



Americans for Financial Reform
1825 K St NW, Suite 210, Washington, DC, 20006
202.263.4533

May 20, 2010

Senator
United States Senate
Washington, DC 20510

Re: Pending Derivatives Amendments

Dear Senator:

We write on behalf of Americans for Financial Reform, an unprecedented coalition of over 250 national, state and local groups who have come together to reform the financial industry. Members of our coalition include consumer, civil rights, investor, retiree, community, labor, religious and business groups as well as Nobel Prize-winning economists. We support a strong Derivatives Regulation and oppose weakening amendments to the Restoring American Financial Stability Act, S. 3217.

It is now almost universally recognized that the fuse that lit the worldwide economic meltdown in the fall of 2008 was the \$600 trillion, severely under-capitalized and unregulated and opaque swaps market, dominated by the world's largest banks. The derivatives regulation amendments that Senators Lincoln and Dodd have incorporated into the "Restoring Financial Stability Act of 2010" will bring a critically important measure of regulation over dangerous derivatives and swaps products by requiring: exchange-trading and clearing; prudential regulation; spinning off of swaps desks from systemically risky banks; and, the banning of swaps that cause financial instability.

Despite a multitude of carefully crafted requirements to ensure that these transactions are adequately capitalized and fully transparent, one single section of that bill has the potential to unravel the entire regulatory infrastructure. Amendment #4086 offered by Senator Cantwell would remedy the loophole in the current bill by ensuring that companies cannot knowingly evade the clearing requirements without sanction. [We strongly urge your support for Cantwell Amendment 4086.](#)

Attached is list of Americans for Financial Reform's Positions on all pending Derivatives Amendments.

For more information, please contact Lisa Lindsley at 202-429-1275 or llindsley@afcsme.org

Sincerely,

Americans for Financial Reform

Num.	Senator	Description	Position
		each agency of Financial Oversight Council has to get each rule approved by the Council	
3836	Corker		Oppose
3967	Bingaman	expands "credit exposure" definition to include credit derivatives	Support
3865	Gregg	Strikes out Lincoln's too big to fail swaps dealer push out provisions	Oppose
3905	Chambliss	remove "significantly higher" capital for uncleared swaps	Oppose
		remove "significantly higher" capital for uncleared security-based swaps	
3906	Chambliss		Oppose
3907	Chambliss	remove exchange trading requirement for cleared swaps	Oppose
		remove exchange trading requirement for cleared security-based swaps	
3908	Chambliss		Oppose
		DCO shall not impose any material anticompetitive burden on clearing	
3909	Chambliss		Oppose
3914	Chambliss	Weakens Major Swap Participant just like his sub. Amendment	Oppose
3915	Chambliss	weakening definition of swap dealer	Oppose
3916	Chambliss	greatly weakens the clearing requirement	Oppose
3917	Chambliss	clearing exemption for lending institutions	Oppose
3934	Schumer	changes things for DCOs but looks like it would be better not worse	Oppose
3935	Gillibrand	Swap data repositories don't share data	Oppose
3936	Gillibrand	SEC and CFTC should endeavor to come up with consistent standards	Support
3940	Barrasso	nobody can trade carbon	Support
3951	Menendez	Switches all reporting to aggregate including DCOs	Oppose
		complaint by CFTC or SEC does not automatically "stay" provision that garnered complaint	
3952	Schumer		Oppose
3953	Schumer	reporting to swap repositories NOT CFTC	Oppose
3964	Harkin	stronger definition of swaps execution facility	Support
3965	Harkin	changes description of governance of contract markets	Support
3993	Stabenow	expands exemption for affiliates of end users	Oppose
4021	Gregg	Weakens Swap Data Repository language	Oppose
4022	Gregg	Weakens Swap Data Repository language	Oppose
4023	Gregg	Weakens Swap Data Repository language	Oppose
4024	Gregg	Weakens Swap Data Repository language	Oppose
4025	Gregg	Weakens Swap Data Repository language	Oppose
		foreign boards of trade must register with CFTC, closes "London Loophole"	
4048	Feinstein		Support
4049	Harkin	weakens fiduciary duty obligation for swaps dealers	Oppose
4084	Reed	Technical fixes requested by SEC	Support
4086	Cantwell	Fixes clearing loopholes	Support
4093	Nelson	repeal of safe harbor treatment in bankruptcy & resolution authority	Support
4094	Nelson	repeal of safe harbor treatment in bankruptcy	Support
4095	Nelson	repeal of safe harbor treatment in resolution authority	Support
		Do not have to comply with new regs if they violate existing credit agreements	
4111	Stabenow		Support
		foreign boards of trade must register with CFTC, closes "London Loophole"	
4113	Feinstein		Support

Following are the partners of Americans for Financial Reform

All the organizations support the overall principles of AFR and are working for an accountable, fair and secure financial system. Not all of these organizations work on all of the issues covered by the coalition or have signed on to every statement.

National Organizations

- A New Way Forward
- AARP
- Accountable America
- Adler and Colvin
- AFL-CIO
- AFSCME
- Alliance For Justice
- American Family Voices
- American Income Life Insurance
- Americans for Democratic Action, Inc.
- Americans for Fairness in Lending
- American Sustainable Business Council
- Americans United for Change
- Business for Shared Prosperity
- Calvert Asset Management Company, Inc.
- Campaign for America's Future
- Campaign Money
- Center for Digital Democracy
- Center for Economic and Policy Research
- Center for Economic Progress
- Center for Responsible Lending
- Center for Justice and Democracy
- Center of Concern
- Change to Win
- Clean Yield Asset Management
- Coastal Enterprises Inc.
- Color of Change
- Common Cause
- Communications Workers of America
- Community Development Transportation Lending Services
- Community Law Center
- Consumer Action
- Consumer Association Council
- Consumers for Auto Safety and Reliability
- Consumer Federation of America
- Consumer Watchdog
- Consumers Union
- Corporation for Enterprise Development
- CREDO
- CTW Investment Group
- Demos
- Economic Policy Institute
- Essential Action
- Green America
- Greenlining Institute
- Good Business International
- Help Is On the Way, Inc
- HNMA Funding
- Home Actions
- Housing Counseling Services
- Information Press
- Institute for Global Communications
- Institute for Policy Studies: Global Economy Project
- International Brotherhood of Teamsters
- Institute of Women's Policy Research
- Keystone Research Center
- Krull & Company
- Laborers' International Union of North America
- Lake Research Partners
- Lawyers' Committee for Civil Rights Under Law
- Leadership Conference on Civil Rights
- MoveOn.org Political Action
- NAACP
- NASCAT
- National Association of Consumer Advocates
- National Association of Investment Professionals
- National Association of Neighborhoods
- National Coalition for Asian Pacific American Community Development
- National Community Reinvestment Coalition
- National Consumer Law Center (on behalf of its low-income clients)
- National Consumers League
- National Council of La Raza
- National Fair Housing Alliance
- National Federation of Community Development Credit Unions
- National Housing Institute
- National Housing Trust
- National Housing Trust Community Development Fund
- National NeighborWorks Association

- National Peoples Action
- National Council of Womens Organizations
- National Workwright Institute
- Next Step
- OMB Watch
- Opportunity Finance Network
- Partners for the Common Good
- National People’s Action (NPA)
- PICO
- Progress Now Action
- Progressive States Network
- Poverty and Race Research Action Council
- Public Citizen
- Responsible Endowments Coalition
- Sargent Shriver Center on Poverty Law
- Scam Victims United
- SEIU
- Sojourners
- State Voices
- Taxpayer’s for Common Sense
- The Association for Housing and Neighborhood Development
- The Carrots and Sticks Project
- The Fuel Savers Club
- The Seminal
- UNET
- Union Plus
- United for a Fair Economy
- U.S. PIRG
- Unitarian Universalist for a Just Economic Community
- United Food and Commercial Workers
- United States Student Association
- USAction
- Veris Wealth Partners
- Veterans Chamber of Commerce
- We The People Now
- Western States Center
- Woodstock Institute
- Working America
- World Business Academy
- World Privacy Forum

State Organizations

- 207 CCAG
- 9 to 5, the National Association of Working Women (CO)
- AARP Rhode Island
- Alaska PIRG
- Arizona PIRG
- Arizona Advocacy Network
- Arizonans for Responsible Lending
- Arkansas Community Organizations
- Arkansas Public Policy Panel
- Association for Neighborhood and Housing Development (NY)
- Audubon Partnership for Economic Development LDC (New York, NY)
- Aurora NAACP
- BAC Funding Consortium Inc. (Miami, FL)
- Beech Capital Venture Corporation (Philadelphia, PA)
- Bell Policy Center (CO)
- California PIRG
- California Reinvestment Coalition
- Center for Media and Democracy
- Center for NYC Neighborhoods
- Century Housing Corporation (Culver City, CA)
- Changer(NY)
- Chautauqua Home Rehabilitation and Improvement Corporation (NY)
- Chicago Community Loan Fund (Chicago, IL)
- Chicago Community Ventures (Chicago, IL)
- Chicago Consumer Coalition
- Citizen Potawatomi CDC (Shawnee, OK)
- Club Change of Martin County (Florida)
- Coalition on Homeless Housing in Ohio
- Coffee Party of Pensacola, Florida
- Coffee Party of Union Square, New York City
- Colorado AFL-CIO
- Colorado Center on Law and Policy
- Colorado Immigrants Rights Coalition
- Colorado PIRG
- Colorado Spring NAACP
- Community Action of Nebraska
- Community Capital Development
- Community Capital Fund (Bridgeport, CT)
- Community Capital of Maryland (Baltimore, MD)
- Community Development Financial Institution of the Tohono O’odham Nation (Sells, AZ)
- Community Redevelopment Loan and Investment Fund, (Atlanta, GA)
- Community Reinvestment Association of North Carolina
- Community Resource Group (Fayetteville, AR)
- Connecticut Association for Human Services
- Connecticut Citizen Action Group
- Connecticut PIRG
- Consumer Assistance Council
- Cooper Square Committee (New York, NY)

- Cooperative Fund of New England (Wilmington, NC)
- Corporacion de Desarrollo Economico de Ceiba (Ceiba, PR)
- CWA 7777 (CO)
- Delta Foundation, Inc. (Greenville, MS)
- Economic Opportunity Fund (EOF) (Philadelphia, PA)
- Empire Justice Center (NY)
- Enterprises, Inc., Berea KY
- Fair Housing Contact Service OH
- Federation of Appalachian Housing Enterprises, Inc. (Berea, KY)
- Fitness and Praise Youth Development, Inc. (Baton Rouge, LA)
- Florida Consumer Action Network
- Florida PIRG
- Forward Community Investments (Madison, WI)
- Funding Partners for Housing Solutions (Ft. Collins, CO)
- Georgia PIRG
- Grow Iowa Foundation (Greenfield, IA)
- Homewise, Inc. (Santa Fe, NM)
- Humanitas Community Development Corporation
- Idaho Chapter, National Association of Social Workers
- Idaho Community Action Network
- Idaho Nevada CDFI (Pocatello, ID)
- Illinois PIRG
- Impact Capital (Seattle, WA)
- Indiana PIRG
- Indiana University PIRG
- Information Press (CA)
- Iowa PIRG
- Iowa Citizens for Community Improvement
- JobStart Chautauqua, Inc. (Mayville, NY)
- Keystone Research Center
- La Casa Federal Credit Union (Newark, NJ)
- Low Income Investment Fund (San Francisco, CA)
- Long Island Housing Services NY
- MaineStream Finance (Bangor, ME)
- Maryland PIRG
- Massachusetts Consumers' Coalition
- Massachusetts Fair Housing Center
- MASSPIRG
- Michigan PIRG
- Midland Community Development Corporation (Midland, TX)
- Midwest Minnesota Community Development Corporation (Detroit Lakes, MN)
- Mile High Community Loan Fund (Denver, CO)
- Missouri PIRG
- Montana Community Development Corporation (Missoula, MT)
- Montana PIRG
- Mortgage Recovery Service Center of L.A.
- Neighborhood Economic Development Advocacy Project
- New Hampshire PIRG
- New Jersey Community Capital (Trenton, NJ)
- New Jersey Citizen Action
- New Jersey PIRG
- New Mexico PIRG
- New York PIRG
- New York City AIDS Housing Network
- Next Step (MN)
- NOAH Community Development Fund, Inc. (Boston, MA)
- Nonprofit Finance Fund (New York, NY)
- Nonprofits Assistance Fund (Minneapolis, MN)
- North Carolina Association of Community Development Corporations
- North Carolina PIRG
- Northern Community Investment Corporation (St. Johnsbury, VT)
- Northside Community Development Fund (Pittsburgh, PA)
- Ohio Capital Corporation for Housing (Columbus, OH)
- Ohio PIRG
- Oregon State PIRG
- Our Oregon
- PennPIRG
- Piedmont Housing Alliance (Charlottesville, VA)
- Rhode Island PIRG
- Rights for All People
- The Rocky Mountain Peace and Justice Center
- Rural Community Assistance Corporation (West Sacramento, CA)
- Rural Organizing Project OR
- San Francisco Metropolitan Transportation Authority
- Seattle Economic Development Fund dba Community Capital Development
- SEIU Local 105 (Colorado)
- SEIU Rhode Island
- Siouxland Economic Development Corporation (Sioux City, IA)
- Southern Bancorp (Arkadelphia, AR)
- TexPIRG
- The Association for Housing and Neighborhood Development
- The Fair Housing Council of Central New York
- The Help Network
- The Loan Fund (Albuquerque, NM)

- Third Reconstruction Institute (NC)
- V-Family, Inc.
- Vermont PIRG
- Village Capital Corporation (Cleveland, OH)
- Virginia Citizens Consumer Council
- Virginia Poverty Law Center
- War on Poverty – Florida

- Washington Community Action Network
- WashPIRG
- Westchester Residential Opportunities Inc. NY
- Wigamig Owners Loan Fund, Inc. (Lac du Flambeau, WI)
- WISPIRG

Businesses

- Blu
- Bowden-Gill Environmental
- Community MedPAC
- Diversified Env. Planning
- Hayden & Craig, PLLC\
- The Holographic Repatterning Institute at Austin
- Mid City Animal Hospital (Phoenix, AZ)
- UNET