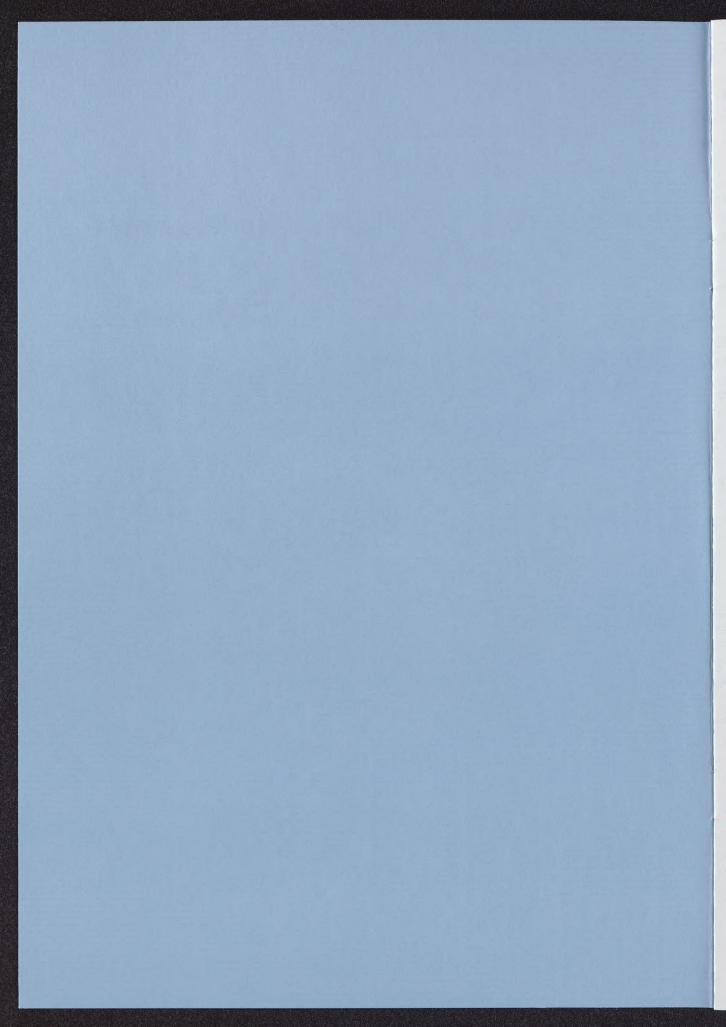
Consumer Federation of America



2009

ANNUAL REPORT



Dear CFA Member,

We began 2009 with great hopes because President Obama had made pro-consumer commitments during his campaign, and because Congress appeared likely to continue the pro-consumer advocacy on many issues it had begun in the previous session. And, during the year, both the Administration and Congress did advance the consumer interest, not just with many good regulatory appointments, but also with progress on legislative issues.

This progress was most noteworthy in the financial services area. With encouragement from the President, Congress passed strong new credit card protections; the House passed financial services reform legislation that included an independent consumer financial protection agency, new standards for credit rating agencies, and additional investor protections; the House refused to support anti-consumer payday lending legislation; significant support emerged in Congress to repeal the health insurance industry's anti-trust exemption; and Congressional pressure helped persuade the Federal Reserve Board to issue new consumer protections on overdraft loans. On each of these issues we provided consumer leadership. And at the state level, our advocacy helped persuade insurance commissioners to reject several anti-consumer industry proposals.

Significant progress was made on food safety issues on which we also provided consumer leadership. The House and a Senate committee approved pro-consumer FDA reform legislation, and Congress appropriated substantial additional funds to this agency for improving its capacity to regulate food safety.

Important to the success of our advocacy, especially in the financial services area on congressional issues, was expanded grassroots organizing and participation made possible by grants provided by Consumers Union. So was unprecedented outreach to press, as suggested by our record number of press releases issued – 74.

Our America Saves programs continued to expand, in part because of the growth of the third annual America Saves Week, which we co-sponsored. During the year, participation by more than a thousand organizations persuaded 50,000 people to enroll or pledge as Savers, bringing total enrollment to more than 180,000.

While not unaffected by the recession, our financial condition remained strong, in part because of our continuing conservative investment policy and our acquisition of new income sources.

I and staff colleagues thank you for your support and encouragement and look forward to working with you in the coming year.

Sincerely,

Stephen Brobeck Executive Director

Consumer Advocacy

Major Accomplishments

Communications: CFA's major communications goal was to greatly increase consumer access to broadband services, especially for low-income and rural households. Our major objective was to encourage the Administration and Congress to include significant funds for this universal service in the stimulus package. Working closely with Consumers Union, we wrote to the President, met with federal agencies, met with congressional offices, submitted comments to the Federal Communications Commission, worked with allies, participated in public policy forums, and prepared papers presented to academic audiences. The stimulus package adopted by Congress included \$7 billion for this purpose.

Consumer Credit: CFA continued to be a leader in seeking to establish or preserve effective consumer credit protections. Our long-time campaign for new credit card protections, supported by an increasing number of non-profit groups, finally succeeded. We worked closely with the Administration and the Senate Banking Committee, before which we testified, in support of legislation. The Senate approved new protections similar to those approved by the House the previous year, and President Obama signed the legislation into law. Our advocacy of new overdraft loan protections also made progress. Our communications to Congress and the Federal Reserve Board played a role in persuading this agency to issue new protections that, most significantly, would require consumer opt-in of overdraft loan services on debit transactions and ATM withdrawals. Working with other consumer groups, including giving House and Senate testimony, we made progress toward persuading Congress to approve more comprehensive overdraft loan protections. We also supported bills to cap consumer loan rates and to restrain payday lending, which have not yet been debated in committee, and succeeded in stalling anti-consumer payday loan legislation. Working with other advocates, we made progress limiting refund anticipation loans by persuading bank regulators to tighten oversight of banks making these loans and persuading the IRS to more strictly regulate tax preparers and create a task force to study the issue. At the state level, we continued to help coordinate and support efforts to prohibit or strictly regulate payday and other high-cost loans, which included involvement in nearly a dozen state battles with high-cost lenders.

Consumer Financial Protection Agency: CFA helped lead the campaign to persuade Congress to create a new independent consumer financial protection agency. These efforts – which included coalition leadership, congressional testimony, other congressional communications, grassroots organizing, and the release of information, including survey research, to the press – sought to shape and then persuade Congress to approve the Administration's proposal for this agency. When alternative proposals surfaced, we were the principal nonprofit group with which congressional leaders communicated and on whom the media relied for reaction and commentary. Our efforts, and those of allies, were rewarded when the House Financial Services Committee, then the whole House, passed legislation that would create an effective new agency. But by year's end, the Senate was considering different and potentially weaker models for strengthening federal consumer financial protections.

Consumer Protection: CFA expanded our work on consumer protection issues involving deception, fraud, and privacy. We helped lead consumer efforts to reform debt relief services by communicating frequently with Federal Trade Commission

(FTC) leaders, including submitting comments and speaking at FTC workshops about proposed FTC rules. We continued to lead and coordinate efforts of a "fake check coalition," including organizing meetings, creating training materials for financial institutions and law enforcement agencies, and informing the press. We completed a new study about identity theft services, which we released to the press, communicated to policymakers, and used to facilitate discussions with companies that sell those services. On behavioral tracking and marketing, working with other advocates, we spoke extensively to Hill staff about legislation and discussed the need for new privacy protections with FTC staff. On the privacy of those using fringe financial services, we prepared and circulated a major report. We also participated in a public forum on mobile payment systems held by FTC. And we organized the preparation and release of our annual consumer complaint survey with state and local protection agencies and officials.

Electricity and Appliance Efficiency: To help restrain future electricity costs and ensure adequate power supplies, CFA continued seeking improved electricity and appliance efficiency. In support of the latter, we worked with environmental groups to encourage congressional legislation and higher Department of Energy appliance efficiency standards. That support included mobilizing state and local groups to join us in communicating with the Senate on legislation and with DOE on its lighting products rulemaking. On the more general issue of electricity efficiency, we participated in two broad-based coalitions and prepared and circulated studies of the cost-effectiveness of efficiency improvements and of the potential cost savings to consumers of these savings on a state-by-state basis.

Food and Agriculture Policy: CFA continued its leadership on a variety of food policy issues. Working with other consumer and public health groups, CFA successfully advocated for strong legislation to modernize the Food and Drug Administration's food safety program. Legislation passed the House with broad bipartisan support in July; a companion bill passed unanimously out of the Senate Health Committee in November. Working with the Alliance for a Stronger FDA, CFA helped secure an additional \$300 million in funding over the last fiscal year for FDA to improve its food inspection and scientific capacity. CFA's director of food policy served on two National Academy of Sciences committees to review data needs for the U.S. Department of Agriculture's meat and poultry inspection program. CFA was one of the lead consumer organizations who successfully persuaded USDA to designate all species of imported and domestic catfish as eligible for inspection, overcoming strong opposition from importing countries.

Fuel Economy: With a change in administrations, our strategy shifted from persuading the National Highway Traffic Safety Administration to delay issuing congressionally-mandated regulations to encouraging the agency to develop robust rules. To that end, we analyzed past agency assumptions and demonstrated strong consumer support through surveys, then with state and local consumer groups, communicated this analysis and public support to NHTSA through comments, testimony, and press initiatives. After the agency issued strong rules, we developed analysis showing the technical and economic feasibility of meeting even higher standards and communicated this analysis both to NHTSA and the Environmental Protection Agency. During the same period, we were supporting other pro-fuel economy measures such as the "cash for clunkers" program, improved gas mileage disclosures being considered by the Federal Trade Commission, and fuel economy ratings for tires.

Insurance: While our highest priority remained adequate federal and state regulation of the industry, our focus shifted because of the financial crisis. Instead of having to spend time opposing industry's optional chartering proposal, we advocated before the Administration and Congress stronger federal regulation of insurers and repeal of the industry's antitrust exemption. At year's end, we had persuaded many members of

Congress to support this repeal for health insurers. We also mobilized successful opposition by state insurance commissioners to the industry's proposal to relax solvency standards for life insurers. We successfully opposed a proposal to commissioners to ease regulatory standards for auto insurance. We helped persuade these commissioners to develop hurricane insurance coverage modeling. We helped lead opposition to the industry's use of credit scores in deciding premium levels for individual policyholders. And we addressed a number of individual state issues, most notably a Florida legislative proposal to deregulate rates, which we helped persuade the governor to veto.

Investor Protection: During the early part of the year, our focus was on helping to ensure that regulatory reform proposals developed in response to the financial crisis contained adequate protections for investors and the general public. Toward this end, we released a report on causes of the financial crisis, prepared a white paper on systemic risk regulation, and testified before Congress on this risk and needed reforms. We also participated in meetings with top Administration officials, advised the Congressional Oversight Panel, and participated in broad-based coalitions. As Congress began considering legislation, we worked to strengthen it in a number of key areas. On investor protections, we led efforts to strengthen language imposing a fiduciary duty on brokers who give investment advice. On credit rating agencies, we worked closely with Senate Banking Committee staffers on development of the legislation and then worked with House Financial Services Committee staffers to strengthen the bill as it progressed through committee. On derivatives, we worked with allies to try to close loopholes in the legislation. In all these areas, our efforts included letters to members, meetings with committee staff and Administration officials, and communications with media. We also led unsuccessful efforts to fend off amendments to weaken Sarbanes-Oxley Act protections against accounting fraud at small public companies. All these and other efforts made important contributions to legislation that passed the House and to Senate legislation that, at year's end, was still being negotiated.

Mortgage Loans: Our views on many mortgage lending issues were sought by Administration and Congressional leaders, by reporters, and by other advocates. That was especially the case for the future of Fannie Mae and Freddie Mac, on which we prepared a white paper and magazine article. It was also true for foreclosure prevention policy, on which we led preparation of a briefing paper for the new Housing and Urban Development secretary. With other advocates, we also advocated mortgage reform legislation, reviewed and commented on the Federal Reserve Board's proposed mortgage reforms, spoke with both the Federal Housing Administration and Congress about the agency's future role and needs, communicated frequently with the Administration and Congress about appropriate loan modification policies to check mortgage foreclosures, and organized frequent discussions between advocates and major lenders.

Product Safety: Our most important goal this past year was to help ensure that 2008 Consumer Product Safety reform legislation was implemented effectively. Working closely with other advocates, we communicated frequently not only with the agency but also with Hill offices, committee staffers, attorneys general, and the press about related challenges and opportunities. After two new pro-consumer commissioners were approved by Congress, we communicated with them and with key agency staffers and were pleased to see progress being made on many issues. At the same time, we continued working to ensure that issues – including excessive lead levels in consumer products, ATV safety, ROHV (recreational off highway vehicle) safety, toy safety, bath seats, baby walkers, crib safety, recalls, product labeling, publicly accessible consumer complaint database, and civil penalties – were adequately addressed by the agency or by standard-setting agencies.

Strategies

CFA utilized various strategies in advocating the consumer interest on dozens of issues considered by Congress, state legislatures, and regulators. While most of these communications occurred in individual conversations, many also took the form of testimonies and comments submitted to legislative committees or regulatory agencies.

1. Legislative and Regulatory Communications

CFA's principal advocacy strategy was communicating information and viewpoints to members of Congress, state legislatures, and regulators. While most of these communications took place in individual conversations, many also took the form of testimonies and comments submitted to legislative committees or regulatory agencies.

Month	Committee/Agency	CFA Rep	Issue
January	CPSC NAIC	Weintraub Hunter	CPSIA implementation Life insurer solvency
February	CPSC Senate Banking Senate Commerce PCAOB	Weintraub, CU Plunkett Plunkett Roper	Lead in products Credit cards Debt counseling Foreign inspections
March	Federal Reserve House Fin Services House Fin Services House Judiciary Senate Banking FASB Senate Banking Senate Banking	Fox, CRL Plunkett, USPIR Plunkett Cooper Roper Roper Zigas Hunter	Overdraft loans G Credit cards Systematic risk regulation Bank concentration Investor protection Fair value accounting GSEs Insurance regulation
April	NHTSA House Agriculture NCOIL NAIC House Fin Services House Fin Services	Cooper Foreman Hunter Hunter Fox Zigas	Fuel economy FDA reform Insurance regulation Credit scoring Payday loans Mortgage reform
May	House Fin Services House Judiciary	Hunter Cooper	Insurance regulation Railroad regulation
June	House Fin Services DOE FTC	Plunkett Hall-Crawford Gillis	Fin services regulation Lighting efficiency Advertising mpg
July	House Agriculture Senate Banking House Fin Services	Foreman Plunkett Plunkett	FDA reform Fin services regulation Fin services regulation

Month	Committee/Agency	CFA Rep	Issue
July	Senate Banking	Plunkett, Hunter	Insurance regulation
	Federal Reserve	Fox	Overdraft loans
	IRS	Fox	Fin product sales
	House Homeland Sec	Cooper	Commodity speculation
	FCC	Cooper	Universal broadband service
	Senate Commerce	Grant	Fraud protection
	Senate Banking	Zigas	GSEs
August	NHTSA	Gillis	Tire efficiency labeling
September	FHFA	Zigas	GSEs
	NYS Gov Office	Hunter	Insurance producer comp
	SEC-CFTC	Cooper	Commodity speculation
	SEC	Roper,	Money market mutual
		Fund Democracy	funds
	SEC	Roper	NASDAQ listing standards
October	Senate Judiciary	Hunter	Insurance antitrust exemption
	CPSC	Weintraub	Toy safety
	FTC	Grant	Debt relief services
	EPA	Cooper	Fuel economy
	House Fin Services	Fox	Overdraft loans
	SEC	Roper, Fund	Pay-to-play
		Democracy	
November	CPSC	Weintraub	CPSC database
	Senate Banking	Fox	Overdraft loans
	EPA, NHTSA	Cooper	Fuel economy
	USDA	Foreman, Waldrop	Food safety
	Senate Banking	Zigas	GSE reform
	FTC	Grant	Consumer privacy
December	CPSC	Weintraub	Product safety testing
	FCC	Cooper	Digital exclusion
	USDA	Waldrop	Interstate meat shipment
	NAIC	Hunter	Regulatory reform

2. Press

CFA's main link to consumers, and an important means of influencing legislation and policymaking, is the media. In addition to being interviewed for hundreds of broadcast and print stories, CFA frequently made news. In 2009, we issued 74 press releases on a wide variety of issues and held nine live press conferences and tele-conferences. And newspapers and periodicals published the following op-ed essays, letters-to-the-editor, and interviews.

Publication	Author	Issue	
New York Times	Hunter	Credit scores	
The Regulator	Hunter	Insurance regulation	
Detroit Free Press	Cooper	Cash for Clunkers	
California Progress Report	Plunkett	Financial services reform	
Roll Call	Weinstock	Consumer Financial Protection Agency	
Washington Post	Weinstock	Consumer Financial Protection Agency	
Shelterforce	Zigas	Fannie Mae and Freddie Mac	
American Prospect	Zigas	Financial institution social responsibility	

3. Research

CFA staff prepared many studies demonstrating the need for consumer protections, the preservation of existing protections, or the rejection of anti-consumer measures. Most of the following publications were reported on by the news media.

ENERGY	A Consumer Analysis of Energy Efficiency and Renewable Energy Standards (Cooper)	
	Shifting Fuel Economy Standards Into High Gear (Cooper)	
	Survey on Energy and Transportation (Brobeck, Cooper)	
FINANCIAL	Research Findings Illustrate the High Risk of High-Cost	

SERVICES

Short-Term Loans for Consumers (Fox)

Big Business, Big Bucks: Quickie Tax Loans Generate
Profits for Banks and Tax Preparers While Putting LowIncome Taxpayers at Risk (Fox, NCLC)

Updated Survey of Big Bank Overdraft Fees and Terms (Fox)

Survey on Loans and Payments (Fox, Brobeck)

Survey on Holiday Spending Plans (Brobeck, CUNA)

Survey on Consumer Financial Services Agency (Brobeck, others)

Survey on Financial Education (Brobeck)

Reform of Financial Markets: The Collapse of Market Fundamentalism and the First Steps to Revitalize the Economy (Cooper, Roper)

CONSUMER PROTECTION AND PRIVACY

2009 Consumer Complaint Survey Report (Grant, NACAA, NACPI)

To Catch a Thief: Are Identity Theft Services Worth the Cost? (Grant)

Fringe Financial Product Privacy and Security White Paper (Fox)

CFA Handbook Federal and State Legal Protections of Consumers' Financial Information Privacy and Security (Silbergeld)

TRANSPORTATION

Freeing Public Policy From the Deregulation Debate: The Airline Industry Comes of Age (Cooper)

Bulk Commodities and the Rails: Still Crazy After All These Years (Cooper)

Consumer Research and Education

An important goal of CFA is better understanding of consumer protection needs and concerns, through research, and better meeting these needs and concerns, through information and education.

Auto Loan and Credit Education: Using court-awarded grants resulting from auto loan mark-up litigation, we continued to inform and educate Hispanic and African-American consumers about automobile financing and consumer credit. We updated our bi-lingual material and received requests for over 100,000 copies from hundreds of community-based groups. More than 1,000 low- and moderate-income individuals participated in auto finance educational workshops, classes, or other events organized by Saves campaigns in Wisconsin, Ohio, Maine, Arizona, Utah, Pennsylvania, Illinois, and Kansas. Black America Saves staff recruited new partners to deliver the auto finance message, including historically black colleges and universities, black fraternities and sororities, and community organizations. We added new web pages with auto purchase information to the Youth Saves and Black America Saves site. And we continued to provide this information to thousands of those searching the auto purchase web pages of this general site.

Consumer Complaint Websites: We organized a team of staff and experts to conceptualize and design research that would identify the major consumer complaint websites and evaluate their usefulness in providing pre-purchase information and complaint resolution. After identifying these sites and key variables to be studied, we recruited a researcher who began assessing six major websites and is expected to complete his work in 2010.

Credit Counseling: We continued to manage academic research, funded by American Express, on the effectiveness of counseling by ten leading consumer credit counseling agencies. The research is expected to be completed in 2010.

Energy Efficiency: With continued support from the Energy Foundation, we researched motor vehicle fuel economy and informed consumers, press, and policy-makers about related societal needs and opportunities. Key vehicles for this education were two national consumer surveys about consumer energy concerns, priorities, and habits which were reported on by the press.

Fake Checks: CFA launched a major multimedia campaign to educate consumers about fake check scams, which included release of a national consumer survey at a press conference, tv and audio news releases, a radio media tour, matte releases, banner ads, and web information. Press coverage was extensive.

Financial Education: We commissioned a consumer survey on parent views of financial education and released findings at a press conference at which FoolProofMe.com publicized new services. We also continued participating in financial education forums, such as Jump\$tart.

Gift Cards: With the National Association of Consumer Agency Administrators, we commissioned a survey on consumer understanding of gift cards and developed a consumer brochure, which American Express agreed to distribute extensively to retail

outlets, and announced survey results and the brochure availability at a press conference.

High-Cost Credit: With continued support from the Annie E. Casey Foundation, CFA continued its efforts to conduct research and to educate and protect consumers in the high-cost, small loan marketplace. We issued a report on refund anticipation loans, organized local and national forums on payday lending, maintained a payday loan information website for consumers, and provided technical assistance to payday loan activists around the country.

Wealth-Building in Lower-Income Households: With funding from the Heron Foundation, Capital One Foundation, Bank of America Foundation, and other sources, we continued to maintain and expand the America Saves campaign, which aims both to increase lower-income household saving and to persuade organizations to support this saving. This past year, nearly 50,000 persons enrolled as Savers or took the Military Saves pledge, bringing total saver enrollment to more than 180,000. In addition to supporting several dozen local and regional campaigns, we helped organize new ones in Virginia, California, Florida, and Alabama.

In partnership with the American Savings Education Council, we organized the third annual America Saves Week, which reached tens of millions with savings advice, encouragement, and opportunities. The some 2,000 organizational partners who participated – including many federal agencies, major financial institutions, and national nonprofits – organized events attended by more than 100,000 persons, persuaded nearly 20,000 people to open or add nearly \$50 million to savings, and communicated information to more than three million persons through websites. America Saves and ASEC also commissioned a second annual consumer survey of financial practices that was released, with information about the Week, at a well-attended press conference. The U.S. House of Representatives recognized the Week by approving a resolution, sponsored by Representatives Ruben Hinojosa (D-TX) and Judy Biggert (R-IL), co-chairs of the House Financial and Economic Literacy Caucus.

Wealth-Building in the Military: With support from the FINRA Foundation and others, we continued to work closely with the Department of Defense, all four service branches, support organizations, banks and credit unions serving military personnel, and many military installations. During the third annual Military Saves Week, which included more than 1,000 events at military facilities around the world, 18,000 new savers took the pledge, bringing the cumulative enrollment to more than 55,000.

Wealth-Building Among Youth: A major focus of our Young America Saves campaign was helping organize and support initiatives at seven colleges, which included a partnership with the National Endowment for Financial Education. We also helped lead a Young Illinois Saves campaign in which 100 student leaders were trained to work with more than 30 community partners, with an initial goal of persuading 3,000 students to become Savers. During America Saves Week, campaigns led by national youth organizations also enrolled 2,500 students as Savers.

Member Services

CONFERENCES

The most important CFA meetings were built around the 42nd annual Consumer Assembly. Nearly 200 persons in attendance at this March event heard speakers – including Senator Chris Dodd, Congressman Henry Waxman, Congresswoman Jan Schakowsky, and Federal Communications Commissioner Jonathan Adelstein – address issues related to the theme of public policy challenges in the 21st century.

During this week, representatives from CFA member groups conducted the business of the federation. Members of 14 policy subcommittees met to review past policies and recommend new ones. These recommendations were submitted to and voted on at the Annual Meeting, where Board members were also elected.

To address specific issues more thoroughly, CFA organized conferences on food and financial services. In September, more than 320 persons heard keynote speakers – including Health and Human Services Secretary Kathleen Sebelius, FDA Commissioner Margaret Hamburg, and Agricultural Deputy Secretary Kathleen Merrigan – address the 32nd annual National Food Policy Conference. In December, more than 260 persons heard Senator Jeff Merkley, Congresswoman Carolyn Maloney, Housing and Urban Development Secretary Shaun Donovan, Securities and Exchange Commission Chairman Mary Schapiro, Commodity Futures Trading Commission Chairman Gary Gensler, Treasury Assistant Secretary Michael Barr, and others discuss the financial crisis in banking, housing, investment, and insurance at CFA's 25th annual financial services conference.

In July, nearly 300 persons participated in CFA's 39th annual Awards Dinner to recognize distinguished consumer service. Awards were presented to FDIC Chairman Sheila Bair, Consumers Union President Jim Guest, and financial journalist Jean Chatzky.

PUBLICATIONS

CFA member organizations received the following publications.

- Five issues of CFA's newsletter, CFAnews, which reports consumer news and advocacy. At year's end, this publication was being converted to an emailed CFAnews Update that would be issued every two or three weeks.
- The 2009 policy resolutions adopted at CFA's Annual Meeting.
- The 2008 CFA Annual Report.

Member groups also had available free copies of a couple dozen CFA-produced consumer pamphlets on topics ranging from insurance to saving to product safety to consumer complaint resolution.

CONSUMER COOPERATIVE INITIATIVES

CFA staff continued to organize and lead quarterly meetings with national cooperative leaders to exchange information and discuss common challenges, including attacks on the non-profit status of cooperatives and their conversion from non-profit to forprofit status. On specific issues, we supported rural electric efforts to gain funding to extend broadband services in rural areas, we participated in a public power coalition that challenges deregulation, and we supported credit union efforts to provide these cooperatives more time to comply with the Credit Card Act and to gain more flexibility in providing loans to small businesses. With CUNA, we undertook the ninth annual holiday spending survey and began planning a consumer survey on credit card knowledge and practices. Throughout the year, we worked closely with dozens of credit unions in America Saves and Military Saves.

STATE AND LOCAL RESOURCE CENTER

CFA's State and Local Resource Center, supported generously by Consumers Union, exists to strengthen state and local member groups by supplying them with information, technical assistance and resources. For the third year, the Center devoted increasing resources to grassroots advocacy by supporting not only local and state initiatives but also national coordination of state and local advocacy for congressional legislation in key districts. However, it also continued to provide small grants to help groups strengthen organizational capacity. In addition, the Center organized three state and local roundtables to discuss issues and strategies, and provided more than \$20,000 to help cover travel and lodging expenses for state and local participants in these forums and related CFA conferences.

2009 ANNUAL REPORT

Finances

As we predicted a year ago, CFA was adversely affected in 2009 by the Great Recession. But, drawing on income received in previous years for designated projects, we more than met budget projections and ended the year with \$3 million in temporarily restricted and unrestricted funds. Because of these resources and the diversity of CFA's funding sources, the organization is relatively well-prepared to survive and function in an economy that continues to be anemic, as the following preliminary, unaudited financial report shows.

Income	\$3,288,866
Expenses	\$3,054,769
Net Assets	
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Temporarily restricted	\$1,384,716	
Unrestricted	\$1,525,863	

