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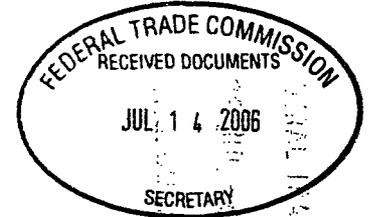
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United States Senate

WASHINGTON, DC 20510-0906
June 28, 2006

COMMITTEES:
AGING
BANKING
ENERGY AND NATURAL RESOUR
FOREIGN RELATIONS

Ms. Anna Davis
Director, Office of Congressional Relations
Federal Trade Commission
600 Pennsylvania Avenue, NW
Room 404
Washington, District of Columbia 20580



Dear Ms. Davis:

I am contacting you on behalf of several of my constituents.

They are concerned about issues related to the FTC's jurisdiction. I am enclosing their correspondence for your review. Please address your response to them directly.

Thank you for your attention to this matter. Please do not hesitate to contact me with any questions or comments.

Sincerely,

A large black rectangular redaction covering the signature area of the letter.

Mel Martinez
United States Senator

MM/jcg
Enclosure



Constituent

Kirsch, Robert

Phone: [REDACTED]

Email: [REDACTED]

[REDACTED]
Broward

Details

Category: Small Business
Campaign / Group: FTC Business Opportunity NPR
Assigned To: Jenn Gallagher
Status: Pending LA Approval
Received Via: Web
Date Received: 06/09/2006

Web Mail Message

Web Mail Subject: FTC proposal 16 CFR Part 437

Honorable Senator Martinez;

I am writing you about this proposed rule change that the FTC plans on implementing. This would absolutely negatively impact my Pre-Paid Legal Business. As an independent associate for this NYSE listed company, I pride myself on representing an opportunity and a service that is severely needed throughout the United States. The United States government, on more than one occasion, has furthered their belief in the developing of viable home based businesses. This proposal, if enacted, would have a detrimental impact on the developing of home based businesses. While I agree that the spirit of the proposal, to uncover and expose egregious fraud, is noble; the impact that this will have to mine and other legitimate businesses cannot be understated.

PrePaid Legal is regulated by the individual states' insurance commissions and in some states (Florida being one of them) a license is required to actually sell the policies. While this is not a requirement for recruitment and presenting the opportunity; NO money can be made by a recruiting associate unless policies are sold.

In capsule form this FTC proposal would impose a 7 day waiting period before new associates can sign up as a PrePaid Legal Sales Associate. This delay would impact a new associate's enthusiasm and well as his ability to share the opportunity with other prospects.

Additionally, the FTC would require me to provide the names and telephone numbers of the 10 nearest prior purchasers of the Business Opportunity to all potential associates. This would clearly violate the privacy rights of other purchasers and enhance opportunities for identity theft.

Also, part of the proposals requirement is for us to provide a list of law suits filed against the company going back 10 years. It does not distinguish between winning or losing lawsuits; it does not distinguish between findings and allegations; and in the sue happy United States a no reason law suit (unfounded and fraudulent); meritless law suits would become winning ones.

Please accept this in the spirit it is intended and look out for my rights as a

United States citizen.

Thanking you in advance.

Robert D. Kirsch

History

Notes/Comments:

Route History:

06/14/2006 - 07:34 PM - Jenn Gallagher - Printed Tracksheet
6/9/2006 2:07:57 PM - Jenn Gallagher - Updated via Modify Fields
6/9/2006 2:07:57 PM - Jenn Gallagher - Status Change: Pending LA Approval
06/09/2006 10:43:25 AM - Created manually by Jenn Gallagher via InterTrac WebMail.