

ICI Comment Letter on Proposed Amendments to NASAA's REIT Guidelines

Last week, ICI filed the attached comment letter on the North American Securities Administrators Association's request for comment on proposed amendments to its *Statement of Policy Regarding Real Estate Investment Trusts*. Although the proposed amendments would apply most directly to REITs, certain proposed amendments potentially could restrict an investor's ability to invest in registered investment companies and otherwise impact registered investment advisers.

ICI's comment letter strongly recommends that NASAA amend its proposal to exclude any Federally-registered investment companies and investment advisers from its scope. It notes that any state-imposed restrictions on these federally-regulated entities would violate the National Securities Markets Improvement Act of 1996, which expressly preempts the states' authority to regulate such persons.