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To: Mike Linn and Keith Whann  
From: Sante Esposito  
Subject: February 2009 Monthly Report

### **Dodd's Financial Services Reform Bill**

Dodd has stepped up the pace on his Financial Services Reform Bill telling the Members that he wants all sidebar discussions/negotiations wrapped up by the middle of March. The [CFPA] compromise hammered out between Dodd and Corker would establish a single regulator of federally chartered banks with a dual mission and an independent source of funding, based on my conversations with several key players. One division would promulgate and enforce rules to protect consumers; the other would fulfill the traditional role of supervising banks for safety and soundness. We continue to work with/lobby Senator Tester (Dem-Montana), who has expressed interest in pursuing the auto industry's concerns. Sen. Bayh (Dem-Indiana) and Sen. Kohn (Dem-Wisconsin) have indicated that they would support Tester's efforts. Accordingly, an amendment is still being explored for Tester. Federal Advocates (FA) will continue to monitor developments on the legislation and the amendment.

### **Frank's Bill**

FA continues to work to ensure continued inclusion in the bill of the automobile dealers exemption provision, as contained in the reported version of the bill. On December 11, during House consideration of the bill, Congressman Watt, at the urgency of NIADA's twelfth District of North Carolina members, withdrew his anti-auto dealer amendment, leaving in place the compromise language in the bill which NIADA helped develop and lobby for.

### **NIADA Congressional Database/Legislative Survey**

As previously reported, the Association has developed a database which would link NIADA members to specific congressional districts/states. This provides the Association with an easily accessible and extremely important tool for advocacy in Washington, D.C. The database was first activated, and successfully so, to exert pressure on Congressman Watt to not offer his anti-

auto dealer amendment during House consideration of the Frank's bill. A second round went out to Senator Tester urging support for an amendment to the Senate bill. Last month the Association emailed to its members a "Legislative Survey" which focused on identifying and quantifying NIADA members' relationships with Members/staff of Congress. The purpose of this effort was to learn where the Association has direct, personal and/or professional relationships with Members/staff of Congress through its individual members. The results of the survey are now in, and while the overall number of respondents could have been greater, the quality of the responses was very good and will provide another critical tool for influencing Congress on behalf of the Association.

### **Consumer Group Meetings**

FA has identified the following consumer groups – AAA Foundation for Traffic Safety; Advocates for Highway and Auto Safety; National Safety Council; Governors Highway Safety Association; and, The Center for Auto Safety – for potential meeting opportunities. February meetings regarding the above were postponed due to the weather in D.C. March meetings are being planned.

### **Rush's FTC/Auto Industry Bill**

H.R. 2309, the "Consumer Credit and Debt Protection Act" introduced by Congressman Bobby Rush, gives the FTC authority to expedite rulemakings concerning consumer credit or debt. Specifically, in part, it directs the FTC to examine the practices of automobile dealers with respect to credit and lending and to prescribe rules necessary to prevent unfair and deceptive dealer acts or practices. Lastly, it gives the FTC authority to pursue civil action against certain offending entities. FA discussed the bill generally with Tim Robinson of Rush's Subcommittee staff. He said the bill is still "very much alive" since the auto industry came out of the Frank's Consumer Financial Protection Bill markup still under the auspices of the FTC. Whether/when H.R. 2309 moves is another question, he said. NIADA has completed a general review of the bill and is currently reviewing it in greater detail, and pending that, a letter may be drafted to Congressman Rush expressing the Association's position/concern(s) on the legislation and requesting a meeting on the issue.

### **PAC**

As previously reported, the Association is pursuing over the next months the advisability and feasibility of creating a PAC so as to be in a position of making political contributions to key Members of Congress.