

# ASHEVILLE FIRE FIGHTERS ASSOCIATION

18-G Regent Park Boulevard Asheville, N.C. 28806



March 15, 2002

Office of the Secretary  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Room 159  
Washington, D.C. 20580

Dear Sir/Madam

I am writing you on behalf of The Asheville Fire Fighters Association to express our objection to the Federal Trade Commission's proposal to amend the Telemarketing Sales Rule. The proposed application of a national "do not call" registry to our organization is unfair, unwise and unworkable.

As fire fighters, we make it our business to serve our communities to the greatest extent possible. Our fire fighter organization is a non-profit entity that relies extensively upon small gifts from a large number of people to support charitable activities. Through such contributions, we have been able to provide smoke detectors for the elderly and low income of our community. We have also been the leading organization in our area in providing fire safety education to the children we serve.

The proposed rule is unfair because it would create a "do not call" registry maintained by the federal government that would apply to fundraising calls made on behalf of our organization to support our charitable activities, but would not apply to politicians' fundraising calls or phone solicitations by banks, telephone companies and insurance companies. Beyond being unfair, this simply does not make sense.

The proposed rule is unwise because it would prohibit our organization from contacting individuals on the "do not call" lists even if they had consistently donated to our organization in the past and would still like to do so in the future.

Finally, the rule is unworkable because it violates our First Amendment right to contact members of the public. The Supreme Court has consistently held that any limitations on free speech must be narrowly drawn and use the least intrusive means. This rule satisfies neither of these requirements and further violates the Constitution because it favors calls from commercial interests, such as banks and insurance companies, over calls made on behalf of non-profits.

Please reconsider this amendment in light of these concerns, and reject the proposal to apply the "do not call" registry to calls made on behalf of non-profit organizations.

Sincerely,

*Mike Marshall*

Mike Marshall  
President