



NATIONAL ASSOCIATION OF REALTORS®

The Voice For Real Estate®

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October 29, 2007

U.S. House of Representatives
Committee on Energy & Commerce
Washington, DC 20515

Dear Representative:

On behalf of the 1.3 million members of the NATIONAL ASSOCIATION OF REALTORS®, I want to provide our perspective on two bills the House Energy and Commerce Committee will consider on Tuesday, October 30, 2007. The NATIONAL ASSOCIATION OF REALTORS® represents real estate professionals involved in all aspects of the real estate industry, including single-family agents and brokers, real estate developers, and owners and managers of multifamily rental and commercial property.

H.R. 2601, a bill to extend the authority of the Federal Trade Commission (FTC) to collect fees to administer and enforce the provisions relating to the National Do Not Call (DNC) Registry of the Telemarketing Sales Rule (TSR). Since the inception of the DNC Registry, the FTC has argued that allowing businesses free access to five area codes but requiring fees for access to each additional area code “limit[s] the burden placed on small businesses...” by the TSR.¹ This pricing rationale, however, *assumes a direct relationship* between the size of the business, its geographic market area (as measured by the number of area codes required) and the number of calls made to each area code. In today’s increasingly interconnected world of commerce, this relationship is not necessarily the case. NAR respectfully requests that Congress amend H.R. 2601 to exempt very small businesses from burdensome DNC Registry access fees until the Commission gathers information from small businesses that make telemarketing calls and demonstrates that these businesses only require access to five or fewer area codes, have not been adversely impacted by access fees that have increased from \$25 in 2003 to \$62 in 2006; and/or that a more equitable fee structure is not feasible.

H.R. 3526, a bill to include all federal banking agencies within the existing regulatory authority under the Federal Trade Commission Act. NAR believes it is important that the federal banking regulators do everything possible to protect consumers in the mortgage transaction, particularly from unfair, deceptive and abusive practices. NAR supports the concept of giving each of the federal banking regulators the authority to write rules against unfair and deceptive financial practices under the Federal Trade Commission Act and we hope all the banking agencies will swiftly act upon enactment to implement such important consumer protections.

I thank you for your attention to these important matters. NAR stands ready to work with Congress to pass H.R. 3526, which offers important protections for our nation’s consumers, and amend HR 2601 so as to limit the economic burden imposed by the DNC Registry’s current fee structure on the nation’s small businesses and sole proprietors.

Sincerely,

Pat V. Combs, ABR, CRS, GRI, PMN
2007 President, National Association of REALTORS®

¹ 68 *Federal Register* 147, 45140 (July 31, 2003).

