

Stacey A. Hartman

From: NAR_Chief_Lobbyist@realtors.org [NAR_Chief_Lobbyist@realtors.org] **Sent:** Tue 7/7/2009 12:58 PM
To: DStinton@realtors.org; jgiovaniello@realtors.org
Cc: LTeam%NAR@realtors.org
Subject: The American Clean Energy and Security Act
Attachments:

TO: State and Local Presidents, Regional Vice-Presidents, Association Executives, Government Affairs Directors, Communications Directors, Federal Political Coordinators
FROM: Dale Stinton, NAR Chief Executive Officer
 Jerry Giovaniello, NAR Senior Vice-President Government Affairs
RE: The American Clean Energy and Security Act
DATE: July 7, 2009

The recently passed American Clean Energy and Security Act has been met with much interest by our members. As is usually the case with controversial legislation, some are fanning a few flames. However, much of the fuel feeding the fire is simply incorrect. Jerry and I are writing not to debate, rather simply to provide you with a brief description of how we got here and what steps we will be taking as we move forward.

NAR dropped its opposition to the American Clean Energy and Security Act when we successfully eliminated provisions that would have had a significant and adverse affect on the real estate industry. Once these provisions were stripped from the house bill our advocacy efforts in the House of Representatives efforts ended. NAR achieved the primary goal outlined by the Presidential Advisory Group on Climate Change and the Land Use, Property Rights and Environment Committee. As the bill moves to the Senate NAR will maintain a 'neutral' position while monitoring the situation. NAR will OPPOSE any attempts to insert anti-REALTOR provisions into the Senate legislation.

NAR's Climate Change History

NAR's involvement in the Climate Change issue goes back more than 18 months. NAR appointed a Presidential Advisory Group (PAG) on Climate Change to develop policy guidelines. NAR Climate Change policy supports: commercially reasonable and incentive-based approaches to reduce energy use and greenhouse gases; solutions that are guided by market and smart growth principles of protecting private property rights and maintaining real estate affordability and availability; and educating property owners and consumers about the benefits and importance of energy efficiency. Additionally the PAG outlined legislative provisions that NAR would oppose: requirements which impose undue economic burdens on property owners or managers; triggering such requirements especially at the time when residences or buildings are sold; and expanded application of existing laws or regulations that are not suited to address climate change

Member Involvement

Following multiple consultations with the NAR Climate Presidential Advisory Group, the NAR Land Use, Property Rights and Environment Committee, and state associations who had dealt with energy audit legislation at the state level, the Land Use, Property Rights and Environment Committee, Leadership asked us to concentrate on the real estate provisions in the bill. This is consistent with NAR's long-standing policy to only take a position on legislation, or provisions within legislation, that have a direct affect on real estate.

Working within the parameters established by the PAG and the Land Use, Property Rights and Environment Committee, we began to evaluate the American Clean Energy and Security Act. Staff reported back that the bill contained provisions that would have a significant and adverse affect on the real estate industry. The Land Use, Property Rights and Environment Committee reiterated the need to concentrate on eliminating the anti-REALTOR provisions in the bill.

As the bill moved through the legislative process we continued to work with out Congressional allies to strip the Energy Bill of provisions that would have adversely affected our industry. Once NAR secured the removal of the anti-REALTOR provisions, NAR dropped its opposition to the Energy Bill.

Next Steps

Later this week, the Land Use, Property Rights and Environment Committee will be conducting an after-action conference call to formulate strategic objectives in the Senate and to develop an appropriate tactical response. Following the meeting of Land Use, Property Rights and Environment Committee, the Public Advocacy Advisory Group will meet again (by conference call) to assess the recommendations of the Committee for proceeding in the Senate.

Media Myths

Much of the information that fuels the fire of opposition to the American Clean Energy and Security Act is just rhetoric. Wrong information about this bill has been told by numerous media personalities and politicians seeking ratings, political support or both. Time and time again our membership has reasserted the need to maintain a focus and confine our legislative advocacy to helping promote and protect the real estate industry. Consequently, our Congressional allies come from both sides of the aisle and are evaluated based on their support and commitment to REALTOR issues.

We hope this is helpful to those of you who have had questions or have wondered how this legislation and our position have evolved. Thanks for your continued support.

Sincerely,
Dale Stinton,
NAR Chief Executive Officer

Jerry Giovaniello,
NAR Senior Vice-President Government Affairs