

July 16, 2004

U.S. House of Representatives
Washington, DC 20515

Dear Representative:

On behalf of the NATIONAL ASSOCIATION OF REALTORS®, I strongly urge you to vote for H.R. 4600, the Junk Fax Prevention Act of 2004, when the bill is brought to the House floor. NAR strongly supports this bill.

This legislation will not change the law on junk faxes. Junk faxes have been, and will still be, illegal under the provisions of the Telephone Consumer Protection Act (TCPA). The bill will, however, clarify that the Federal Communication Commission (FCC) does have the authority needed to continue to allow common business fax practices that have been allowed by regulation since passage of the TCPA some twelve years ago.

Without this clarification, legitimate businesses will no longer be able to quickly respond to consumers who request information via fax. NAR, for example, estimates that over 67 million separate, signed permission forms would have had to be collected in order to support last year's level of home sales. In addition, trade organizations like NAR and its 1500 state and local associations would have to shoulder the significant economic burden of collecting over 3 million permission forms in order to continue to communicate via fax with its members.

Just as importantly, the bill gives consumers a new right to opt-out of receiving faxes, even when they may have a business relationship with a firm or association - a right we all deserve.

It is critical that the FCC's long-standing interpretation of acceptable business fax practices be codified. Please support HR 4600 when it is brought to the floor.

Sincerely,

A handwritten signature in cursive script that reads "Jerry Giovaniello".

Jerry Giovaniello
Sr. Vice President