Congress of the United States
Washington, DC 20515

The Honorable John A. Boehner
Speaker
House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Eric Cantor
Majority Leader
House of Representatives
H-329, The Capitol
Washington, DC 20515

June 7, 2013

Dear Speaker Boehner and Majority Leader Cantor,

In recent weeks there has been a concerted effort to mobilize support for the Marketplace Fairness Act. In fact, the Senate in late March of this year included a resolution similar to the Marketplace Fairness Act in the final version of its budget resolution and has recently passed a new version of the bill, S. 743, without committee consideration. We write to you because we have concerns about the Marketplace Fairness Act and urge the House not to take the bill up in any of its iterations: H.R. 684, S. 336, or S. 743.

In our view, the Marketplace Fairness Act is not fair. It would force companies doing business over the Internet, even those located in states with no sales tax, to act as tax collectors for states and local jurisdictions across the country. A few very large companies have begun to support this tax legislation because they operate in numerous states, are already legally required to collect sales taxes in those states, and have the legal resources to collect sales taxes on Internet sales.

However, requiring small businesses to comply with the sales tax requirements of nearly 10,000 state and local jurisdictions and allowing them to be subjected to audits and litigation by out-of-state tax authorities is an unprecedented expansion of government power that would disproportionately burden small businesses. This would hurt competition, and ultimately the consumer.

Internet sales have increased exponentially over the past decade and have revolutionized commerce in the United States. Attempts to shift the burden of tax collection from state agencies to online retailers outside those states would hinder the development of e-commerce, particularly as rising shipping costs and a stagnant economy continue to depress business activity.

Congress' power under the Constitution should be used to help, not impede, the flow of goods and services. Those who understand that these online sales tax requirements and regulations slow development and growth in e-commerce should resist this effort to raise

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the tax and regulatory burden on American consumers and businesses.

We thank you for your time and your attention to this important matter.

Sincerely,

Thomas Massie
Member of Congress

Justin Amash
Member of Congress

Zoe Lofgren
Member of Congress

Tom McClintock
Member of Congress

John Fleming
Member of Congress

Ron DeSantis
Member of Congress

Brad R. Wenstrup
Member of Congress

Jim Bridenstine
Member of Congress

Steve Daines
Member of Congress

John Abney Culberson
Member of Congress

Peter A. DeFazio
Member of Congress

Steve Stockman
Member of Congress

Scott Garrett
Member of Congress

Walter Jones
Member of Congress

Kevin Cramer
Member of Congress

cc: The Honorable Bob Goodlatte, Chairman, Committee on the Judiciary