



NATIONAL ASSOCIATION OF REALTORS®

The Voice For Real Estate®

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July 22, 2010

The Honorable Bobby Rush
Chair, House Energy and Commerce Subcommittee on Commerce, Trade and Consumer Protection
2416 Rayburn House Office Building
Washington, DC 20515

RE: Hearing on H.R. 5777, the BEST PRACTICES Act and H.R. _____, a discussion draft to require notice to and consent of an individual prior to the collection and disclosure of certain personal information relating to that individual

Dear Chairman Rush:

On behalf of the 1.1 million members of the National Association of REALTORS®, I am writing to share our initial views of H.R. 5777, the “Building Effective Strategies To Promote Responsibility Accountability Choice Transparency Innovation Consumer Expectations and Safeguard Act” (the “Best Practices Act”). In a letter dated June 4, 2010 we submitted comments on the Discussion Draft distributed by Representatives Boucher and Stearns. (See attached)

With regard to H.R. 5777, we commend your effort to craft legislation that attempts to balance the need for consumer protection with the flexibility necessary for businesses, especially small businesses, to prosper in a difficult economic climate and to take advantage of constantly evolving technology.

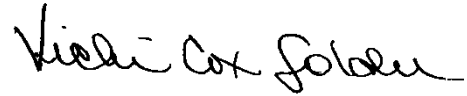
Realtors® have long been strongly supportive of efforts to protect consumers’ sensitive personal information. The Realtor® Code of Ethics and Standards of Practice explicitly acknowledge a Realtor’s® obligation to preserve the confidentiality of personal information provided by client’s in the course of an agency or non-agency relationship—both during and after the termination of these business relationships. Protection of client personal information is an important part of the trusted relationship our members enjoy with their clients.

We are encouraged that the bill allows for greater industry self-regulation by including a safe harbor for certain FTC approved self-regulatory programs. We believe that there exist today a number of tools for businesses across a wide spectrum of industries to implement privacy policies that reflect industry best practices and are responsive to changes brought about by technological innovation and evolving market practices.

In addition, we are pleased to see that the legislation builds in flexibility by establishing that the Federal Trade Commission will be responsible for implementation details and compliance. We agree with you that “legislation that is too prescriptive or cements current practices in place will be outdated even before it becomes law.”

Once again we thank you for your work on this very complex issue. We look forward to commenting further on this bill after we more fully analyze it and working with your staff to advance legislation that will both protect consumers and create an environment where business innovation can flourish.

Sincerely,

A handwritten signature in black ink that reads "Vicki Cox Golder". The signature is written in a cursive, flowing style.

Vicki Cox Golder, CRB
2010 President, National Association of REALTORS®

Enclosure: June 4 NAR Comment Letter to Representatives Boucher and Stearns on Draft Legislation