

Federal Law Overview

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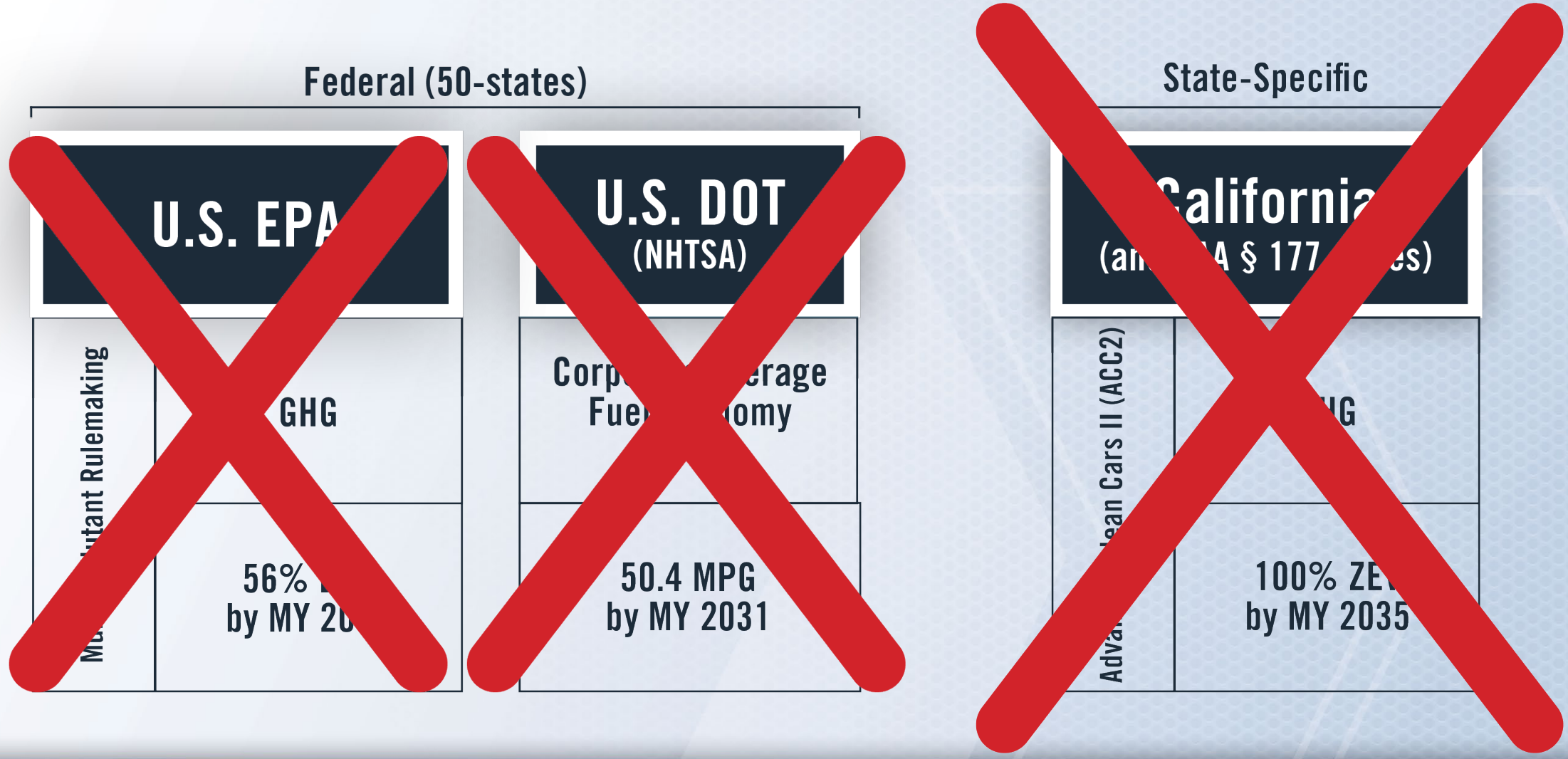
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What We'll Cover

- Emissions and EVs
- FTC
- CFPB
- Tariffs

Emissions and Electric Vehicles (EVs)

Emissions Regulations





EPA Repeal of Greenhouse Gas Rules

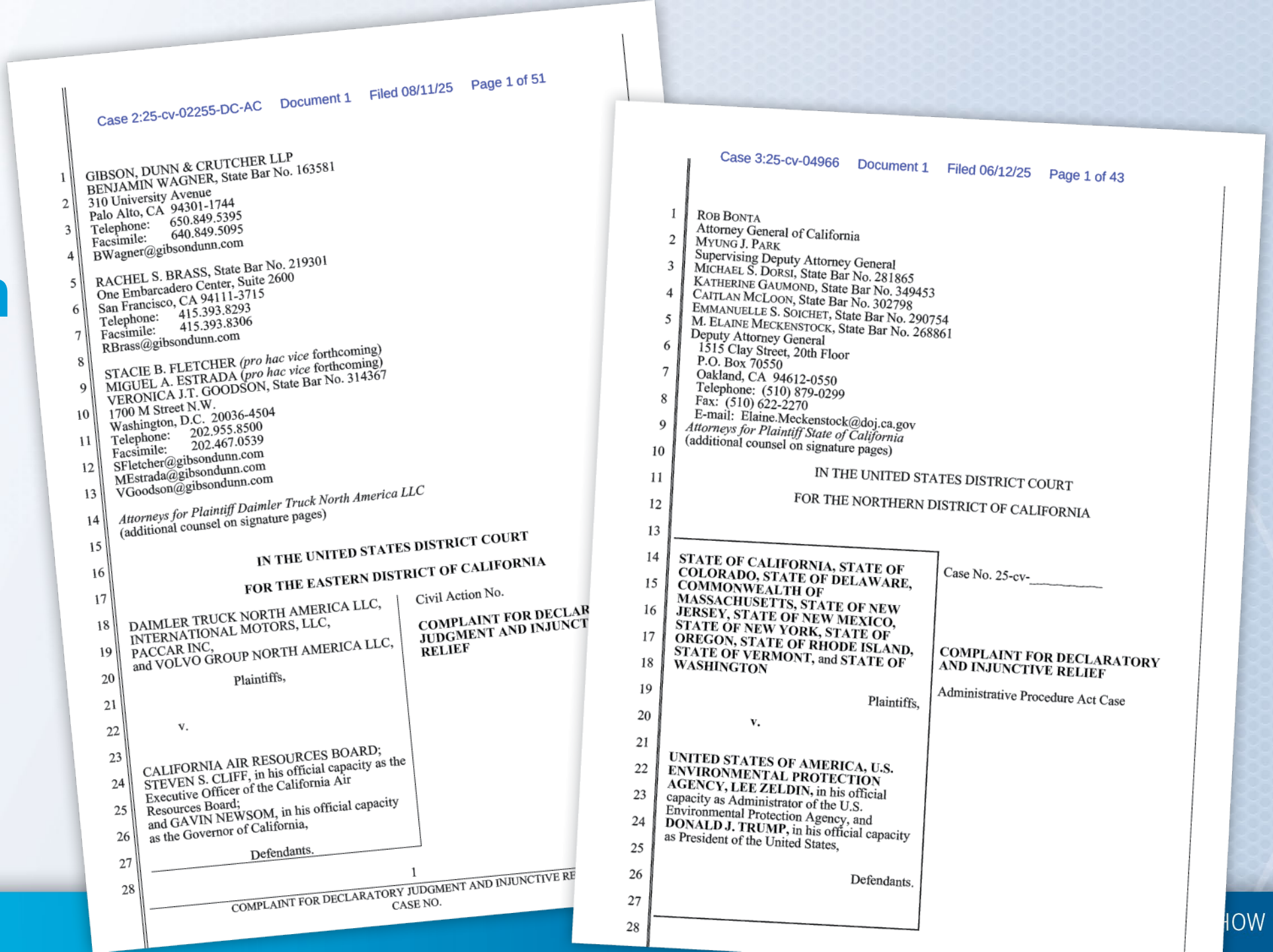


Major Reset of NHTSA CAFE Standards

EV Tax Credits



CRA Litigation



Case 2:25-cv-02255-DC-AC Document 1 Filed 08/11/25 Page 1 of 51

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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DAIMLER TRUCK NORTH AMERICA LLC, INTERNATIONAL MOTORS, LLC, PACCAR INC, and VOLVO GROUP NORTH AMERICA LLC,

Plaintiffs,

v.

CALIFORNIA AIR RESOURCES BOARD; STEVEN S. CLIFF, in his official capacity as the Executive Officer of the California Air Resources Board; and GAVIN NEWSOM, in his official capacity as the Governor of California,

Defendants.

Civil Action No.

COMPLAINT FOR DECLAR
JUDGMENT AND INJUNCT
RELIEF

1

COMPLAINT FOR DECLARATORY JUDGMENT AND INJUNCTIVE RE
CASE NO.

Case 3:25-cv-04966 Document 1 Filed 06/12/25 Page 1 of 43

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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

STATE OF CALIFORNIA, STATE OF COLORADO, STATE OF DELAWARE, COMMONWEALTH OF MASSACHUSETTS, STATE OF NEW JERSEY, STATE OF NEW MEXICO, STATE OF NEW YORK, STATE OF OREGON, STATE OF RHODE ISLAND, STATE OF VERMONT, and STATE OF WASHINGTON

Plaintiffs,

v.

UNITED STATES OF AMERICA, U.S. ENVIRONMENTAL PROTECTION AGENCY, LEE ZELDIN, in his official capacity as Administrator of the U.S. Environmental Protection Agency, and **DONALD J. TRUMP,** in his official capacity as President of the United States,

Defendants.

Case No. 25-cv-_____

COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Administrative Procedure Act Case

HOW

FTC Update





"While complaints about the auto industry tend to fall across a range of practices, one in particular I would like to touch on is misleading pricing. One of my enforcement priorities is ensuring that advertised pricing is transparent and honest. Yet the FTC frequently receives consumer complaints alleging that they saw one price advertised on the internet, for example, with another price then offered at the dealership. Sometimes, the consumer must pay several fees in addition to the price. Or the price will simply be higher, even without fees. Such conduct is cause of great concern to the FTC and should be the cause of great concern to your members."



CFPB Update

Federal Register
Vol. 90, No. 217
Thursday, November 13, 2025

Proposed Rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

CONSUMER FINANCIAL PROTECTION BUREAU

12 CFR Part 1002

[Docket No. CFPB–2025–0039]

RIN 3170–AB54

Equal Credit Opportunity Act (Regulation B)

AGENCY: Consumer Financial Protection Bureau.

ACTION: Proposed rule; request for public comment.

SUMMARY: The Consumer Financial Protection Bureau (Bureau or CFPB) is issuing a proposed rule for public comment that amends provisions related to disparate impact, discouragement of applicants or prospective applicants, and special purpose credit programs under Regulation B, the regulation implementing the Equal Credit Opportunity Act (ECOA or Act). The amendments would facilitate compliance with ECOA by clarifying the obligations imposed by the statute.

DATES: Comments must be received on or before December 15, 2025.

ADDRESSES: You may submit comments, identified by Docket No. CFPB–2025–0039 or RIN 3170–AB54, by any of the following methods:

submissions should include the agency name and docket number or Regulatory Information Number (RIN) for this rulemaking. Because paper mail is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to *https://www.regulations.gov*.

All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Proprietary information or sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT: Dave Gettler, Paralegal Specialist, Office of Regulations, at 202–435–7700 or *https://reginquiries.consumerfinance.gov/*. If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov*.

SUPPLEMENTARY INFORMATION:

I. Summary

Pursuant to its authority under ECOA, 15 U.S.C. 1691b(a), and the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), 12 U.S.C. 5512(b), the Bureau is proposing to amend provisions in Regulation B, 12 CFR part 1002, pertaining to: whether disparate impact is cognizable under the Act; under what circumstances a creditor may be deemed to be discouraging an applicant or prospective applicant; and under what conditions may a creditor offer special purpose credit programs.

(effects test), further define discouragement, and add prohibitions and restrictions for special purpose credit programs.

II. Background

A. Introduction

Congress enacted ECOA in 1974 (1974 Act) "to insure that various financial institutions and other firms engaged in the extensions of credit exercise their responsibility to make credit available with fairness, impartiality, and without discrimination on the basis of sex or marital status." To that end, section 701(a) of ECOA made it "unlawful for any creditor to discriminate against any applicant on the basis of sex or marital status with respect to any aspect of a credit transaction." The Board of Governors of the Federal Reserve System (Board) promulgated regulations implementing ECOA. In 1976, Congress reenacted ECOA in its entirety, amending ECOA to add additional categories of prohibited discrimination (1976 Act). Since 1976, ECOA makes it unlawful for "any creditor to discriminate against any applicant, with respect to any aspect of a credit transaction (1) on the basis of race, color, religion, national origin, sex or marital status, or age (provided the applicant has the capacity to contract); (2) because all or part of the applicant's income derives from any public assistance program; or (3) because the applicant has in good faith exercised any right under [the Consumer Credit Protection Act]" (prohibited basis).[2] T Board, which at the time had exclusi rulemaking authority under ECOA, promulgated regulations, after notic and-comment, to implement the 19 Act.

In 2011, the Dodd-Frank Act

CONSUMER FINANCIAL PROTECTION BUREAU

12 CFR Part 1002

[Docket No. CFPB–2025–0040]

RIN 3170–AB40

Small Business Lending Under the Equal Credit Opportunity Act (Regulation B)

AGENCY: Consumer Financial Protection Bureau.

ACTION: Proposed rule; request for public comment.

SUMMARY: The Consumer Financial Protection Bureau (CFPB or Bureau) proposes revisions to certain provisions of Regulation B, subpart B, implementing changes to the Equal Credit Opportunity Act made by section 1071 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. The Bureau is reconsidering coverage of certain credit transactions and financial institutions; the small business definition; inclusion of certain data points and how others are collected; and the compliance date. The CFPB believes these proposed changes would streamline the rule, reduce complexity for lenders, and improve data quality, advancing the purposes of section 1071 and complying with recent executive directives.

DATES: Comments must be received on or before December 15, 2025.

ADDRESSES: You may submit comments, identified by Docket No. CFPB–2025–0040 or RIN 3170–AB40, by any of the following methods:

- *Federal eRulemaking Portal: https://www.regulations.gov*. Follow the instructions for submitting comments. A brief summary of this document will be available at *https://www.regulations.gov/docket/CFPB-2025-0040*.
- *Email: 2025-NPRM-1071Reconsideration@cfpb.gov*. Include Docket No. CFPB–2025–0040 or RIN 3170–AB40 in the subject line of the message.
- *Mail/Hand Delivery/Courier:* Comment Intake—1071 Reconsideration NPRM, c/o Legal Division Docket Manager, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

Instructions: The CFPB encourages the early submission of comments. All submissions should include the agency name and docket number or Regulatory Information Number (RIN) for this rulemaking. Because paper mail is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to *https://www.regulations.gov*.

All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Proprietary information or sensitive personal information, such as account numbers or Social Security numbers, or names of other individuals, should not be included. Submissions will not be edited to remove any identifying or contact information.

FOR FURTHER INFORMATION CONTACT: Dave Gettler, Paralegal Specialist, Office of Regulations, at 202–435–7700 or *https://reginquiries.consumerfinance.gov/*. If you require this document in an alternative electronic format, please contact *CFPB_Accessibility@cfpb.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

In 2010, Congress passed the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act). Section 1071 of that Act [1] amended the Equal Credit Opportunity Act (ECOA) [2] to require that financial institutions collect and report to the CFPB certain data regarding applications for credit for women-owned, minority-owned, and small businesses. Section 1071's statutory purposes are to (1) facilitate enforcement of fair lending laws, and (2) enable communities, governmental entities, and creditors to identify business and community development needs and opportunities of women-owned, minority-owned, and small businesses. Section 1071 directs the CFPB to prescribe such rules and issue such guidance as may be necessary to carry out, enforce, and compile data pursuant to section 1071.

The CFPB worked toward a section 1071 rulemaking for a number of years and has sought public comment from stakeholders numerous times. The CFPB held a field hearing on May 10, 2017, and published a request for information regarding the small business lending market.[3] On July 22, 2020, the CFPB issued a survey to collect information about potential one-time costs to financial institutions to prepare to collect and report data on small business lending.

On September 15, 2020, the CFPB released an Outline of Proposals Under Consideration and Alternatives Considered pursuant to the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). On October 15, 2020, the CFPB convened a Small Business Review Panel for the section 1071 rulemaking, and the Panel met with small entity representatives (SERs). The Panel Report, publicly released on December 15, 2020, was the culmination of the SBREFA process for the section 1071 rulemaking and included feedback from SERs and written feedback from other stakeholders as well.

On October 8, 2021, the CFPB published in the **Federal Register** a proposed rule (2021 proposed rule) amending Regulation B to implement changes to ECOA made by section 1071 of the Dodd-Frank Act.[4] The comment period for the proposed rule closed on January 6, 2022.

The CFPB received approximately 2,100 comments on the proposal during the comment period. Approximately 650 of these comments were unique, detailed comment letters representing diverse interests. These commenters included lenders such as banks and credit unions, community development financial institutions (CDFIs), community development companies, Farm Credit System (FCS) lenders, online lenders, and others; national and regional industry trade associations; software vendors; business advocacy groups; community groups; research, academic, and other advocacy organizations; Members of Congress; Federal and State government offices/agencies; small businesses; and individuals.

On May 31, 2023, the CFPB published a final rule in the **Federal Register** to implement section 1071 by adding subpart B to Regulation B (2023 final rule).[5] Further details about section 1071, small business lending market dynamics, and the CFPB's rulemaking process leading up to the 2023 final rule can be found in the preamble to the 2023 final rule.

On July 3, 2024, the CFPB published in the **Federal Register** an interim final rule (2024 interim final rule)[6] to extend

[1] Public Law 111–203, tit. X, section 1071, 124 Stat. 1376, 2056 (2010), codified at ECOA section 704B, 15 U.S.C. 1691c–2.

[2] 15 U.S.C. 1691 *et seq.*

[3] The CFPB received 17 comments in response to the request for information. *See* CFPB, *Requests for Information: Small Business Lending Market*, Docket ID CFPB 2017–0011, *https://www.regulations.gov/docket/CFPB-2017-0011*.

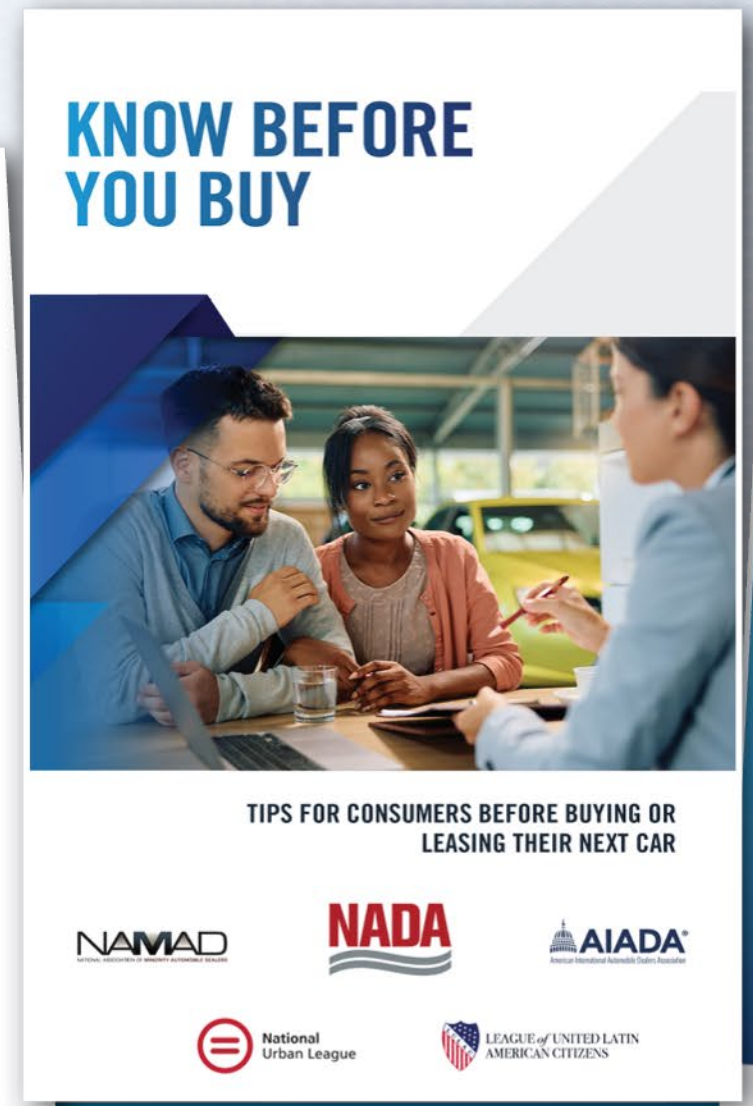
[4] 86 FR 56356 (Oct. 8, 2021).

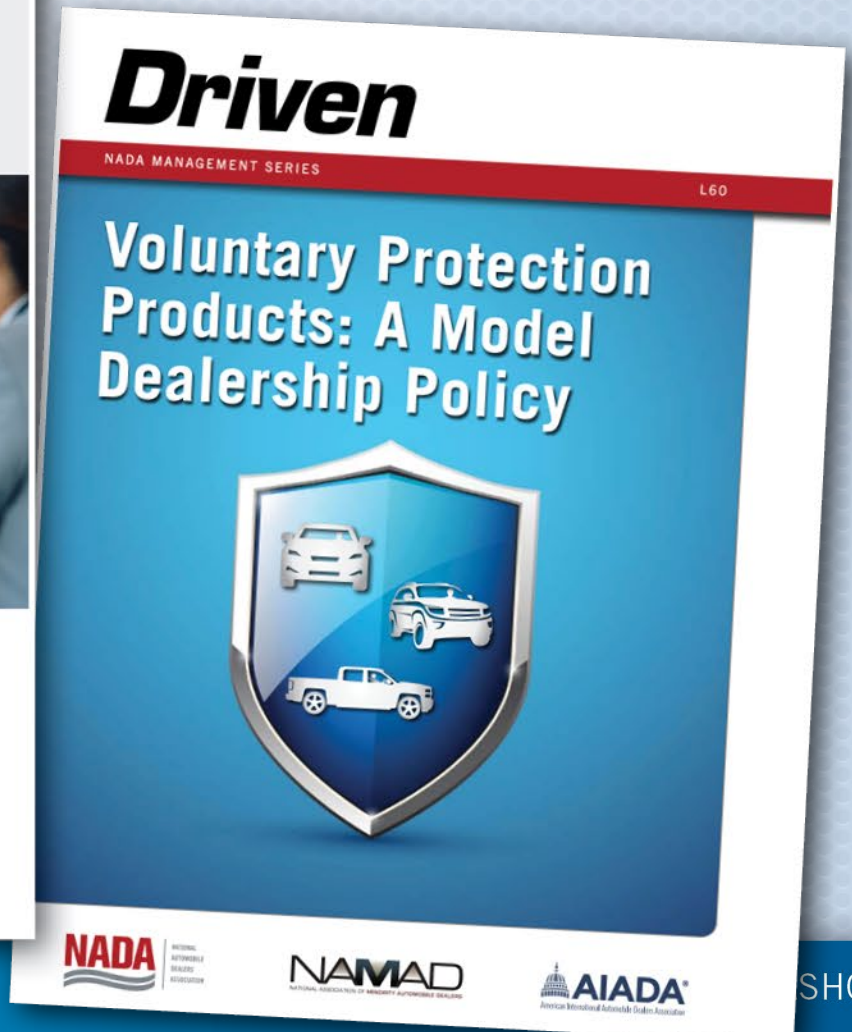
[5] 88 FR 35150 (May 31, 2023).

[6] 89 FR 55024 (July 3, 2024). *See also* Order Granting-in-Part & Denying-in-Part Pls.' Mot. for Prelim. Inj., *Texas Bankers Ass'n* v. *CFPB*, No. 7:23-CV–00144 (S.D. Tex. July 31, 2024).

Recent Endorsements







SHOW

Trade/Tariffs



Bilateral Trade Agreements

EU, South Korea and Japan

15%

autos 232 rate (down from 25%) but this is not yet in force for Korea

United Kingdom

10%

tariff with UK on the first 100,000 passenger vehicles imported per year (which is close to the number currently imported), then 27.5%.

United States Mexico Canada

AGREEMENT



Legal. Challenges to Tariffs



QUESTIONS?

Wednesday, February 4
12:30 PM-1:15 PM
Federal Law Overdrive
W 228



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