

March 23, 2002

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

Dear Sir/Madam:

I am writing to you on behalf of Bethlehem Fire Fighters Local 735, International Association of Fire Fighters, 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 fighters organization is a non-profit entity that relies extensively upon small gifts from a large number of people to support numerous charitable activities.

The proposed rule is unfair because it would create a "do not call" registry maintained by the federal government that would apply to fundraising call 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 and sense.

The proposed rule is unwise because it would prohibit our organization from contacting individuals on the "do not call" list even if they had consistently donated to our organization in the past and would still like to do so in the future. At a time when government is relying upon non-profits and charities to do more, it should not undermine the ability of organizations such as our own to provide valuable services to the public.

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

Sincerely,

James S. Schlener  
President  
I.A.F.F. Local 735