

FOR IMMEDIATE RELEASE

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## **Millions of American Businesses Urge Immediate House Action on Marketplace Fairness**

*Joint Letter Says Government Tax Policy Should Not Disrupt Free Market Competition*

**WASHINGTON D.C.** – In a joint letter sent today to House Judiciary Committee Chairman Bob Goodlatte, hundreds of organizations that collectively represent more than three million American businesses and organizations – large and small – called for immediate action on the long overdue issue of marketplace fairness.

Citing more than 20 years of inaction and the Supreme Court’s recent decision affirming that this is a matter for Congress to address, the letter urges Congress “*to make the 2013 holiday shopping season the last where Main Street businesses must compete at a government-created price disadvantage.*”

The U.S. Senate overwhelmingly passed the *Marketplace Fairness Act* last May in a broad, bipartisan vote. Going back to 1994, the issue of marketplace fairness has had more than 30 hearings in both the House and Senate, including hearings before the House Judiciary Committee in both 2011 and 2012.

The full text of the letter, which was signed by organizations ranging from the U.S. Chamber of Commerce to the Virginia Veterinary Medical Association, in Goodlatte’s home state, is below:

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January 07, 2014

The Honorable Robert W. Goodlatte  
Chairman  
The Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Goodlatte:

On behalf of the undersigned businesses and organizations, we are writing to start off the new year to urge immediate action on legislation to create marketplace fairness and make the 2013 holiday shopping season the last where Main Street businesses must compete at a government-created price disadvantage. The recent decision by the United States Supreme Court to decline granting *certiorari* for two cases that challenged a New York State statute

only highlights the need for Congressional action. We applaud your “Basic Principles on Remote Sales Tax” principles released on September 18 and now urge you to turn these principles into legislative language and make this issue a top priority for the Judiciary Committee in 2014.

In the 1992 *Quill Corp. v. North Dakota* case, Justice John Paul Stevens wrote that “the underlying issue [of whether remote sellers should be required to collect sales taxes] is not only one that Congress may be better qualified to resolve, but also one that Congress has the ultimate power to resolve.” More than twenty years later, the Court’s recent refusal to revisit the legal question, ironically announced on Cyber Monday, reaffirms their 1992 direction that this is an issue that Congress must address.

Online shopping is popular with consumers and sellers alike. The rapid growth of e-commerce should benefit online sellers as well as Main Street businesses that also sell online. However, the special treatment of remote sellers distorts this market and puts many local brick-and-mortar businesses at a competitive disadvantage. IBM Digital Analytics Benchmark reports that online shopping this Cyber Monday leapt by 20.6 percent over last year. This incredible growth underscores the importance of Congressional action to ensure government tax policy does not disrupt basic free market competition.

Legislation that levels the playing field while establishing important protections for businesses and consumers will ensure a healthy and competitive marketplace for decades to come. We believe it is crucial for Congress to address this problem this year to protect millions of jobs. And, as Dr. Art Laffer’s recent study found, when Congress fixes this problem it could help create 1.5 million new jobs and generate \$563 billion in GDP growth in the next decade.

In closing, we appreciate the deliberative manner in which you have addressed the issue of how to modernize our sales tax collection system for the digital economy, and we urge you to make legislating on this issue a top priority for your Committee by moving a bill in early 2014. We stand ready to work with you and your staff to help translate your seven guiding principles into legislation that will provide meaningful simplifications for remote sellers and create a level playing field for all retailers. Thank you for your leadership on this and many important issues to our economy and country.

Sincerely,

**NATIONAL TRADE ASSOCIATIONS**

American Apparel and Footwear Association  
American Beverage Licensees  
American Booksellers Association  
American Farm Bureau Federation  
American Independent Business Alliance  
American Lighting Association  
American Specialty Toy Retailing Association  
American Supply Association  
American Veterinary Medical Association  
Association for Christian Retail  
Automotive Aftermarket Industry Association (AAIA)

# MARKETPLACE **FAIRNESS** COALITION

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California Association of College Store  
Campus Stores of New England  
Certified Commercial Investment Member Institute  
College Stores Association of North Carolina  
Consumer Electronics Association  
Consumer Electronics Retailers Association  
Food Marketing Institute  
Heating, Air-Conditioning and Refrigeration Distributors International (HARDI)  
Independent Running Retailer Association  
Institute of Real Estate Management  
International Council of Shopping Centers  
International Downtown Association  
International Economic Development Council  
Jewelers of America  
Middle Atlantic College Stores  
Midwest Independent Booksellers Association  
NAIOP, Commercial Real Estate Development Association  
NAMM, National Association of Music Merchants  
National Association of Chain Drug Stores  
National Association of College Stores  
National Association of Electrical Distributors  
National Association of Real Estate Investment Trusts  
National Association of Realtors  
National Association of Wholesaler-Distributors  
National Bicycle Dealers Association  
National Grocers Association  
National Home Furnishings Association  
National Retail Federation  
National School Supply & Equipment Association  
National Sporting Goods Association  
North American Retail Dealers Association  
Northwest Tire Dealers Association  
Outdoor Industry Association (OIA)  
Pet Industry Joint Advisory Council  
Professional Beauty Association  
Real Estate Roundtable  
Realtors Land Institute  
Retail Industry Leaders Association  
Soccer Dealer Association  
Society of Industrial and Office Realtors  
Southwest Association of College Bookstores  
Tri-State Bookstore Association  
U.S. Chamber of Commerce  
World Floor Covering Association

## **STATE / LOCAL TRADE ASSOCIATIONS**

Alabama College Bookstore Association  
Alabama Retail Association  
Alaska Veterinary Medical Association  
Alliance of Wisconsin Retailers  
Arizona Retailers Association

# MARKETPLACE **FAIRNESS** COALITION

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Arkansas Grocers and Retail Merchants Association  
Association of Washington Business  
California Association of College Stores  
California Business Properties Association  
Southern California Independent Booksellers Association  
California Retailers Association  
California Veterinary Medical Association  
Campus Stores of New England  
Carolinas Food Industry Council  
College Stores Association of North Carolina  
College Stores Association of New York State  
Colorado Retail Council  
Colorado Veterinary Medical Association  
Connecticut Retail Merchants Association  
Delaware Veterinary Medical Association  
Economic Alliance of Snohomish County, WA  
The El Dorado Hills CA Chamber of Commerce  
The Elgin IL Chamber of Commerce  
Florida Association of College Stores  
Florida Chamber of Commerce  
Florida Retail Federation  
Georgia Association of College Stores  
Georgia Retail Association  
Georgia Veterinary Medical Association  
Great Lakes Independent Booksellers Association  
Idaho Retailers Association  
Idaho Veterinary Medical Association  
Illinois Association of College Stores  
Illinois Retail Merchants Association  
Illinois State Veterinary Medical Association  
Indiana Association of College Stores  
Indiana Retail Council  
Indiana Veterinary Medical Association  
Iowa Retail Federation  
Iowa Veterinary Medical Association  
Kansas Chamber of Commerce  
Kentucky Retail Federation  
Kentucky Veterinary Medical Association  
Local First Arizona  
Los Angeles Area Chamber of Commerce  
Louisiana Retailers Association  
Louisiana Veterinary Medical Association  
Maine Merchants Association  
Maine Veterinary Medical Association  
Maryland Retailers Association  
Massachusetts Veterinary Medical Association  
Michigan Association of College Stores  
Michigan Retailers Association  
Michigan Veterinary Medical Association  
Minnesota Business Partnership  
Minnesota Chamber of Commerce

## MARKETPLACE FAIRNESS COALITION

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Minnesota Retail Association  
Minnesota Veterinary Medical Association  
Missouri Retailers Association  
Mountains and Plains Independent Booksellers Association  
Naperville Area Chamber of Commerce  
Nebraska Retail Federation  
Nebraska Veterinary Medical Association  
Nevada Veterinary Medical Association  
New Atlantic Independent Booksellers Association  
New England Independent Booksellers Association  
New Jersey Retail Merchants Association  
New Jersey Veterinary Medical Association  
New Mexico Retail Association  
North Carolina Retail Merchants Association  
North Carolina Veterinary Medical Association  
North Dakota Retail Association  
Northern California Independent Booksellers Association  
Northwest College Bookstore Association (WA, OR, AK, MT)  
Oak Ridge Chamber of Commerce  
Ohio Association of College Stores  
Ohio Council of Retail Merchants  
Oklahoma Veterinary Medical Association  
Pacific Northwest Booksellers Association  
Pennsylvania Retailers' Association  
Retail Association of Mississippi  
Retail Association of Nevada  
Retail Council of New York State  
Retail Merchants of Hawaii  
Retailers Association of Massachusetts  
Rhode Island Retail Federation  
Rocky Mountain Skyline Bookstore Association  
Seattle Metropolitan Chamber of Commerce  
Sioux Falls Area Chamber of Commerce  
South Carolina Association of College Stores  
South Carolina Association of Veterinarians  
South Carolina Retail Merchants Association  
South Dakota Retailers Association  
Southern Independent Booksellers Alliance  
Tennessee Association of College Stores  
Tennessee Retail Association  
Tennessee Veterinary Medical Association  
Texas Retailers Association  
The State Chamber of Oklahoma  
Tri-City Regional Chamber of Commerce  
Tri-State Bookstore Association (ND, SD & MN)  
Tri-State Jewelers Association  
Twin Cities Metro Independent Business Alliance  
Utah Food Industry Association  
Utah Retail Merchants Association  
Utah Veterinary Medical Association  
Vermont Retail Association

Virginia Retail Merchants Association  
Virginia Veterinary Medical Association  
Washington Retail Association  
Washington State Motorsports Dealers Association (WSMDA)  
Washington State Veterinary Medical Association  
West Virginia Retailers Association  
West Virginia Veterinary Medical Association  
Wisconsin Association of College Stores  
Wisconsin Veterinary Medical Association  
Wyoming Retail Association  
Wyoming Veterinary Medical Association

**COMPANIES**

Abbell Associates, Chicago, IL  
A Cleaner Place, Oklahoma City, OK  
Acadia Realty Trust, White Plains, NY  
Amazon.com, Seattle, WA  
AutoZone, Memphis, TN  
Badcock Home Furniture, Mulberry, FL  
Balliet's, LLC, Oklahoma City, OK  
Barnes and Noble, New York, NY  
Beall's, Inc., Bradenton, FL  
Bed, Bath, & Beyond, Union, NJ  
Belpre Motor Sales, Belpre, OH  
Ben Bridge Jewelers, Seattle, WA  
Best Buy Co., Inc., Richfield, MN  
Blake Hunt Ventures, Inc., Danville, CA  
Book Nook, Monroe, MI  
The Brumby Chair Co., Marietta, GA  
BrandsMart U.S.A., Hollywood, FL  
Brooks Running Company, Seattle, WA  
Bucksbaum Retail Properties, Inc., Chicago, IL  
Build-A-Bear Workshop(R), Saint Louis, MO  
Camelot Retail Consulting Group, Wichita, KS  
Cardinal Camera, Lansdale, PA  
Cardi's Furniture, Swansea, MA  
Cascade Designs, Seattle, WA  
CBL & Associates Properties, Inc., Chattanooga, TN  
Cencor Realty Services, Dallas, TX  
Chesterfield Blue Valley, LLC, St. Louis, MO  
The CortiGilchrist Partnership, LLC, San Diego, CA  
Dan's Camera City, Allentown, PA  
David Hocker and Associates, Louisville, KY  
Davidsons, Roanoke, VA  
DDR Corp., Beachwood, OH  
Demos.org, New York, NY  
Dick's Sporting Goods, Coraopolis, PA  
DLC Management Corp., Tarrytown, NY  
Donahue Schriber Realty Group, Costa Mesa, CA  
EDENS, Columbia, SC  
Evergreen Devco, Inc., Glendale, CA

## MARKETPLACE **FAIRNESS** COALITION

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ExOfficio, Seattle, WA  
Fairfield Corp., Battle Creek, MI  
Far Bank Enterprises, Bainbridge Island, WA  
Federal Realty Investment Trust, Rockville, MD  
FedTax, Norwalk, CT  
Follett Corporation, River Grove, IL  
Foot Locker, Inc., New York, NY  
Forest City Enterprises, Inc., Cleveland, OH  
Gap Inc., San Francisco, CA  
Garrison Pacific Properties, San Rafael, CA  
General Growth Properties, Chicago, IL  
Ginn Solutions  
Givens Books and Little Dickens, Lynchburg, VA  
Glimcher Realty Trust, Columbus, OH  
The Greeby Companies, Inc., Chicago, IL  
Hart Realty Advisers, Inc., Simsbury, CT  
Hephner TV and Electronics, Wichita, KS  
The Hocker Group, Louisville, KY  
The Home Depot, Inc.  
The Howard Group, Albany, NY  
Houston Jewelry, Houston, TX  
Hutensky Capital Partners, Hartford, CT  
Hy-Vee Inc., Des Moines, IA  
Inland Real Estate Corporation, Oak Brook, IL  
JC Penney, Plano, TX  
Jo-Ann Stores, Inc., Hudson, OH  
Kemper Development Company, Bellevue, WA  
Kimco Realty Corporation, New Hyde Park, NY  
The King's English Bookshop, Salt Lake City, UT  
The Kroger Co., Cincinnati, OH  
L. Michael Foley and Associates, LLC, La Jolla, CA  
Larmon Photo Inc., Abington, PA  
Larson Binkley, Inc., Kansas City, MO  
Lewis Electronics, Cleveland, OH  
Limited Brands, Columbus, OH  
Lowe's Companies, Inc., Mooresville, NC  
The Macerich Company, Santa Monica, CA  
Macy's, Inc., Cincinnati, OH  
Malcolm Riley and Associates, Los Angeles, CA  
Marketing Developments, Inc. MI  
Marmot Mountain LLC, Rohnert Park, CA  
Marshall Music Co., Lansing, MI  
Meijer, Walker, MI  
Mentor TV, Mentor, OH  
Michaels Electrical Supply Corp., Lynbrook, NY  
Monte Cristo Bookshop, New London, CT  
My Little Red Wagon, Hudson, OH  
Nordstrom, Inc., Seattle, WA  
The Neiman Marcus Group, Inc  
Pealers Flowers, Camp Hill, PA  
Pennsylvania Real Estate Investment Trust, Philadelphia, PA

Petco, Inc., San Diego, CA  
Planning Developments, Inc. MI  
Point of View Farm, Inc., Bengall, NY  
The Pratt Company, Mill Valley, CA  
Prince Books, Norfolk, VA  
Rakuten.com Shopping (formerly Buy.com)  
The Rappaport Companies, McLean, VA  
Regency Centers, Jacksonville, FL  
REI (Recreational Equipment, Inc.), Kent, WA  
Reininga Corporation, Healdsburg, CA  
Robert M. Sides Family Music Center, Williamsport, PA  
RMResources, LLC, Ann Arbor, MI  
Rosen's of Maine, Bucksport, ME  
Safeway, Inc., Pleasanton, CA  
Sears Holdings Corporation, Hoffman Estates, IL  
The Seayco Group, Bentonville, AK  
The Sembler Company, St. Petersburg, FL  
Simms Fishing Products, Bozeman, MT  
Simon Property Group, Indianapolis, IN  
Stafford Properties, Inc., Atlanta, GA  
Staples, Inc., Framingham, MA  
Steiner + Associates LLC, Columbus, OH  
Stirling Properties, Covington, LA  
Tanger Factory Outlet Centers, Inc., Greensboro, NC  
Target Corporation, Minneapolis, MN  
Taubman Centers, Bloomfield Hills, MI  
The Timberland Company, Boston, MA  
Tractor Supply Company, Brentwood, TN  
Trucks Unique, Albuquerque, NM  
VPI Commercial Realty, LLC, Knoxville, TN  
Wal-Mart Stores, Bentonville, AR  
Wallace Properties, Inc., Bellevue, WA  
WDP Partners, LLC, Phoenix, AZ  
Watermark Books and Cafe, Wichita, KS  
Weingarten Realty Investors, Houston TX  
The Weitzman Group, Dallas, TX  
West Marine, Inc., Watsonville, CA  
Western Development Corporation, Washington, DC  
Westfield, LLC, Los Angeles, CA  
Wiley Office Furniture, Springfield, IL  
Williams Ski and Patio, Highland Park, IL  
Wine Cellar Innovations, Cincinnati, OH  
Wolfe Properties, LLC, St. Louis, MO  
Woolrich, Inc., Woolrich, PA  
Zumiez, Inc., Lynwood, WA

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*The Marketplace Fairness Coalition is comprised of businesses of every size, sector, and channel of product distribution, located in every state throughout the country. Visit us at [www.marketplacefairnessnow.org](http://www.marketplacefairnessnow.org).*