Ms. Marlene H. Dortch

Secretary

Federal Communications Commission

445 12th Street, S.W.

Washington, DC  20554

**Re: Notice of Ex Parte Presentation Concerning GC Docker No. 02-278, Credit Union National Association Petition for Declaratory Ruling Under the Telephone Consumer Protection Act of 1991**

On Tuesday, November 7th, Katie McAuliffe, Executive Director of Digital Liberty and Federal Affairs Manager at Americans for Tax Reform, met with Brooke Ericson, Erin McGrath, and Amy Bender of Commissioner O’Rielly’s Office, to discuss a number of topics before the Commission including, broadcast media ownership reform, the Telephone Consumer Protection Act, and the Restoring Internet Freedom proceeding.

This filing addresses the Telephone Consumer Protection Act. Separate filings cover the additional topics.

Americans for Tax Reform and Digital Liberty expressed support for the exemptions to the TCPA suggested by the Credit Union National Association in their petition for a declaratory ruling under the TCPA.

We agree that the FCC could uphold the intent of the TCPA — to prevent harassing telemarketing calls — and account for new kinds of communications by exempting a clear class of informational calls from the prior consent requirement.

To be exempt these calls could either be from the credit union to a party with an established business relationship, or the call is free of charge. The call could also be auto dialed as long as there is an easy opt out mechanism from calls and the call is only informational.

Meeting each of those requirements makes for a reasonable exemption for credit unions and other financial institutions as well.

The TCPA was not intended to stop normal business interactions. Financial institutions, credit unions in particular, should be exempt from many of these restrictions due to the sensitivity of the information they provide their customers or member-owners.

For more detail on the position of Americans for Tax Reform and Digital Liberty, please find enclosed our FCC filing to GC Docket 02-278 on the proposed exceptions to the TCPA and an article published on the topic.

Thank you for your consideration.

Regards,

Katie McAuliffe

Executive Director, Digital Liberty

Federal Affairs Manager, Americans for Tax Reform

722 12th Street NW, Fourth Floor

Washington, D.C. 20005

202-785-0266