

April 12, 2005

The Honorable Gordon Smith
Senate Trade, Tourism, and Economic Development Subcommittee
404 Russell Senate Office Building
Washington, DC 20510

Dear Chairman Smith:

On behalf of the 1.2 million members of the NATIONAL ASSOCIATION OF REALTORS® (NAR), I want to thank you for introducing S. 714, the Junk Fax Prevention Act of 2005. NAR's members greatly appreciate the time and effort that you and your staff have committed to reintroducing this measure. NAR strongly supports this legislation.

As you well know, S. 714 is necessary to correct problems created by the Federal Communication Commission's commercial fax rules, currently stayed until July 2005. If not enacted, NAR estimates that over 66 million separate signed permission forms will have to be created, distributed, collected and stored annually in order to support the nation's recent levels of home sales.

This would be a tremendous hardship to businesses and trade organizations like NAR and its 1500 state and local associations because of the sizeable administrative burdens related to obtaining written, signed permissions to communicate with consumers and members via fax.

S. 714 will not change the law on junk faxes. Junk faxes are illegal and will continue to be so. However, the bill clarifies existing law and provides additional consumer protections via its opt-out provisions. NAR believes S.714 is sound, critical legislation. We thank you for your work and we stand ready to work with you to achieve enactment.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Mansell", written in a cursive style.

Al Mansell, President
National Association of REALTORS®