

The McClellan Brief

May 1, 2020

There are 2 competing bills in Washington, D.C., Brown S.3565 and Lowry H.R.6379 to amend the FDCPA. If any of the language that pertains to the repossession industry gets attached to any Stimulus Package and is passed by the legislators, the automobile repossession industry will be negatively impacted and will never be the same.

Most concerning is the Stafford Act. Twenty-four hours after the President declares an Emergency or a Major Disaster, we will be **legally banned** from repossessing collateral.

If your State gets too much sun, snow, water, wind, mud, or has a fire, explosion or shakes, 24 hours after the President declares an Emergency of Major Disaster, a **repossession ban will take effect for a minimum of 5 to 7 months** depending on which bill gets attached to a Stimulus Package. In short, it will be celebrated if a repossession agency can work for 12 consecutive months.

For reasons that may or may not be justified, some of the national repossession trade associations leaders have not taken the action necessary to retain the services of a Washington, D.C. lobbyist in order to protect the interest of its members and the repossession industry. Their position is simple. They do not believe that either of these bills will make it to the President for signature. They are non-believers.

I disagree. I believe that these bills represent an ideology that will not die. I believe that Democrats will continue to push this agenda until some form of this language is enacted.

Also, I believe that we cannot take that chance. We have too much to lose. There are too many people depending on us to make the right decision to insure that they can support their families.

Respectfully submitted,

Joe Collins

“If you don’t want to use the army, I should like to borrow it for a while.”

President Abraham Lincoln’s request to General George McClellan on McClellan’s **failure to act**.