June 26, 2003 Report and Order (“Order”) in the above-captioned proceeding. The new fax rules reverse eleven years of Commission precedent and unnecessarily interfere with the ability of businesses to communicate by fax with each other and with customers with whom they have an established business relationship.

By this petition, the Travel Industry Group requests that the Commission reconsider its elimination of this provision that has been relied on without significant problems by many thousands of small businesses in the travel industry. The requirement in the Order that businesses receive express consent in the form of a written, signed document with a recipient’s

fax number will impose costs that greatly exceed any benefits and will impair how the travel industry operates. If express consent is required, the Commission should reconsider and clarify the manner in which fax recipients can manifest consent so as to reduce the inefficiency and other burdens of compliance.

In reconsidering its rules, the Commission should examine the context in which businesses send and receive faxes, how the business world has operated over the past eleven years, the paucity of complaints under the current regime, the First Amendment rights of commercial enterprise compared with the size of the burden on recipients getting unwanted faxes, and how easily those interests can be vindicated if there were some mistake about the nature of the consent that was or was not granted. As the Commission weighs these important factors, especially the *stare decisis* of its prior rule and the settled expectations that rule created, we urge the Commission to revise its new fax rules so that they are workable and effective for all parties concerned.

II. BACKGROUND.

ASTA is the world's largest association of travel professionals. Its more than 20,000 members include travel agents, both traditional offline and online, as well as the companies whose products the agents sell, such as airlines, tour operators, cruise lines, hoteliers, and car rental firms. Travel agencies in the United States account for more than \$120 billion in annual sales of travel services over all product lines. Air transactions alone number more than 170 million tickets in a typical year.

AH&LA is a 93-year-old federation of state lodging associations throughout the United States with some 11,000 property members worldwide, representing more than 1.5 million guest rooms.

NTA is an association for travel professionals who have an interest in the packaged travel sector of the industry. The association, comprised of nearly 4,000 members, brings together those who package travel (group as well as individual trips) with suppliers and destinations that represent the various components of a trip. Although based in North America, NTA's membership spans the globe. NTA tour supplier members, such as hotels, restaurants and attractions, use faxes to inform their tour operator partners about developments at their properties, as well as to promote specials that will be of interest.

ICCL's members include the largest passenger cruise lines that call on hundreds of ports in the United States and abroad. ICCL Associate Members represent industry suppliers and strategic business partners. Each year ICCL's overnight cruise ship operators carry more than seven million passengers on over 90 ships.

CLIA is a trade association for the North American cruise industry. Membership in 2003 included 24 member cruise lines (representing over 95% of the capacity marketed in North America). More than 16,000 travel agency locations are CLIA affiliates. CLIA plays an important role in speaking for the cruise industry. A key element of CLIA's mission is to help travel agencies understand and sell cruise travel through sales training, certification programs and marketing services and communications. The Association executes extensive direct mail, fax, e-mail and Web site communications to its affiliated travel agencies on a daily basis to apprise of association initiatives, training and education opportunities, as well as news and developments within the cruise segment of the travel industry.

The travel industry accounts for roughly 10% of the fax broadcasting industry, or more than 20 million pages of faxes a month, which are primarily business-to-business transmissions that go from service providers to agents. Small travel agencies across the country

receive information by fax on the availability of cabins on cruises, seats on airlines, hotel rooms, and other travel information. Travel agencies use faxed information not only to keep apprised of availability, but also to learn of special fares and promotions that can then be passed on to consumers. Further, local travel agencies pass on information by fax to interested consumers.

III. THE COMMISSION SHOULD RECONSIDER THE ELIMINATION OF THE ESTABLISHED BUSINESS RELATIONSHIP EXEMPTION FOR FACSIMILE ADVERTISEMENTS.

A. Importance of the Established Business Relationship Exemption to the Travel Industry.

The established business relationship exemption (“EBR”) is necessary for participants in the travel industry to conduct business.¹ In the travel industry, a large amount of information on availability and pricing of goods and services is communicated by fax. Travel service providers, such as cruise lines, airlines, tour groups operators, hotels, and car rental companies alert travel agents of fares and availability by fax. In turn, travel agents may fax the information to interested consumers. Associations representing their members and working with other industry participants rely on faxes in many different ways. While e-mail is increasingly penetrating the industry, some years will pass before faxes cease to play a central role in the conduct of travel industry business both internally and with consumers.

1. Travel Agencies

Travel agents receive many faxes from travel suppliers every day that contain special pricing, bonus commission offers and other promotional information for retransmission to the agency’s clients. Agencies will often engage their group clients in regular fax

¹ As discussed in Part IV.C.4, *infra*, ASTA along with other trade association also support the Petition for Emergency Clarification filed by the American Society of Association Executives, arguing for a clarification that non-profit associations are not covered by the new fax rules to enable the trade associations to conduct their business.

communications as groups are formed and pricing deals are struck. Some agents require reservations requests, especially for groups, to be in writing. The group contracts themselves are often faxed to agents for signature and returned by fax to the travel supplier. Hard copy by fax is the preferred method of communication for making and closing deals.

Travel agencies routinely market services and vacation products to customers through faxed promotions. And they interact by fax with suppliers in connection with commission and problem resolution. Finally, agencies use faxes to communicate with host agencies, consortia, and trade associations over a wide variety of commercial subjects.

2. Trade Associations

ASTA, as a full service trade association, engages in complex communications with members and non-members across a wide front. While ASTA has worked diligently to embrace the Internet (see ASTAnet.com) and e-mail technologies for communications, the exigencies of its business and those of its members require that faxes be used in many situations. For example, ASTA transmits about 35,000 faxes per year related to membership renewal. These go to firms and individuals who have voluntarily provided their fax numbers and have not exercised the option to “opt out” of ASTA faxes. For new member sales, ASTA sends about 1,000 faxes a week. The recipients have the right to “opt out” of these as well. It is not in ASTA’s interest to alienate the very people it is trying to encourage to join.

ASTA also promotes its annual meeting and trade show, as well as cruise shows, to travel agents and travel suppliers. Depending on location, themes, and other considerations, the suppliers may differ for each event. With the deluge of uncontrolled e-mail spam and viruses, and frequently changing e-mail addresses, faxes are sometimes the only effective way to communicate. Moreover, faxes are used to follow up when an e-mail address comes back “undeliverable.”

ASTA's Industry Affairs Department relies on faxes to receive copies of tickets, contracts, and internal agency documents related to disputes with suppliers that are not available in electronic format and thus cannot be e-mailed. In addition, many surveys require fax transmission. Faxes are central to numerous but irregular communications with banks, credit card companies, insurance companies, and vendors of various kinds. Finally, faxes are also central to the operation of ASTA's communications function, ranging from registration of media for meetings to interacting with vendors for creative/graphic services on which the rest of the enterprise depends.

Securing, storing, and keeping current physical, or even electronic, signed consents from this large and ever-changing collection of firms and individuals would be a monumental and costly undertaking. In today's business world, it would make little sense to require such actions since, by providing ASTA with their fax numbers, all these members, customers, vendors, suppliers and others have clearly indicated a willingness to receive faxes from ASTA. If they change their minds, they need only advise ASTA and it remove them from any lists ASTA maintains for fax purposes.

* * * *

The discussion above demonstrates that faxes are central to the daily operations of the travel industry. Yet the Commission's definition of "unsolicited advertisement" would sweep many of the faxes described above, albeit not all, within its terms. The definition refers to "any material advertising the commercial availability *or quality*" of any good or service. That definition arguably encompasses any piece of paper that describes the features of a good or service, such as an itinerary or a survey that contains detailed descriptions of a hotel or cruise. With the very real threat of possible litigation, many companies will err on the side of not faxing

until they obtain the written consent (which may not be readily available), or else spend valuable time assessing whether a particular page is or is not “advertising.” Consequently, though the rule on its face does not apply to all fax communications, the shadow cast by the rule as currently written falls on the bulk of daily faxes in the travel industry. On reconsideration, therefore, the Commission should consider deleting “or quality” so that the scope of the rule is not so broad.

B. The FCC Should Reinstate the Established Business Relationship Exemption.

1. The established business relationship exemption works.

The Commission first applied the EBR to facsimile advertisements in its 1992 Report and Order implementing the Telephone Consumer Protection Act of 1991 (“TCPA”).² This interpretation was further endorsed by the Commission in its 1995 Reconsideration Order.³ Businesses of all sizes have relied on this exemption to provide timely information on the availability of services and to initiate transactions *for eleven years*. Travel industry business practices have developed based on what appeared to have been settled law. Indeed, many small travel agencies have no other means of receiving information from travel service providers.

In the Order, the Commission reversed course and eliminated the EBR, on the stated grounds that “some consumers feel ‘besieged’ by unsolicited faxes.”⁴ Notably, the evidence the Commission cites is overwhelmingly from residential consumers, not businesses. More fundamentally, however, the complaints do not point to the need for a change in Commission rules but rather, as consumer advocates argued in this proceeding, that the

² *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CC Docket No. 92-90, Report and Order, 7 FCC Rcd 8752, ¶ 54, n.87 (1992).

³ *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CC Docket No. 92-90, Memorandum Opinion and Order, 10 FCC Rcd 12391, ¶ 37 (1995).

⁴ *Order*, at ¶ 186.

Commission should impose stricter enforcement measures.⁵ Neither individuals nor businesses should receive “junk” faxes—but these faxes are unlawful under the current rules and do not provide a basis for eliminating the EBR. Making legitimate faxes unlawful will only spur additional litigation against small businesses and enforcement problems for the Commission, and not address the genuine problem of “junk faxes” which was the core concern Congress was trying to address in adopting the TCPA.⁶ Especially at a time when the travel industry is suffering economically, the Commission should not impose unnecessary regulatory burdens that will impose significant additional costs on small businesses.

2. The Commission failed to comply with the APA and should reinstate the EBR until the public has full notice and comment.

The Administrative Procedures Act requires an agency in a notice-and-comment proceeding to give sufficient notice of the proposed rule change and opportunity for comment such that “possible objections to its final rules have been given sufficient consideration.”⁷ The final rule must be a “logical outgrowth” of the one proposed. “If the deviation from the proposal

⁵ *Id.*

⁶ See *Telemarketing/Privacy Issues: Hearing on H.R. 1304 and H.R. 1305 Before the Subcomm. on Telecommunications and Finance of the House Comm. on Energy and Commerce*, 102nd Cong. 3-4 (1991) (statement of Rep. Rinaldo) (“Another festering problem has arisen from the so-called ‘junk fax’. Junk fax is more than merely irritating. It represents an unfair shifting of the cost of advertising to the unwitting customer. Also, like autodialers, unsolicited and unwanted faxes can tie up a machine for hours and thwart the receipt of legitimate and important messages.”); 137 Cong. Rec. H11307-01, H11314 (1991) (statement of Rep. Markey) (“I would just like to say that this is the beginning of the end for junk faxes and junk calls in America. . . . When those junk faxes start coming over your machine, you do not think like a Republican or a Democrat; you just think how are you going to be able to get your hands around the neck of the person making you pay with your paper for whatever message they are trying to send you.”).

⁷ *Shell Oil Co. v. EPA*, 950 F.2d 741, 752 (D.C. Cir. 1991); see also *In re 1998 Biennial Regulatory Review - “Annual Report of Cable Television Systems,” Form 325, Filed Pursuant to Section 76.403 of the Commission’s Rules*, Order on Reconsideration, CS Docket No. 98-61 (2000).

is too sharp, the affected parties will not have had adequate notice and opportunity for comment.”⁸ This is precisely the infirmity in the Order, and the reaction of the business community to the Commission’s new rules, as demonstrated by the numerous stay requests that have been filed in this docket,⁹ supports the conclusion that the affected parties lacked full notice of the possible rule change.

The Commission’s Notice of Proposed Rulemaking in this proceeding¹⁰ (“NPRM”) sought comment on the EBR and specifically asked whether the exemption, which businesses have been relying on for eleven years, needed to be clarified.¹¹ Never did the Commission propose to eliminate the EBR or seek comment on whether it should be eliminated.¹² Given that businesses and consumers have eleven years of settled expectations, the elimination of the EBR based on this cursory notice is plainly “too sharp.”¹³ The Commission

⁸ *Shell Oil*, 950 F.2d at 747.

⁹ See American Society of Association Executives, Petition for Stay (July 25, 2003); American Teleservices Association, Request for Expedited Stay (July 25, 2003); National Association for Realtors, Request for Emergency (August 1, 2003); Proximity Marketing, Request for Stay (August 6, 2003); American Business Media, Petition for Stay (August 6, 2003); American Dietetic Association, Request for Stay (August 6, 2003); Business Users Coalition, Petition for Emergency Stay (August 7, 2003); Newspaper Association of America and the National Newspaper Association, Petition for Stay (August 8, 2003); National Association of Business Political Action Committees, Request for Stay (August 8, 2003); Chamber of Commerce of the United States, et al., Request for Stay (August 8, 2003); Air Conditioning Contractors of America, Petition for Emergency Stay (August 12, 2003); and Reed Elsevier, Inc., Motion for Stay (August 12, 2003).

¹⁰ *In re Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, Notice of Proposed Rulemaking and Memorandum Opinion and Order, CG Docket No. 02-278, CC Docket No. 92-90 (2002).

¹¹ *Id.*, at ¶ 39.

¹² In fact, the NPRM asked whether the rules should be amended to specifically provide for it. *Id.*

¹³ *Shell Oil*, 950 F.2d at 747.

therefore must leave in place the current rules pending notice and comment on the proposed elimination of the EBR.¹⁴

3. Alternative means to facilitate business-to-business communications.

Instead of eliminating the EBR, the Commission could change it to address the concerns cited in the Order. A number of mechanisms could be used to make the Commission's rules more workable while maintaining the integrity of the rules as they apply to residential subscribers receiving faxes.

a) Inquiries.

The Travel Industry Group proposes an inquiry-based system for manifesting consent in the fax context similar to the telephone marketing rules.¹⁵ Under this proposal, the Commission's rule would provide that an inquiry concerning goods and services constitutes "express consent" if the inquiry is of the type that typically creates a reasonable expectation on behalf of the consumer that a particular entity will follow-up by sending commercial information by fax. Once an inquiry is made, the business should be permitted to send relevant information for a period of three months.

The "inquiry" provision in the telemarketing context is sound policy because it runs consistent with consumer expectations. A legitimate inquiry in the fax context also should be defined as a recipient giving "express permission or invitation" to the fax sender. An inquiry is "express" because the person making the inquiry has taken some step to "make known or set forth" her interest or such person has otherwise managed to "manifest or communicate, as by a

¹⁴ *Id.* at 765.

¹⁵ *See Order*, at ¶ 114.

gesture; show; exhibit” her interest in the good or service.¹⁶ The inquiry meets the test of “permission or invitation” because the consumer has taken those steps that typically result in follow-up information by fax; thus it is reasonable to conclude that the consumer has “invited” the follow-up material. The Commission wisely adopted this rule in telemarketing because of its balance between protecting consumers and not slowing down or burdening everyday commerce. The same balance should be struck with respect to the new fax rules.

b) Business-to-Business Faxes Permitted.

The Commission also should consider maintaining the EBR for business-to-business communications. Most of the concerns cited by the Commission came from consumer groups.¹⁷ The Commission should permit businesses to continue sending facsimiles to other companies with which they do business.¹⁸ The record does not support a conclusion of significant harm to businesses caused by unsolicited faxes, and the outcry since the Order was adopted indicates the harm that would occur if business-to-business faxes are stopped.¹⁹ This provision combined with changes to the express consent requirement discussed below, would alleviate some (but not all) of the problems for the travel industry created by the new fax rules.

IV. REQUEST FOR RECONSIDERATION AND CLARIFICATION OF RULES DEFINING “EXPRESS INVITATION OR PERMISSION.”

The written, signed requirement of the new fax rules is not only unwise, it is contradictory of Congress’s intent in passing the TCPA. Both the House and Senate considered

¹⁶ The American Heritage Dictionary of the English Language, at 463 (2000).

¹⁷ Order, at ¶ 186.

¹⁸ In the context of business-to-business facsimiles, there is simply no need for a three month limitation on inquiries.

¹⁹ See footnote 9, *supra*.

and rejected the idea of requiring written consent in the context of telephone solicitations because it was not in the interest of consumers or sellers.²⁰ The same rationale applies to the fax rules, where arguably the intrusion is less. Written, signed consent is certainly a “high form” of evidence that a fax is not unsolicited, but the Commission should assess whether that high burden is necessary given the fax context. Moreover, the Commission’s requirement leads to an interpretation of “unsolicited” that is contrary to the plain meaning of the word. Accordingly, the Commission should revise the rules to permit the following expressions of consent.

A. Fax-On-Demand.

As a matter of logic, no one would argue, for example, that when a person takes an affirmative act to request that a fax be sent to his or her fax machine, the material sent is “unsolicited.” The most obvious example is that of fax-on-demand, in which a person dials a phone number (sometime at their own expense), chooses a document (typically from a menu of document choices), and then directs another party’s fax machine to send a specified fax to the requesting party’s fax number (which was dialed in). The Commission should clarify that this activity qualifies as “express” consent or is otherwise outside the definition of “unsolicited.”

B. Verbal, E-mail, and Click-through Consent.

If the Commission does not alter the rule requiring “express” consent before sending a fax, it should define “express consent” in a manner that makes it easier for fax recipients to manifest that consent. Requiring small travel agencies, for instance, to provide written, signed consent, including the agency’s fax number, to *every* provider of travel services is impractical, wasteful, and serves no public interest purpose.

²⁰ See S. Rep. 102-178, at 5; H.R. Rep. 102-317, at 13.

To alleviate the burden on small businesses and increase the efficiency of disseminating important commercial information, the Commission should, upon reconsideration, specifically authorize the following forms of express consent:

1. Verbal authorization: When a potential client calls a travel agent and asks for travel information to be faxed to her, the agent should be permitted to comply with the request without seeking further consent.
2. E-mail request for a fax: An electronic or digital signature is impractical and overly burdensome for small businesses and individual consumers and should not be required. It should be sufficient to receive an e-mail message reasonably believed to originate from the specified party.²¹
3. Web-based click-through system: Consumers should be permitted to authorize a travel agency that has a Website to authorize the agency to send him or her faxed information by making that affirmative choice on a the Website.

The Travel Industry Group's proposed reconsideration and clarification points regarding express consent are consistent with the objectives of the Order. Each would require an affirmative action by the recipient, not the "negative option" disfavored by the Commission.²²

C. Other Issues For Clarification.

In reversing eleven years of precedent, the Order leaves many questions unanswered or unaddressed that should be clarified on reconsideration:

1. Obtaining and Revoking Consent: If the Commission retains a version of the written consent requirement, it should clarify that the request for consent may be sent and received by fax. This is a practical necessity because in many instances the only means of communication is by fax. Also, the Commission should clarify that the consent form would not

²¹ The Commission can safely leave to the sender the establishment of that reasonable belief. ASTA might, for example, require a member identification number to authenticate an e-mail. Other associations may adopt other techniques.

²² *Id.* at ¶ 191 n.705.

be an “advertisement” as the Commission has defined the term. Further, the Commission should clarify that whatever form of consent is ultimately required to receive faxes is the same form necessary for consent to be revoked.²³

2. De Minimis Exception: Frequently faxes are sent by travel industry professionals that are not for the purpose of advertising, but may contain a *de minimis* amount of information that might be judged to refer to the commercial availability or quality of property, goods, or services. A company should be allowed, for example, to send an itinerary to a customer that may have boilerplate language at the bottom advertising some upcoming special. One sees everyday credit card bills or airline ticket information having a small sidebar notice advertising some good or service. Clearly, the purpose of the document is not advertising, and the Commission should clarify this to eliminate needless litigation.²⁴ The Commission should therefore explicitly create a *de minimis* exception for advertising material.

3. Surveys: ASTA regularly sends surveys by fax to collect information on the travel industry. The questions in the surveys often ask about the quality, and sometimes the availability, of goods and services. Other surveys may contain questions about the perceived

²³ If the Commission agrees with the Travel Industry Group’s proposals for different forms of express consent, any of those forms should be permissible for revoking it; if, however, the Commission requires written, signed consent with a fax number, the same level of specificity and formality should be required to revoke consent. Parties who have incurred the inefficiency and expense of securing signed written consents should not be exposed to government penalties and private lawsuits on the strength of claims that the putative revoking party called and left a message with a receptionist to tell the people in some department to stop sending faxes.

²⁴ Similarly, a *de minimis* exception would ensure that a company or organization can use its trademarks and slogans on faxed messages. ASTA’s logo includes the phrase “Integrity in Travel.” Its standard branding slogan, in use for several years, is “Without a Travel Agent, You’re On Your Own.”TM It is important to ASTA’s interests and those of its members that the logo and slogan receive the widest possible dissemination. The inclusion of this information on a fax should not, by itself, convert a non-covered fax into one that requires signed written consent. Similarly, the inclusion of a brief description of a business’s mission, purpose, or similar information should not expose the entity to penalties or class action lawsuits.

quality of specific supplier services, including the names of travel suppliers as choices. ASTA sells space in its surveys for this type of research, which is very valuable to the suppliers.

Though the overall purpose of the survey is not to advertise, it is unclear whether, under the new fax rules, surveys of this nature may be considered an advertisement requiring express signed consent.

4. Non-Profit Exception: The Travel Industry Group support the Petition for Emergency Clarification filed by the American Society of Association Executives on July 25, 2003 (“ASAE Petition”). The ASAE Petition requested clarification that “unsolicited facsimile communications are not prohibited when issued by tax exempt nonprofit organizations in pursuit of their recognized and authorized tax exempt nonprofit purposes.”²⁵ Members of the Travel Industry Group rely on their ability to communicate with their members by fax; and the members of the associations represented by the Travel Industry Group expect to receive such information from their trade association.²⁶

5. Identification of the Sender: The rules need to be clarified with respect to the new identification requirements. According to the new version of 47 C.F.R. § 68.318, a fax broadcaster that has a high degree of involvement in the faxed message must now identify its official name on all faxed pages – the identification requirements appear not to change for all

²⁵ See American Society of Association Executives, Petition for Emergency Clarification, *In re Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278 (July 25, 2003).

²⁶ ASTA supports the arguments set forth in the August 14, 2003 letter from the Office of Advocacy of the U.S. Small Business Administration (“SBA Letter”). Among other things, the SBA Letter correctly argued that the portion of the Order dealing with the new fax rules does not comply with the requirements of the Regulatory Flexibility Act. Ninety-eight percent of travel agencies are small businesses, and the Commission’s Order fails to evaluate the impact on them of requiring signed consent for faxes under the prescribed terms.

other fax senders. Paragraph 203 of the Order, however, could be construed as mandating *all* “senders of fax advertisements” to include their full legal name under which the sender is registered to do business. This requirement would not be workable. For example, ASTA’s full legal name, for instance, contains 34 characters. ASTA has fax machines, which are perfectly functional as fax devices, that will produce no more than 20 characters as ‘sender identifiers.’ No machine currently owned by ASTA will accept 34 characters. On reconsideration, the Commission should clarify that the official name requirement only applies to fax broadcasters, not all senders of faxed advertisements, which should be permitted to operate under the pre-August 25 identification rules.

CONCLUSION

The Commission should revise its new fax rules for the reasons stated herein.

Without these changes, the Commission's rules could disrupt the travel industry and its consumers, and thereby harm the public interest.

Respectfully submitted,

AMERICAN SOCIETY OF TRAVEL AGENTS
AMERICAN HOTEL AND LODGING
ASSOCIATION
NATIONAL TOUR ASSOCIATION
INTERNATIONAL COUNCIL
OF CRUISE LINES
CRUISE LINES INTERNATIONAL
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August 25, 2003

SERVICE

Courtesy copies of the foregoing Petition for Emergency Stay were delivered this

25th day of August, 2003, as follows.

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