

# STATEWIDE APPEAL INC.

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

Re: Federal Trade Commission – Proposed Amendments to Telemarketing Sales Rule

To whom it may concern:

My name is Tyler Messer and I am strongly opposed to the national do-not-call list proposed by the Federal Trade Commission (FTC). There are many reasons why this proposed program serves no purpose and obviously hinders the functions of important nonprofit organizations or charities that rely so heavily on mass communication by telephone to reach the concerned citizens of this state and nation.

First of all, many states, including my own, already have do-not-call laws and do not need the federal government overshadowing these already fine working programs. I personally work for a nationwide telemarketing company that solely concentrates on raising funds for nonprofit organizations and there is already a “do-not-call list” devised by our company as required by the state of Texas to ensure these particular individuals are removed from the call registry. Then just recently my state government introduced a statewide “do-not-call list” to encourage individuals add their name onto every telemarketing agency’s do-not-call lists without ever having to be contacted. Now with the new FTC proposed do-not-call list, there will be a THIRD chance for citizens to be put on the SAME do-not-call lists. This seem a bit redundant!

I might support a do-not-call program that will allow me to pick and choose the particular organizations that I do not wish to be contacted by, but as to my understanding, the proposed law will be “all or nothing.” I cannot foresee this program being beneficial to the economy except to reduce the tremendous amount of unwanted sales calls. Again, this program will also include charities and nonprofit organizations that generate billions of dollars yearly for different groups in every city and state. If some of these groups and organizations cannot contact a vast number of citizens needed to generate enough funds year round then they will be forced to lay-off some hundreds of thousands of employees which cannot be beneficial to the already struggling economy. A giant domino effect! Like everyone with a telephone in their home, I too get bombarded with requests to purchase credit cards or long distance daily, but if I put my name on this proposed list, then the organizations I customarily support will not be able to contact me. There has to be a dividing line between different types of organizations or this program will make no sense!

Finally, I can defend myself from unwanted calls by using any number of systems including the answering machine, phone butler, call blocker, or I could even have my number unlisted if I so choose. As an employee of a telemarketing agency I understand that when an individual requests to be put on our do-not-call list, I am to remove that telephone number from the company’s call registry immediately or a future call to that person may result in a lawsuit. Again, this system is already in effect in most states and allows freedom to choose who gets to call my home again. I do not need to government to screen my calls!

I do not want to see a “blanket” by the federal government in this proposed do-not-call law. Telemarketing continues to grow because it works! People want to receive calls to support charities and nonprofit groups. It is as simple as supply and demand... when they stop giving over the telephone; charities and nonprofits will stop calling them. It’s the American way!

Very truly yours,

Tyler Messer