



1701 Pennsylvania Avenue  
Suite 300  
Washington, DC 20006  
Phone: (202) 351-6855  
Fax: (202) 351-6855  
[www.federaladvocates.com](http://www.federaladvocates.com)

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

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

Floor action on the bill is expected in December. There is much opposition to the bill in its current form. Dodd is taking the position that if there are to be exceptions to the basic text (for example, an exemption for the auto industry) that will have to come from individual Member champions. Senator Tester (Dem-Montana) 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 being drafted for Tester. Federal Advocates (FA) will continue to monitor developments on the legislation and the amendment.

### **Frank's Bill**

House Floor action on H.R.3126, the "Consumer Financial Protection Agency of 2009," is expected in December. FA continues to work with the House Financial Services Committee staff and NADA to ensure continued inclusion in the bill of the automobile dealers' exemption provision, as contained in the reported version of the bill. On November 13, the Association, in coordination with FA, submitted to Chairman Frank a letter expressing the Association's appreciation for excluding automobile dealers from new regulations for acting in their traditional capacities.

### **NADA-FA Meeting**

Federal Advocates is in the process of coordinating, through Michael Harrington, an introductory meeting between the two advocacy arms of NIADA and NADA.

### **NIADA Congressional Database**

The Association is in the process of developing a data base which would link NIADA members

to specific congressional districts/states. This would provide the Association with an easily accessible and extremely important tool for advocacy in Washington, D.C.

### **Consumer Group Meetings**

The Association is currently reviewing a list of D.C.-headquartered consumer groups, provided by FA, to identify potential meeting opportunities in the near future.

### **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 is currently reviewing the bill, and pending that, a letter may be drafted to Congressman Rush expressing the Association's position/concern(s) on the legislation.

### **Hill Meetings**

FA is in the process of developing a proposed agenda for D.C. meetings with key Members/staff at the beginning of 2010. The purposes of the meetings are to introduce the Association in a more formal way; address issues of interest; begin relationship building with key players; etc.

### **PAC**

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.

### **Legislative Survey**

This month the Association emailed to its members a "Legislative Survey" which focuses on identifying and quantifying NIADA members' relationships with Members/staff of Congress. The purpose of this effort is to learn where the Association has direct, personal and/or professional relationships with Members/staff of Congress through its individual members.