



SOCIETY OF COLLISION REPAIR SPECIALISTS

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August 20, 2019

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

RE: Oppose the proposed termination of judgement in U.S. v. Association of Casualty and Surety Companies, et al

Attorney General William Barr and the U.S. Department of Justice,

We write to you in opposition of the proposed termination of judgement in the *U.S. v. Association of Casualty and Surety Companies, et al*, otherwise referred to as the 1963 Consent Decree.

The Society of Collision Repair Specialists (SCRS) serves as a not-for-profit national association representing the hardworking collision repair facilities and specialized professionals who work to repair collision-damaged vehicles across the United States.

There is nothing more paramount than protecting consumer safety and maintaining a fair and competitive landscape that ensures consumers can count on their insurance contracts to fairly indemnify them for loss in the event of an unfortunate accident. This is exacerbated by the increasing escalation of sophisticated vehicle technology and consumer reliance on safety functions present in modern automobiles.

The 1963 Consent Decree established agreement from property and casualty insurance organizations to discontinue behavior that was deemed to be anticompetitive in nature. While the agreement may be limited to signatory companies, this document memorializes a federal recognition of behaviors and practices that the Department of Justice established as unacceptable in a fair and competitive marketplace.

While decades may have passed, the terms of the 1963 Consent Decree are as applicable to the modern marketplace as ever. It is referenced routinely in court cases and articles and serves as an integral guiding light within the industry to help define and shape the boundaries of acceptable behavior.

In 2009, SCRS joined the Auto Body Association of Connecticut and other state affiliate associations from Massachusetts, Michigan, New Jersey, New York, Pennsylvania, and Wisconsin in a meeting with senior attorneys within the Department of Justice. We have attached the introductory document of our meeting for reference. Our request 10 years ago was that the Department of Justice understand how market manipulation, price discrimination and practices that mirror many of those outlined in the 1963 Consent Decree had a severely negative impact on consumer safety and competition.

We also requested that the Department of Justice act to further enforce the virtues of the Decree in the modern marketplace. It is the plea of thousands of small and large businesses across America that this Administration not let our history go by the wayside. Those same practices and patterns prohibited in 1963, and documented for the Department of Justice in 2009, continue to exist today in 2019; perhaps now more than ever.



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- BASF Corporation
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- CCC Information Services Inc.
- CELETTE, INC.
- Chief Automotive Technologies
- Diamond Standard Parts LLC
- ENTERPRISE HOLDINGS
- Fiat Chrysler Automobiles
- Ford Motor Co. - Customer Service Div.
- Garmat USA
- General Motors -
- Customer Care & Aftersales
- HUNTER Engineering Company
- Hyundai Motor America
- Intrepid Direct Insurance
- KPAonline.com
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- Mitchell International
- NAPA Paint & Supply-Martin Senour
- Nissan North America
- NuGen IT
- OEM Collision Repair Roundtable
- PPG Industries
- Saint-Gobain Abrasives, Inc.
- Sherwin-Williams Automotive Finishes
- Subaru of America, Inc.
- THE HERTZ CORPORATION
- Toyota Motor Sales, U.S.A., Inc.
- Volkswagen of America, Inc.

We ask today that this Department of Justice remain vigilant in protecting consumers from unfair and unjust practices that diminish competition, stifle innovation and make safety a vulnerability. Maintain the judgement in the *U.S. v. Association of Casualty and Surety Companies, et al* to serve as a frequent point of reference and a guiding moment from our history, of what we should strive to achieve.

Further, we ask your department to embrace the sentiments within the document, and enforce against the ongoing, yet prohibited, practices that cause harm to consumers and small business across America.

Sincerely,

Brett Bailey
SCRS Chairman

Aaron Schulenburg
SCRS Executive Director