



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

April 17, 2018
(Senate)

STATEMENT OF ADMINISTRATION POLICY

S.J. Res 57 – Disapproving the rule submitted by Bureau of Consumer Financial Protection relating to “Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act”

(Sen. Moran, R-KS, and 22 cosponsors)

The Administration supports Senate passage of S.J. Res. 57. This joint resolution of disapproval would nullify the bulletin promulgated by the Consumer Financial Protection Bureau (CFPB) in CFPB Bulletin 2013–02 (March 21, 2013) relating to “Indirect Auto Lending and Compliance with the Equal Credit Opportunity Act (ECOA),” as referenced in the Congressional Record on December 6, 2017. This bulletin limits the ability of auto dealers to offer auto loans to their customers and was not issued pursuant to notice-and-comment rulemaking. As a result, the CFPB failed to allow the public to comment before it made significant changes to an important sector of the economy. Further, the Dodd-Frank Act explicitly excludes the regulation of auto dealers from the CFPB’s jurisdiction. Disapproving this bulletin, therefore, would provide consumers with more options for auto financing while ensuring that the CFPB abides by congressional limits on its jurisdiction. Federal regulators would retain their authorities to enforce ECOA with respect to auto lending.

If S.J. Res. 57 were presented to the President in its current form, his advisors would recommend that he sign it into law.

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