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Smart Con\$umer: Banks Back Off Monthly Debit Card Fees

Consumer pressure has forced Bank of America and other major U.S banks to drop planned debit card usage fees. Under Bank of America's fee plan, account holders with low account balances would be charged a monthly account maintenance fee and pay \$5 a month in debit card usage fees.

Bank of America had planned to test the new account and debit fees in select states beginning this fall and switch all accounts by early next year. Earlier this month, Bank of America competitors J.P Morgan Chase, SunTrust, and Wells Fargo revoked similar plans for debit card fees in response to a high volume of account closures and consumer anger. Bank of America followed suit and revoked the proposed debit card fees. Bank of America's new monthly account maintenance fees were not dropped.

"We have listened to our customers very closely over the last few weeks and recognize their concern with our proposed debit usage fee," a Bank of America official stated. "As a result, we are not currently charging the fee and will not be moving forward with any additional plans to do so.

Bank of America, Wells Fargo, JPMorgan Chase, SunTrust, and Regions Financial have all canceled debit card usage fees and will reimburse customers

for any debit charges incurred.

The reason banks gave for the proposed fees? Lost revenue due to increased regulation by the federal government and the passage of the Credit CARD Act, the Dodd-Frank Act and other consumer protection legislation.

Many Americans have applauded the banking reforms for increasing consumer protection and cracking down on profit gauging. Last summer's bank reform legislation banned banks from charging certain overdraft fees, reduced the amount of money banks are paid when a debit or credit card is swiped, and limited interest rate increases on credit cards. Under the new overdraft legislation banks cannot authorize debit card purchases and ATM withdrawals if there is not enough money in the account to pay for the transaction.

Don't celebrate the cancelled debit fees too soon. Experts predict large banks will find other ways to make up the revenue debit fees would have provided and warn consumers to watch out for account maintenance fees and gradual fee increases over time.

President Obama and Senator Dick Durbin spoke out against Bank of America's \$5/month debit card fee, calling for fair



and transparent fee administration in the banking industry. North Carolina Representative Brad Miller has introduced the Move Your Money bill aimed at helping consumers close their accounts with "too big to fail" banks and transfer to alternative financial institutions such as credit unions. More information is available at <http://moveyourmoneyproject.org/>.

More information:

Bank of America Fee FAQ
<http://factsaboutfees.bankofamerica.com/manage-banking-fees/monthly-maintenance-fees/>

Some tips for avoiding bank fees are available at <http://www.foxbusiness.com/personal-finance/2011/10/11/more-bank-fees-are-coming/>

How to Switch Banks in 6 Easy Steps



"It is time to move forward on these restoration projects and passing the RESTORE Act would be a huge step toward making that a reality"- LA Sen. Mary Landrieu

Will your bank charge monthly debit or account fees? Many banks including Chase, Citibank, Wells Fargo, and Bank of America are changing their service fees. Check with your bank regarding any fee changes. Visit <http://moveyourmoneyproject.org/find-bankcredit-union> if you are interested in moving your account and follow these tips compiled by the Community Banking Initiative to switch banks painlessly.

1. Open your new account!

Generally you should be able to open a checking account with an initial deposit of between \$25 and \$100. At a credit union, you'll also become a member and co-owner at the same time.

2. Order your new debit/ATM card and checks.

These typically arrive within 1

to 2 weeks. You may also want to apply for a credit card from your new institution.

3. If you use direct deposit, ask your employer to reroute your paycheck to your new account.

When you open your new account, ask for a direct deposit authorization form that includes your new account information. Give this form to your employer and anyone else who makes direct deposits to your account.

4. Contact companies that direct-debit your account.

Make a list of any businesses that you've authorized to directly debit your account. Ask your new bank or credit union for an automatic payments authorization form that includes your new account information. Send this

to the businesses on your list.

5. Set up online bill paying for your new account.

If you like to pay bills online, set up bill payment information for your new account. Stop any automatic recurring payments you have established through your old account.

6. Close your old account.

Once you have started receiving direct deposits into your new account and are sure that there are no outstanding checks or automatic debits that need to clear, close your old account. Do not just withdraw the last dollar and assume the account is closed! Your old bank may charge you fees for having an empty or inactive account. Follow the bank's procedure for closing out the account.

RESTORE Act Moves to Senate

The RESTORE the Gulf Coast States Act was approved by the Senate Committee on Environmental and Public Works on September 21, 2011. The RESTORE Act was backed by bipartisan committee approval and will now proceed to the Senate floor for a full vote.

The RESTORE Act was drafted in response to the April 2010 Deepwater Horizon oil spill which pumped approximately 4.9 million gallons of oil into the Gulf of Mexico. Louisiana Senator Mary L. Landrieu and Alabama Senator Richard Shelby introduced the legislation supported by several fellow Gulf Coast Senators.

If approved by the full Senate, the bill would ensure that funds for economic and

environmental recovery are sent to the Gulf Coast States and streamline the process for receiving the funds. Current law requires responsible parties to pay penalties to the Federal Treasury and affected states are on their own. The Clean Water Act allows the EPA to collect \$1,100 per barrel of oil spilled, or \$4,300 per barrel if there is a finding of gross negligence, from any party found responsible for an oil spill in federal waters. Based on the estimated 4.9 million barrels of oil spilled into the Gulf of Mexico, BP could face fines between \$5.4 billion and \$21.1 billion. If the RESTORE Act is approved, 80% of the fines BP is required to pay under the Clean Water Act will be allocated to Gulf States affected by the spill. This funding could serve as a major

economic boost to communities still struggling to clean-up coastline and businesses damaged by the spill.

"We have a very strong bill with very strong support including the chair of the Environment and Public Works Committee," Louisiana Senator David Vitter said. "Louisiana and the Gulf Coast took a beating from the oil spill last summer, and the culprits - BP - are being held accountable. It's extremely important to support the ongoing projects to build up our ecosystems and coastline."

For more information on RESTORE Act, visit <http://landrieu.senate.gov/mediacenter/pressreleases/07-21-2011-1.cfm>



Oily water off the coast of Grand Isle, LA. Photo by Lars Gange.

Don't Blame Your Dishwasher

New Phosphate Bans May Be to Blame for Dirty Dishes



Dishes not looking so sparkly clean? Before you call the repairman to fix your dishwasher, consider your dishwasher detergent. Most major dishwasher detergent companies have reduced or removed the amount of phosphate in their products. Phosphates are a key ingredient in dishwasher detergents that help break up food particles and soften water so suds can form. Pollution from phosphates can affect water quality by causing algae blooms and depriving water of the oxygen aquatic life depends on.

Washington State passed legislation requiring manufactures to limit the amount of phosphates in household dishwasher detergent sold in state. Under Washington's phosphate legislation, only dishwashing detergents composed of trace amounts of phosphate may be sold in the state as of July 1, 2010. So far fifteen states including Illinois, Indiana, Maryland, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, and Wisconsin have followed Washington's legislative lead on household dishwasher detergent phosphate levels. Under pressure from consumers and environmental groups,

many members of the American Cleaning Council signed a voluntary ban on phosphates in household dishwasher detergents. That ban went in to effect last July nation-wide and has been adopted by the majority of dishwashing detergent brands including Palmolive and Cascade.

Although industry officials insist that most customers have not noticed a change since detergents went phosphate-free, a September issues of Consumer Reports concluded that many low or phosphate free dishwashing products do not clean dishes satisfactorily. Manufacturers have now reformulated their products for markets across the country and are focusing on pressuring states to adopt uniform phosphate laws.

10 Tips for Cleaner Dishes

With most major dishwashing detergent companies removing or limiting the amount of phosphates in their products, here are some helpful tips to keep your dishes clean:

1. Load large items at the sides and back of the dishwasher so they don't block water and detergent from reaching other dishes.
2. Place the dirtier side of dishes toward the center of the machine to provide more exposure to the spray.

3. Don't let dishes or utensils rest side by side or on top of each other in the dishwasher.

4. Use the top rack for plastic and delicate items that are dishwasher safe.

5. Rest glassware on prongs to prevent breakage. To prevent chipping, make sure that china, crystal, and stemware don't touch other items.

6. Only wash dishwasher safe items. Items that are made of cast iron, disposable plastic, pewter, tin, wood, or bronze should typically be hand washed.

7. Load silverware with handles down but place knives with the handles up.

8. If your dishwasher has an open basket, mix spoons, forks, and knives to prevent them from sticking together.

9. Place items with baked-on food facedown and toward the sprayer in the bottom rack. Pre-soaking your dirtiest dishes can help remove caked on particles.

10. Check out Consumer Reports test of several dishwashing detergents with low or no phosphates at <http://www.consumerreports.org/cro/magazine-archive/2010/september/home-garden/low-phosphorous-dishwasher-detergents/overview/index.htm>



Meet Charles E. Lavis, Jr.

Charles Lavis is the founder and managing shareholder of Lavis Law Firm, APLC. He was born in New Orleans in 1965 and has practiced law there for 15 years. Charles represents workers, consumers, homeowners and business owners against insurance companies and corporations. He represents clients in matters involving BP Oil Spill Claims, Job Injuries, Accidents, Products Liability, Hurricane Insurance Claims, Personal Injury, Wrongful Death and Survival Actions, and Insurance Bad Faith. If you have questions, please call Charles at **1-866-558-9151**.

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to call or e-mail.***

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Dispersant Debate Continues

A recent report on the chemical dispersants used to clean up the BP oil spill suggests it could be years before the full range of human and environmental effects are clear. "The Chaos of Clean-up" report was recently released through a partnership between Toxipedia Consulting Services and Earthjustice, a nonprofit public interest law firm based in California. The report features a scientific review of the dispersants chemical makeup and potential effects on environmental and marine health.

The use of chemical dispersants has been the subject of debate and scrutiny since clean-up efforts began in the summer of 2010. While some maintain that the use of nearly 1.8 million gallons of dispersants was the most

efficient way to stop oil from seeping onshore and damaging coastline, others believe the potentially harmful effects of dispersants and application methods warranted careful consideration.

The report's main goal was to analyze the toxicity of various chemicals used in the dispersants. The name and quantity of the exact chemicals used in a dispersant product belong to dispersant manufacturers and are not released. Environmental advocates hope this report will encourage the EPA to research and release toxicity and safety information for all chemical ingredients used in oil dispersants. Without a complete list of dispersant ingredients, assessment of the effects of a dispersant product is impossible.

There is a wide range of effects associated with some of the chemicals used in dispersants. The report suggests the oil dispersants used could contain toxins and cancer-causing agents that may be harmful to humans and animals. Because a full list of dispersant ingredients has not been released, the report remains speculative. A group of Gulf Coast scientists are currently engaged in a three year BP funded research study of the effects of dispersant use.

"At this point, we cannot do anything about what already happened. What the public needs to do is make sure it never happens again", said Cynthia Sarthou of the Gulf Restoration Network. "Dispersants may not be the way to deal with oil disasters."

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