



The Debt Collection Rule’s Deconstruction

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Executive Summary

As Of June 2016, Richard Cordray’s Debt Collection Proposal Included Tough Consumer Protections And Would Have Limited The Amount Debt Collectors Could Contact Consumers.

Under former CFPB Director Richard Cordray, the Bureau’s **June 2016** debt collection proposals were set to provide strong consumer protections against industry harassment—including:

- Requiring Collectors To Properly Substantiate Consumers’ Debts.
- Limiting Debt Collectors’ Communications And Attempts At Communication To Six Times Per Week, Regardless Of The Medium.
- Requiring Collectors To “Directly” Get Consent From Consumers To Waive Restrictions On Communications
- Included Protections Against “Zombie Debt” And Required The Proper Disclosure Of Consumers’ Legal Rights For Old Debts.

Within A Month Of Taking Over At The CFPB, Mick Mulvaney Completely Cancelled A Proposed Consumer Survey Seemingly At The Debt Collection Industry’s Request.

But just a month after Cordray stepped down from the CFPB, in **December 2017**, Mick Mulvaney went to work helping industry drastically re-write the proposal.

In a matter of just five days, Mulvaney single-handedly shut down a consumer survey seemingly at the request of the debt collection industry.

- **December 14, 2017:** The Debt Collection Industry’s Biggest Trade Group ACA International Requests That The CFPB Halt A Data Collection Effort Related To Its Debt Collection Rule.
- **December 15, 2017:** Mick Mulvaney Has A Meeting On “Debt Collection Rulemaking” With Then-Senior Advisor Brian Johnson.
- **December 19, 2017:** Mick Mulvaney Halts The CFPB’s Efforts To Collect Data On The Debt Collection Industry. Industry “Applauded” The Move, Having Argued That The Scrapped Data Collection Plan Had Been “Flawed” And “Biased” Against Collectors.

A Few Months Later Mick Mulvaney Asked For Public Comments On Rules And Proposals The CFPB Had Been Given Authority Over... And The Debt Collection Industry Let Him Hear It.

In **March 2018**, under Mick Mulvaney, industry was invited to comment on any “inherited” rules or rulemaking processes, and the debt collection industry made their voice heard.

A Cornerstone Of Industry’s Comments To The CFPB Were Focused Around Allowing Collectors To Use Technology As A Way To Get Around “Contact Frequency” Restrictions.

The Receivables Management Association International (RMAI) filed Its recommendations for “modernization” of the rules covering debt collectors. Their recommendations included:

- “Clarify that using e-mails does not violate the FDCPA...”
- “Clarify that using text messages does not violate the FDCPA...”
- “Clarify that **engaging with technology** (e.g., clicking a link or replying to an e-mail) can be considered an **exception to the proposed limits on contact frequency.**”
- Clarify that using e-mails and text messages does not require extra consent

The American Financial Services Association Complained That The Debt Collection Rule Could “Impose Onerous And Pointless” Requirements On Creditors. AFSA sought remedies including:

- Asking “that the Bureau specify that those collecting a debt are permitted **to leave voicemail messages for consumers without the mini-Miranda disclosure.**...”
- That “any debt collection rules the Bureau finalizes **should neither unduly restrict creditors’ ability to contact their customers, nor impose unnecessary validation requirements... any limitations on contact frequency could be harmful for consumers**”

The Next Year, Newly Confirmed CFPB Director Kathy Kraninger Issued A Proposed Rule On Debt Collection... That Happened To Give Industry Almost Everything They Asked For.

In **April 2019**: Newly confirmed CFPB Director Kathy Kraninger announces she will “provide clarity” and “modernize the legal regime for debt collection.”

The next month, in **May 2019**, the American Bankers Association urges the CFPB to “avoid imposing arbitrary limitations on contacting consumers via any channel, including email and text” in any proposed debt collection rulemaking.

Later in **May 2019**: Kathy Kraninger Issues Her Proposed Debt Collection Rule which gives industry almost everything its asked for.

- Allows Debt Collectors To Email And Text Consumers An “Unlimited” Number Of Times And Call Consumers Once A Day Per Debt They Hold
- Allows Collectors To Text, Email, And Directly Message Consumers “Without Consent”
- It Only Includes Already-Existing Requirements For Collectors To Actually Verify And Substantiate Consumers’ Debts
- Gives Debt Collectors More Freedom To Pursue Consumers Over Old, “Zombie Debt”

Background

Cordray Debt Collection Rule: A Step In The Right Direction

Under Former Director Richard Cordray, The CFPB’s Debt Collection Rule Was Set To Have Strong Consumer Protections Against Industry Harassment, Including Hard Limits On Communications, Inclusion Of Consumer Disclosure And Consent Rights, And Protections Against Old “Zombie Debt.”

Under Former Director Richard Cordray, The Debt Collection Rule Would Have Required Collectors To Properly Substantiate Consumers’ Debts.

Under Former Director Richard Cordray, The Debt Collection Rule Originally Would Have Required Collectors To Substantiate The Debt They Were Pursuing, Transfer Important Information About Consumers When Selling Their Debt To Other Collectors, And Provide A “Statement Of Rights.” “To address these concerns, the 2016 Outline included three categories of additional requirements: (1) substantiation of debt prior to collection; (2) transfer of certain information provided by consumers to subsequent collectors; and (3) the FDCPA-mandated validation notice and a Statement of Rights.” [[“Consumer Financial Protection Bureau Releases Rules for Comprehensive Reform of Debt Collection Industry \[PDF\],”](#) Debevoise & Plimpton, 06/03/19]

Under Former Director Cordray, The Debt Collection Rule Would Have Limited Debt Collectors’ Communications And Attempts At Communication To Six Per Week, Regardless Of The Medium.

Under Former Director Cordray, The Debt Collection Rule Originally Would Have “Limited Collectors’ Communications (And Attempts) To Six Per Week Through Any Point Of Contact.” “In contrast, the 2016 Outline would have limited collectors’ communications (and attempts) to six per week through any point of contact unless the collector had reached the consumer or the consumer’s representative.” [[Consumer Financial Protection Bureau Releases Rules for Comprehensive Reform of Debt Collection Industry \[PDF\]](#),” Debevoise & Plimpton, 06/03/19]

Under Director Cordray, The CFPB Stated A Belief That Collectors’ Communications Can Be “Excessive” And That A High Number Of Contacts Through Multiple Mediums “Can Have The Same Harassing Consequence”

Under Former Director Cordray, The CFPB “Believe[d] That It Would Be Excessive For A Debt Collector To Make Contact Attempts Through Any One Of These Points Of Contact [Phone, Email, And Mail] More Than A Certain Number Of Times Per Week” And That Contacts Through Multiple Means Of Communication “Can Have The Same Harassing Consequence.” “Because collectors may have or obtain several phone numbers as well as potentially one or more email and mailing addresses for a consumer, the Bureau believes that it would be excessive for a debt collector to make contact attempts through any one of these points of contact more than a certain number of times per week. The Bureau also believes that overall contact attempts by a given debt collector through different points of contact can have the same harassing consequence.” [[Small Business Review Panel For Debt Collector And Debt Buyer Rulemaking Outline Of Proposals Under Consideration And Alternatives Considered](#),” Consumer Financial Protection Bureau, 07/28/16]

Under Former Director Cordray, The CFPB Was Set To Require Collectors To “Directly” Get Consent From Consumers.

Under Former Director Cordray, The CFPB Considered Requiring Each Collector To Obtain Consent “Directly” From Consumers. “[...] the Bureau is considering including in its proposed rules the requirement that each collector, to obtain consent, must obtain it *directly* from the consumer (whether orally or in writing). Thus, for example, each debt collector who obtains a debt following a sale or placement would be required to obtain consent anew rather than being able to rely on the consent provided to the creditor or to a prior collector.” [[Small Business Review Panel For Debt Collector And Debt Buyer Rulemaking Outline Of Proposals Under Consideration And Alternatives Considered](#),” Consumer Financial Protection Bureau, 07/28/16]

Under Former Director Cordray, The CFPB Would Have Ensured Protections Against “Zombie Debt” And Would Have Required The Proper Disclosure Of Consumers’ Legal Rights.

Under Former Director Cordray, The Debt Collection Rule Originally Required Collectors To Provide Consumers Proper Disclosures About “Time-Barred Debt” And Their Legal

Rights Regarding Old Debts. “A collector seeking to collect a time-barred debt would be required to include a ‘time-barred debt disclosure’ in the validation notice, in the first oral communication in which it requests payment, and possibly in each subsequent communication seeking payment. The same disclosure requirement would apply to any subsequent collector and a subsequent collector could not sue on a debt as to which a prior collector had provided the disclosure. The CFPB is also considering whether to require an ‘obsolescence disclosure’ informing the consumer whether a time-barred debt can appear on a credit report; prohibit collection of a time-barred debt that can be revived under state law unless the right to sue is waived; and prohibit a collector from accepting payment on a time-barred or obsolete debt until it has obtained the consumer’s written acknowledgment of having received a time-barred debt and obsolescence disclosure.” [[“CFPB Previews Debt Collection Rule in SBREFA Outline,”](#) Ballard Spahr LLP, 07/29/16]

Time-Barred Debt Is Also Known As “Zombie-Debt.” “Collectors would have to disclose, when applicable, if the consumer can no longer be sued because the debt is so old that it’s considered a time-barred ‘zombie-debt.’” [Susan Tompor, [“Debt collectors could face new limits on calls,”](#) *USA Today*, 07/28/16]

Mick Mulvaney Joins CFPB And Industry Begins Their Push Industry Spends Over \$2 Million On Lobbying

But Following Former Director Cordray’s Departure And Since The Time That Mick Mulvaney Took Control Of The CFPB, The Major Debt Collection Industry Trade Groups Have Spent Over \$2 Million On Lobbying.

Mick Mulvaney Was Named Acting Director Of The CFPB On November 24, 2017. “Questions have been raised whether the President has the authority under the Federal Vacancies Reform Act (FVRA) to designate Mick Mulvaney, the Director of the Office of Management and Budget, as the Acting Director of CFPB following the resignation of Richard Cordray as of midnight, Friday, November 24, 2017, even if the Deputy Director otherwise could act under 12 U.S.C. § 5491 (b)(5) [The Dodd-Frank Act].” [[Press Release](#), The White House, 11/27/17]

ACA International, “The Largest Trade Group For The Debt Collection Industry,” Has Spent \$1.37 Million On Lobbying, Starting In The Quarter That Mick Mulvaney Became The CFPB’s Acting Director.

ACA International Is “The Largest Trade Group For The Debt Collection Industry.” “ACA International, the largest trade group for the debt collection industry, represents approximately 2,500 members, including credit grantors, third-party collection agencies, asset buyers,

attorneys, and vendor affiliates, who employ more than 129,000 employees worldwide.” [[ACA International Fact Sheet](#),” ACA International, January 2019]

In The Fourth Quarter Of 2017, ACA International Spent \$80,000 Lobbying Congress On Debt Collection And Other Issues. [[ACA International LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 01/18/18]

In The First Quarter Of 2018, ACA International Spent \$120,000 Lobbying Congress. [[ACA International LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 04/19/18]

In The Second Quarter Of 2018, ACA International Spent \$190,000 Lobbying Congress, The CFPB, The FTC, And The FCC On Debt Collection And Other Issues. [[ACA International LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 07/20/18]

In The Second Quarter Of 2018, ACA International Spent \$60,000 To Hire Clark Hill PLC To Lobby The CFPB On “Creditors’ rights, generally.” [[Clark Hill, PLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 07/23/18]

In The Third Quarter Of 2018, ACA International Spent \$200,000 Lobbying Congress, The Treasury Department, The CFPB, The FTC, And The FCC. [[ACA International LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 10/19/18]

In The Third Quarter Of 2018, ACA International Spent \$60,000 To Hire Clark Hill PLC To Lobby The Treasury Department And The FCC On “Issues Surrounding The Telephone Consumer Protection Act”. [[Clark Hill, PLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 10/22/18]

In The Fourth Quarter Of 2018, ACA International Spent \$180,000 Lobbying Congress, The Treasury Department, The CFPB, The FTC, And The FCC. [[ACA International LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 01/18/19]

In The Fourth Quarter Of 2018, ACA International Spent \$60,000 To Hire Clark Hill PLC To Lobby The CFPB And FCC on “Issues Surrounding The Telephone Consumer Protection Act”. [[Clark Hill, PLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 01/22/19]

In The First Quarter Of 2019, ACA International Spent \$190,000 Lobbying Congress, The FTC, The FCC, And The Small Business Administration On Issues Related To Debt Collection. [[ACA International LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 04/16/19]

In The First Quarter Of 2019, ACA International Spent \$40,000 To Hire Clark Hill PLC To Lobby The CFPB On “Issues Surrounding The Telephone Consumer Protection Act.” [[Clark Hill, PLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 04/18/19]

In The Second Quarter Of 2019, ACA International Spent \$190,000 Lobbying Congress, The FTC, The FCC, And The Small Business Administration On Issues Related To Debt

Collection. [[ACA International LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 07/19/19]

Receivables Management Association International (RMAI), A Major Debt Collection Industry Trade Group, Has Spent \$390,000 On Lobbying Since Mick Mulvaney Became CFPB Acting Director.

RMAI Is A Debt Collection Industry Trade Group That “Represents More Than 575 Companies That Purchase Performing And Nonperforming Receivables On The Secondary Market.” “Receivables Management Association is the nonprofit trade association that represents more than 575 companies that purchase performing and nonperforming receivables on the secondary market.” [[“DBA International is now Receivables Management Association,” insideARM](#), 02/09/17]

In The Fourth Quarter Of 2017, RMAI Spent \$50,000 To Hire K&L Gates LLP To Lobby Congress, The CFPB, The FTC, And The OCC. [[K&L Gates LLP LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 01/20/18]

In The First Quarter Of 2018, RMAI Spent \$50,000 To Hire K&L Gates LLP To Lobby Congress, The Treasury Department, The CFPB, And The FTC. [[K&L Gates LLP LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 04/18/18]

In The Second Quarter Of 2018, RMAI Spent \$60,000 To Hire K&L Gates LLP To Lobby Congress, The Treasury Department, The CFPB, And The FTC. [[K&L Gates LLP LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 07/18/18]

In The Third Quarter Of 2018, RMAI Spent \$60,000 To Hire K&L Gates LLP To Lobby Congress, The CFPB, And The FTC. [[K&L Gates LLP LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 10/20/18]

In The Fourth Quarter Of 2018, RMAI Spent \$50,000 To Hire K&L Gates LLP To Lobby Congress, The CFPB, And The FTC. [[K&L Gates LLP LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 01/19/19]

In The First Quarter Of 2019, RMAI Spent \$60,000 To Hire K&L Gates LLP To Lobby Congress, The CFPB, And The FTC. [[K&L Gates LLP LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 04/19/19]

In The Second Quarter Of 2019, RMAI Spent \$60,000 To Hire K&L Gates LLP To Lobby The U.S. House Of Representatives And The FTC. [[K&L Gates LLP LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act Database, 07/19/19]

The National Creditors Bar Association (NCBA) Has Spent \$270,000 On Lobbying Since Mick Mulvaney Became Acting CFPB Director.

In April 2018, NARCA (Formerly The National Association Of Retail Collections Attorneys) Changed Its Name To The National Creditors Bar Association “As It Broadened Its Membership Beyond Retail Collection To Include All 19 Areas Of Creditors Rights-Related Legal Representation.” “This month, NARCA is pleased to announce that National Creditors Bar Association is now the official name of the national bar association. The change to National Creditors Bar Association was overwhelmingly passed recently in a vote by the membership. This is an historic day in the 25th Anniversary year of the bar association. ‘NARCA’ is a vestige of the National Association of Retail Collections Attorneys, which the Association officially ceased to use as its official name two and a half years ago. The acronym persisted until this year, but was limiting and no longer adequately described the expanding bar association as it broadened its membership beyond retail collection to include all 19 areas of creditors rights-related legal representation.” [[National Creditors Bar Association Is the New Identity of NARCA](#),”*InsideARM*, 04/17/18]

In The Fourth Quarter Of 2017, NCBA Spent \$40,000 To Hire RR&G LLC To Lobby Congress And The CFPB. [[RR&G, LLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act, Database, 01/22/18]

In The First Quarter Of 2018, NCBA Spent \$50,000 To Hire Clark Hill PLC To Lobby Congress And The CFPB On Legislation To Amend The Fair Debt Collection Practices Act. [[Clark Hill, PLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act, Database, 04/20/18]

In The Second Quarter Of 2018, NCBA Spent \$50,000 To Hire Clark Hill PLC To Lobby Congress And The CFPB. [[Clark Hill, PLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act, Database, 07/20/18]

In The Third Quarter Of 2018, NCBA Spent \$50,000 To Hire Clark Hill PLC To Lobby Congress And The CFPB. [[Clark Hill, PLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act, Database, 10/22/18]

In The Fourth Quarter Of 2018, NCBA Spent \$50,000 To Hire Clark Hill PLC To Lobby Congress And The CFPB. [[Clark Hill, PLC LD-2 Lobbying Disclosure Form](#), U.S. Senate Lobbying Disclosure Act, Database, 01/22/19]

In The Second Quarter Of 2019, NCBA Spent \$30,000 To Hire Clark Hill PLC To Lobby The CFPB. [[Clark Hill, PLC LD-2 Disclosure Form](#), U.S. Senate Lobbying Disclosure Act, Database, 07/16/19]

Industry Uses CFPB RFI Process To Give Bureau Their Wishlist

And The Debt Collection Industry’s Intentions Were Clear: To Erode Former Director Cordray’s Debt Collection Rule, Which Industry Complained As Being “Agenda Driven,” “Arbitrary”

Restrictions That “Literally Affected Every Aspect Of Our Members’ Businesses.”

In March 2018, Mick Mulvaney’s CFPB Sought Input From “Interested Parties” On The Bureau’s “Inherited Regulations And Inherited Rulemaking Authorities.”

On March 22, 2018 The CFPB Announced Its Request For Information (RFI) On “Inherited Regulations And Inherited Rulemaking Authorities,” “Seeking Comments And Information From Interested Parties.” “The Consumer Financial Protection Bureau (Bureau) today issued a Request for Information (RFI) on the Bureau’s inherited regulations and inherited rulemaking authorities. The Bureau is seeking comments and information from interested parties to assist the Bureau in considering whether it should amend the regulations or exercise the rulemaking authorities that it inherited from other federal government agencies.” [[Press Release](#), Consumer Financial Protection Bureau, 03/22/18]

In June 2018, Receivables Management Association International (RMAI) Complained That The Debt Collection Rulemaking Begun Under Former CFPB Director Richard Cordray “Ha[d] Literally Affected Every Aspect Of [Their] Members’ Businesses” And Urged Mick Mulvaney’s CFPB To Move “Faster Than Has Been The Case To Date.”

RMAI Complained That The Debt Collection Rulemaking Process Begun Under Richard Cordray In 2013 “Ha[d] Literally Affected Every Aspect Of [Their] Members’ Businesses.” “The Bureau’s debt collection rulemaking, which received comments in response to the Bureau’s Advance Notice of Proposed Rulemaking (‘ANPR’) in November 2013, has significantly impacted each of these businesses. The pending rulemaking has literally affected every aspect of our members’ business, from the purchasing and sales environment for receivables, to operations and compliance with regard to phone, letter, and other communications with consumers, to the account documentation and data standards required for collections.” [[Request for Information Regarding Bureau Rulemaking Processes \(Docket No. CFPB-2018-0009\)](#)],” Receivables Management Association International, 06/07/18]

RMAI Criticized The Length Of The Prior Debt Collection Rulemaking Process And Urged The Bureau To “Move Forward With Well-Considered Debt Collection Rules Faster Than Has Been The Case To Date.” “The Bureau issued the ANPR in November 2013 – nearly five years ago. As of now, we expect the Bureau to issue a Notice of Proposed Rulemaking (‘NPRM’) in March 2019, with final rules to be issued at least several months after that. To have a rulemaking go on for six or more years is, to say the least, lengthy. This has created substantial uncertainty for our industry, the banks that sell to us, as well as our investors and consumers. [...] We urge the Bureau to move forward with well-considered debt collection rules faster than has been the case to date, in order to provide a federal standard that creates certainty and clarity for the industry and the consumers we serve.” [[Re: Request for Information](#)]

[Regarding Bureau Rulemaking Processes \(Docket No. CFPB-2018-0009\)](#),” Receivables Management Association International, 06/07/18]

RMA Represents More Than 500 Companies In The Debt Collection Industry. “RMA is a nonprofit trade association representing more than 500 companies that purchase or support the purchase, sale, and collection of performing and non-performing receivables on the secondary market. Members of RMA include banks, debt buying companies, third-party collection agencies, collection law firms, and brokers.” [[Request for Information Regarding Bureau Rulemaking Processes \(Docket No. CFPB-2018-0009\)](#),” Receivables Management Association International, 06/07/18]

In December 2018, ACA International Complained To Incoming CFPB Director Kathy Kraninger That The CFPB Had Been “Agenda Driven” And “Failed To Fulfill Its Statutory Mission” By Not Considering Industry Needs.

In December 2018, ACA International Complained To Incoming CFPB Director Kathy Kraninger That The CFPB “Failed To Fulfill Its Statutory Mission” In Not Prioritizing The Needs Of Industry In Its Previous Rulemaking Efforts. “Since the inception of the Bureau, there have been many instances when it has failed to fulfill its statutory mission and obligations, which require it to make markets for consumer financial products and services work in a fair, transparent, and competitive manner. As the Bureau moves forward in working to determine how to better serve consumers and create transparent and workable rules for the financial services industry, which also impact the millions of financial services industry employees in the United States, outlined are areas we would like to see further consideration given to.” [[Letter from ACA International to Kathy Kraninger](#), 12/06/18]

ACA International Implied That The CFPB Under Former Director Cordray Had “Pre-Conceived Notions” And Was “Agenda Driven.” “Good policymaking does not result when those writing and enforcing the rules have pre-conceived notions, lack transparency, and are agenda driven. While the consumer perspective is critically important, it is also essential to consider diverse perspectives and real-world in house experience of those working to actually provide products and services to consumers. This benefits both consumers and those serving them when the Bureau can craft more informed rules and policies, which take into account the actual impact of new compliance and regulatory burdens, and the unique needs of different consumers throughout the country.” [[Letter from ACA International to Kathy Kraninger](#), 12/06/18]

ACA International Urged The CFPB To Provide “Clear Regulatory Guidance On The FDCPA” That Considered The “Perspectives Of Both The Consumer And The Debt Collector.” “The accounts receivable management industry has been looking for clear regulatory guidance on the FDCPA, 15 U.S.C. § 1682 et seq., since its enactment in 1977. Congress did not provide the Federal Trade Commission (FTC), who previously was the primary agency with jurisdiction over the debt collection industry, with any rulemaking authority under the FDCPA, which is a strict liability statute. [...] It is important for the BCFP to carefully consider its proposals from the perspectives of both the consumer and the debt collector and

find the reasonable balance that ensures the full intent of the FDCPA.” [[Letter from ACA International to Kathy Kraninger](#), 12/06/18]

ACA International Then Asked Kraninger For “Clear Guidance” On How The Industry Could Use Text Messages And Email, “A Clear And Concise Safe Harbor For Leaving Voicemail Messages,” And Several Other Requests For The CFPB’s Potential Debt Collection Rule.

ACA International Asked Kathy Kraninger For “Clear Guidance” On How Debt Collectors Could Contact Consumers Via Email And Text Messages. In a December 6, 2018 letter to Kathy Kraninger, ACA International requested “[c]lear guidance on the use of modern methods to communicate with consumers including email messages and text messages.” [[Letter from ACA International to Kathy Kraninger](#), 12/06/18]

ACA International Asked Kathy Kraninger For “A Clear And Concise Safe Harbor For Leaving Voicemail Messages.” In A December 6, 2018 letter to Kathy Kraninger, ACA International requested “[a] clear and concise safe harbor for leaving voicemail messages.” [[Letter from ACA International to Kathy Kraninger](#), 12/06/18]

In May 2019, The American Bankers Association Urged The CFPB To “Avoid Imposing Arbitrary Limitations On Contacting Consumers Via Any Channel, Including Email And Text” In Any Proposed Debt Collection Rulemaking.

On May 1, 2019, The American Bankers Association (ABA) Submitted A Response To A CFPB Request For Information Regarding The Consumer Credit Card Market In Which They Outlined A Number Of Suggestions For Any Debt Collection Rulemaking. “The American Bankers Association (ABA) is pleased to submit our comments to the request for information of the Bureau of Consumer Financial Protection Bureau (Bureau) regarding the consumer credit card market pursuant to the Credit Card Accountability Responsibility and Disclosure Act of 2009 (CARD Act). [...] Our comments focus on: changes in the cost and availability of consumer credit cards since the Bureau’s last report in 2017; the need to improve the debt collection rules; credit card product innovation, including the use of artificial intelligence and regulations that inhibit advancement in customer and card issuer communications.” [[Re: Request for Information Regarding the Consumer Credit Card Market Docket No. CFPB-2019-0002](#),” The American Bankers Associations, 05/01/19]

In Its Response, ABA Stated That It Was “Important That The Proposed Rule Address Several Aspects Needed To Improve The Functioning Of The Debt Collection Market,” And Urged The Bureau To “Avoid Imposing Arbitrary Limitations On Contacting Consumers Via Any Channel, Including Email And Text.” “It is important that the proposed rule address several aspects needed to improve the functioning of the debt collection market and improve consumer understanding and protection. [...] We urge the Bureau to avoid imposing arbitrary limitations on contacting consumers via any channel, including email and text, as well as traditional postal mail and voice call channels.” [[Re: Request for Information](#)

[Regarding the Consumer Credit Card Market Docket No. CFPB-20019-0002](#),” The American Bankers Associations, 05/01/19]

In June 2018, Receivables Management Association International (RMAI) Submitted A Response To A CFPB Request For Information Urging For Debt Collection Rulemaking In Order To Bring Clarity Regarding “Modern Technology” And The FDCPA.

On June 25, 2018, Receivables Management Association International Submitted A Response To A CFPB Request For Information On Inherited Rulemaking In Which It Wrote That A Lack Of Clarity Regarding Modern Technology And The FDCPA “Resulted In A Complex Patchwork Of Judicial Decisions.” “The lack of clarity as it relates to modern technology in the FDCPA has resulted in a complex patchwork of judicial decisions, many of which come to contradictory conclusions, stretching from coast to coast. All that this has accomplished is to create an environment where law-abiding businesses face lawsuit after lawsuit concerning whether their business practices conform to the requirements of the FDCPA.” [[“Re: Request for Information Regarding the Bureau’s Inherited Regulations and Inherited Rulemaking Authorities \(Docket No. CFPB-2018-0012\)”](#), Receivables Management Association International, 06/25/18]

In Its Response, RMAI Suggested That Any Proposed Regulation “Clarify That Using Text Messages Does Not Violate The FDCPA And TCPA” And “Clarify That Engaging With Technology [...] Can Be Considered An Exception To The Proposed Limits On Contact Frequency.” “We recommend that modernization of inherited regulations like the FDCPA and TCPA address the following issues, among others: [...] Clarify that using text messages does not violate the FDCPA and TCPA and allows for the inclusion of links in the body of the text. Evidence exists that text messages reduce contact frequency and drive consumer contacts. [...] Clarify that engaging with technology (e.g., clicking a link or replying to an e-mail) can be considered an exception to the proposed limits on contact frequency, since the consumer is engaged in live conversation... Clarify that using e-mails and text messages does not require extra consent and that prior consent obtained by the debt originator can be transferred to debt buyers and collectors, if required and given.” [[“Re: Request for Information Regarding the Bureau’s Inherited Regulations and Inherited Rulemaking Authorities \(Docket No. CFPB-2018-0012\)”](#), Receivables Management Association International, 06/25/18]

In August 2019, CFPB Officials Met With Industry Leaders And Lobbyists To Discuss A Possible Exemption In The Debt Collection Rule For “Ringless Voicemail” Technologies.

On August 2, 2019, Emma Haas, The “Director’s Financial Analyst,” Submitted An Ex Parte Submission On The Debt Collection Rule In Which She Outlined A Meeting Several Members Of CFPB Staff Had With Representatives Of VoApps, Bockorny Group, And ACA International. “MEMO PREPARED BY: Emma Haas, Director’s Financial Analyst, CLRC, CFPB [...] On August 2nd 2019, the representatives from the CFPB identified above met with representatives from VoApps, the Bockorny Group, and ACA International in a meeting that included conversation regarding the CFPB’s proposed debt collection rule, Docket No. CFPB-

2019-0022-0001.” [[Ex Parte Submission by Various, Meeting with VoApps August 2, 2019](#),” Federal Register, 08/15/19]

During This Meeting, “VoApps Stated That, For Purposes Of The Debt Collection Rule, Its Non-Intrusive [DirectDrop Voicemail] Should Not Be Classified As The Same Type Of Technology As A Traditional Phone Call That Rolls To Voicemail” As It Is “More Akin To A Text Or SMS Message. “During the meeting, VoApps discussed its product, DirectDrop Voicemail (DDV) (i.e., ringless voicemail), the processes used to send ringless voicemails to mobile consumers, and the resultant consumer experience. [...] VoApps stated that, for purposes of the debt collection rule, its non-intrusive DDV should not be classified as the same type of technology as a traditional phone call that rolls to voicemail, but suggested that the technology and consumer experience is more akin to a text or SMS message.” [[Ex Parte Submission by Various, Meeting with VoApps August 2, 2019](#),” Federal Register, 08/15/19]

VoApps Wanted The CFPB To “Either Include Ringless Voicemail In The Definition Of A SMS/Text Message Or Email, Or Alternatively Create A Separate Definition Of Ringless Voicemail In A Final Rule.” “VoApps requested that the Bureau either include ringless voicemail in the definition of a SMS/text message or email, or alternatively create a separate definition of ringless voicemail in a final rule. VoApps stated that its main goal is to have clear rules regarding how debt collectors can use ringless voicemails to contact consumers.” [[Ex Parte Submission by Various, Meeting with VoApps August 2, 2019](#),” Federal Register, 08/15/19]

Mulvaney Gets The Personal Charm Offensive

As Industry Lobbied And Complained About Former Director Cordray’s Debt Collection Rule, Then-Acting Director Mick Mulvaney Appeared Before 100 Debt Collection Executives At A Closed-To-Press ACA International Event—The Group Even Had Mulvaney Introduced By A Student Loan Debt Collector And Lobbyist Whose Firm Had Given \$7,000 To Mulvaney’s Congressional Campaigns.

In March 2018, The CFPB Confirmed That Mick Mulvaney Would Discuss the Debt Collection Rule Before 100 Debt Collection Industry Executives At A Closed-To-Press Event For ACA International’s 2018 Washington Insights Conference.

On March 26, 2018 The CFPB Confirmed Then-Acting Director Mick Mulvaney’s Would Appear ACA International’s 2018 Washington Insights Conference In A Closed-To-Press Session Before An Audience Of About 100 Industry Executives. On March 26, 2018, Jennifer Stockett, CFPB’s Deputy Assistant Director for the Office of Financial Institutions and

Business Liaison, confirmed that then-Acting Director Mick Mulvaney would be attending ACA International's 2018 Washington Insights Conference. [BCFP-2018-674-F, Pg. 95]

- On March 27, 2018, Andy Madden, ACA International's Vice President of Washington Operations, told the CFPB that ACA International's 2018 Washington Insights Conference would, "not be open to the press." [BCFP-2018-674-F, Pg. 94]
- Andy Madden told the CFPB that the expected audience would be an estimated "100 attendees" and that "[a] majority of the attendees will be third party collection agency owners or senior staff." [BCFP-2018-674-F, Pg. 94]

ACA International Expected Mick Mulvaney Would Discuss The Debt Collection Rule, The Consumer Complaint Database, And Cost-Benefit Analyses For New Rules. Andy Madden told the CFPB that the topics ACA International expected Mick Mulvaney to address were "[t]he scope and timing of the CFPB's Debt Collection Rulemaking efforts," "[n]ew cost-benefit analyses and other processes being used when developing rules," "[a]ny anticipated changes to the Consumer Complaint Database," and An "[u]pdate on the ongoing series of Requests for Information." [BCFP-2018-674-F, Pg. 94]

Originally, ACA International's President Was Scheduled To Introduce Mulvaney, But The Group Then Opted For Bob Perrin, A Student Loan Debt Collection CEO Who Pursues Fines Related To Higher Education, Including "Parking, Room, Board, And Library Fines."

Originally, ACA International's President Was Set To Introduce Mulvaney. On May 9, 2018, Andy Madden originally told the CFPB, "Rick Perr, ACA's President will do the introduction." [BCFP-2018-674-F, Pg. 92]

But ACA International Then Told The CFPB They Would Have Bob Perrin, CEO Of Williams And Fudge, Introduce Mick Mulvaney Instead. On May 17, 2018, Andy Madden told the CFPB, "I wanted to update you on one item regarding next week's event. We would like to have Bob Perrin, one of our members from Acting Director Mulvaney's home state of South Carolina do the introduction. His name is Bob Perrin from Williams and Fudge based in Rock Hill, SC. He has met Mr. Mulvaney before and is honored to perform the introduction duties." [BCFP-2018-674-F, Pg. 92]

- "Bob Perrin, CEO, has been with Williams and Fudge since 1993. Prior to being promoted in October 2014 to CEO, he served since 2005 as President of Williams and Fudge." ["[Management Team](#)," Williams & Fudge, accessed 08/26/19]

Williams & Fudge Is A Debt Collector For Colleges And Universities That Recovers Tuition, As Well As "Parking, Room, Board, And Library Fines." "Williams & Fudge was founded in 1986 and is a family owned business with the purpose of serving the higher education community. We aid colleges and universities in the recovery of education-related receivables. Specific debt types include Perkins Loans (Cohort management), tuition, campus-based institutional loans, Health Profession and Nursing Student Loans, private education

(alternative) loans, and other receivables such as parking, room, board, and library fines.”
[“[Philosophy, History and Office](#),” Williams & Fudge, accessed 08/26/19]

Bob Perrin Has Lobbied Congress And The Department Of Education On Student Loan Issues And Has Been “On The National Scene With Industry Leaders” In His Efforts To Alter The Telephone Communication Practice Act.

Bob Perrin Has Been A Leader Of The Coalition Of Higher Education Assistance Organization (COHEAO), Where He Lobbied Congress And The Department Of Education On Federal Loan Issues. “Bob is currently past president of COHEAO (Coalition Of Higher Education Assistance Organization). He has been involved on the national scene along with many other members of the Education Community to work with Congress and the Department of Education to preserve the Federal Perkins Loan Program. Those efforts include meeting with Congressional members and their staff as well as providing testimony on behalf of COHEAO and the industry during Congressional hearings. Bob has spoken at numerous national conferences on topics relating to higher education issues currently faced by loan administrations.” [“[Management Team](#),” Williams & Fudge, accessed 08/26/19]

- **Bob Perrin Also Serves As Chairman Of The CFPB Working Group For The Coalition Of Higher Education Assistance Organizations (COHEAO).** “The CFPB Working Group is chaired by Bob Perrin. For more information, or to join, please contact Bob Perrin.” [“[CFPB Working Group](#),” Coalition of Higher Education Assistance Organizations, accessed 08/26/19]
 - **In July 2019, COHEAO Held A Webinar On The CFPB’s Debt Collection Rule.** “Please join COHEAO on Wednesday, July 17 at 2:00 PM ET for an important discussion and Q&A session about the CFPB’s new notice of proposed rulemaking on debt collection.” [“[Debt Collection Rules: An Update On CFPB Regulations And The Impact They May Have On Your Campus](#),” Coalition Of Higher Education Assistance Organization, accessed 08/26/19]
- **COHEAO “Advocates For The Sound Regulation Of Student Financial Services Operations.”** “COHEAO also advocates for the sound regulation of student financial services operations and campus accounts-receivable management practices.” [“[About COHEAO](#),” Coalition Of Higher Education Assistance Organization, accessed 08/26/19]

Bob Perrin Has Been “On The National Scene With Industry Leaders In An Effort To Modernize The Telephone Communication Practice Act (TCPA). “Bob is also involved on the national scene with industry leaders in an effort to modernize the Telephone Communication Practice Act (TCPA), and has done recent presentations on the Future of Financial Aid, TCPA, Smart Phone Applications, Electronic Payments, Web Usage For Collection Agencies, and Washington Updates.” [“[Management Team](#),” Williams & Fudge, accessed 08/26/19]

Mick Mulvaney Also Appeared At Bob Perrin’s Collection Conference In 2012.

On September 24, 2012, Mick Mulvaney Gave A Speech At The “Williams and Fudge Student Loans & Receivables Collection Conference.” [[Mick Mulvaney Biographical Questions for Executive Nominees](#), U.S. Senate Committee on Homeland Security & Governmental Affairs, accessed 08/26/19]

The Student Loans & Receivables Conference “Is Designed To Provide Collections And Compliance Information For Those Who Work In The Field Daily.” “The SLRCC is designed to provide collections and compliance information for those who work in the field daily.” [[“Student Loans & Receivables Collection Conference,”](#) Student Loans & Receivables Collection Conference, accessed 08/26/19]

Williams & Fudge Claims That Collection Officers Can Benefit From The Conference. “Who can benefit? All fiscal officers, collection officers, financial aid administrators, and support staff who are responsible for compliance with Federal loan programs, and institutional accounts receivable management.” [[“Student Loans & Receivables Collection Conference,”](#) Student Loans & Receivables Collection Conference, accessed 08/26/19]

Mick Mulvaney Has Taken \$7,000 From Williams & Fudge, A Student Debt Collection Company That Currently Has 479 Complaints In The CFPB’s Consumer Complaint Database.

Williams & Fudge President Bob Perrin Gave \$2,000 To Mulvaney For Congress On October, 31, 2016. [[Mulvaney for Congress Schedule A](#), Federal Election Commission, 10/31/16]

Williams & Fudge President Bob Perrin Gave \$1,000 To Mulvaney For Congress On November 3, 2012. [[Mulvaney for Congress Schedule A](#), Federal Election Commission, 10/31/16]

Williams & Fudge CEO Gary Lee Williams Gave \$2,000 To Mick Mulvaney On September 3, 2014. [[Mulvaney for Congress Schedule A](#), Federal Election Commission, 09/03/14]

Williams & Fudge CEO Gary Lee Williams Gave \$1,000 To Mick Mulvaney On May 3, 2012. [[Mulvaney for Congress Schedule A](#), Federal Election Commission, 09/03/12]

Williams & Fudge Executive David C. Williams Gave \$1,000 To Mick Mulvaney On May 3, 2012. [[Mulvaney for Congress Schedule A](#), Federal Election Commission, 09/03/12]

Williams & Fudge Is A Debt Collector For Colleges And Universities That, In Addition To Recovering Tuition, Also Pursues Library Fines. “Williams & Fudge was founded in 1986 and is a family owned business with the purpose of serving the higher education community. We aid colleges and universities in the recovery of education-related receivables. Specific debt types include Perkins Loans (Cohort management), tuition, campus-based institutional loans, Health Profession and Nursing Student Loans, private education (alternative) loans, and other receivables such as parking, room, board, and library fines.” [[“Philosophy, History and Office,”](#) Williams & Fudge, accessed 07/25/19]

Williams & Fudge Had 479 Complaints, 400 Of Which Were About Debt Collection, In The CFPB's Consumer Complaint Database As Of August 12, 2019. [[Consumer Complaint Database Search for Williams & Fudge](#)]

Mick Mulvaney Also Spoke Before An Industry Group That Complained That A Stronger Version Of The Debt Collection Rule Would “Impose Onerous And Pointless” Requirements On Creditors.

Mick Mulvaney Appeared At The American Financial Services Association's (AFSA) Annual Meeting In 2013—A Group That Would Later Go On To Argue Against A Debt Collection Rule That Would “Unduly Restrict” Or “Impose Onerous And Pointless” Requirements On Creditors.

Mick Mulvaney Appeared At The American Financial Services Association's (AFSA's) 2013 Annual Meeting. Mick Mulvaney Appeared At The “AFSA Annual Meeting” On October 23, 2013. [[Mick Mulvaney Biographical Questions for Executive Nominees](#), U.S. Senate Committee on Homeland Security & Governmental Affairs, accessed 08/26/19]

AFSA Staff Attended The CFPB's Debt Collection Town Hall Held By Kathy Kraninger And Made Clear To The Bureau That The Debt Collection Rule Could Impact Its Members. “AFSA staff attended the event, which featured remarks by CFPB Director Kathy Kraninger, a panel discussion with industry representatives and consumer advocates, and an opportunity for members of the public to comment. [...] AFSA intends on submitted comments explaining that, while focused on debt collectors, the NPRM could also affect creditors.” [[AFSA Attends CFPB Town Hall on Proposed Debt Collection Rule](#),” American Financial Services Association, 05/09/19]

In 2018, AFSA Officially Commented That The CFPB's Debt Collection Rule “Should Neither Unduly Restrict A Creditor's Ability To Contact Its Customer, Nor Impose Onerous And Pointless Validation Requirements Upon A Creditor.” “The time is ripe for the Bureau to modernize and clarify certain provisions of the FDCPA. At the same time, the Bureau should ensure that any regulations clearly treat creditors and third-party debt collectors differently. Moreover, any debt collection rules the Bureau promulgates should neither unduly restrict a creditor's ability to contact its customer, nor impose onerous and pointless validation requirements upon a creditor.... In addition, AFSA asks that the Bureau specify that those collecting a debt are permitted to leave voicemail messages for consumers without the mini-Miranda disclosure.” [[Request for Information Regarding the Bureau's Inherited Regulations and Inherited Rulemaking Authorities Docket No. CFPB-2018-0009](#),” American Financial Services Association, 06/25/18]

AFSA Claimed, “If Consumers Know They Just Have To Avoid, Say, Two Calls A Week, Debts Will Not Be Paid.” “If consumers know they just have to avoid, say, two calls a week,

debts will not be paid, consumers' credit reports will continue to show the unresolved accounts, and creditors' losses will increase." [[Request for Information Regarding the Bureau's Inherited Regulations and Inherited Rulemaking Authorities Docket No. CFPB-2018-0009](#)," American Financial Services Association, 06/25/18]

Mick Mulvaney Also Had Meetings Behind Closed Doors At CFPB With The Debt Collection Industry—Going As Far As Withdrawing The Bureau's Debt Collection Data Efforts Just Days After The Industry Asked Him To Do So.

On December 14, 2017, ACA International Requested That The CFPB Halt A Data Collection Effort Related To The Proposed Debt Collection Rulemaking...

On December 14, 2017 ACA International Submitted A Request To The Office Of Management And Budget (OMB) That It “Withhold Approval” Of The CFPB’s Disclosure Survey On Debt Collection. On December 14, 2017, ACA International requested, “the OMB to withhold approval of the Bureau’s proposed Disclosure Survey until it fulfills its PRA obligations, including taking the required steps ‘to enhance the quality, utility, and clarity of the information to be collected’ as already suggested by ACA, and by using ‘effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected.’” [[Re: Comments of ACA International on “Debt Collection Quantitative Disclosure Testing” Information Collection Request, Docket No. CFPB– 2017–0038, OMB Control Number: 3170–XXXX](#),” ACA International, 12/14/17]

ACA International Claimed It Was “Critical” That The CFPB “Refrains From Moving Forward With A Proposed Rule On Debt Collection.” “Given the fundamental flaws of the proposed information collection request, it is critical that: (1) OMB approval not be granted on the request as currently proposed, and (2) that the Bureau refrains from moving forward with a proposed rule on debt collection until it has concluded and released the results of any debt collection research related to the rulemaking, including this potential new Disclosure Survey.” [[“Re: Comments of ACA International on “Debt Collection Quantitative Disclosure Testing” Information Collection Request, Docket No. CFPB– 2017–0038, OMB Control Number: 3170–XXXX](#),” ACA International, 12/14/17]

...On December 15, 2017, Mick Mulvaney Met With Then-Senior Advisor Brian Johnson About “Debt Collection Rulemaking”...

On December 15, 2017, Then-Senior Advisor Brian Johnson Met With Then-Acting Director Mick Mulvaney On The CFPB’s Debt Collection Rulemaking Process. On December 15, 2017, Brian Johnson had a meeting scheduled with Mick Mulvaney titled “Debt Collection Rulemaking.” [[CFPB-2019-0285-F \(Brian Johnson Calendars 2018-07-07 — 2018-12-17\).pdf](#), Pg. 16]

- **Brian Johnson Was A “Senior Advisor” To Mick Mulvaney At That Point, Later Becoming Acting Deputy Director In July 2018 And Deputy Director In May 2019.** “Brian Johnson has actually held the position of acting deputy director of the CFPB since July 2018, but now, the bureau is making his appointment official [...] Johnson, a Republican congressional lawyer and an ally of Hensarling when he led the House Financial Services Committee, joined the CFPB in late 2017 to serve as a senior advisor to Mulvaney.” [Ben Lane, “[CFPB names Mulvaney, Hensarling aide Brian Johnson deputy director](#),” *HousingWire*, 05/13/19]
- **Mick Mulvaney Said Brian Johnson Was “An Indispensable Advisor” And “The First Person I Hired.”** “‘Brian Johnson is the first person I hired at the Bureau and has been an indispensable advisor,’ said Acting Director Mulvaney.” [[Press Release](#), Consumer Financial Protection Bureau, 07/09/18]

...Just Days Later, On December 19, 2017, The CFPB Halted The Data Collection Effort The Industry Had Called “Flawed” And “Biased”— Unsurprisingly, Industry “Applauded” The CFPB’s Move.

Just Four Days Later, On December 19, 2017, The CFPB “Withdrew A Plan To Conduct A Web Survey For Its Debt Collection Proposal.” “The Consumer Financial Protection Bureau on Tuesday withdrew a plan to conduct a web survey for its debt collection proposal while acting Director Mick Mulvaney reviews the rulemaking. The CFPB filed a notice with the Office of Regulatory Affairs to withdraw a plan to conduct a survey of 8,000 individuals as part of research into debt collection disclosures. ‘Bureau’s leadership would like to reconsider the information collection in connection with its review of ongoing related rulemaking,’ the CFPB stated in the filing.” [Kate Berry, “[CFPB’s Mulvaney scraps survey for debt collection plan](#),” *American Banker*, 12/19/17]

- **The Debt Collection Rule Was Initiated By Former CFPB Director Richard Cordray.** “Still, it is unclear if Mulvaney will try to scrap the entire debt collection proposal that was promulgated under former CFPB Director Richard Cordray.” [Kate Berry, “[CFPB’s Mulvaney scraps survey for debt collection plan](#),” *American Banker*, 12/19/17]

Industry “Applauded” The Move, Having Argued That The Scrapped Data Collection Plan Had Been “Flawed” And “Biased” Against Collectors. “The debt collection industry applauded the withdrawal of the data collection, saying it was flawed and undermined the Paperwork Reduction Act. The Association of Credit and Collection Professionals, a trade group for debt collectors, objected in a comment letter to the data plan by arguing that the survey questions were biased.” [Kate Berry, “[CFPB’s Mulvaney scraps survey for debt collection plan](#),” *American Banker*, 12/19/17]

Brian Johnson Repeatedly Met With Rep. Blaine Luetkemeyer (R-MO), Who Has Repeatedly Introduced Debt Collector-Backed Legislation To End What He Has Called The “Unconscionable” Operation Choke Point.

Brian Johnson Met With Rep. Blaine Luetkemeyer (R-MO) Three Times Between December 2017 And December 2018—One Of The Meetings Was Explicitly About Operation Choke Point. On December 7, 2017, Brian Johnson’s CFPB calendar showed a scheduled call with Congressman Blaine Luetkemeyer (R-MO). [[CFPB-2019-0285-F \(Brian Johnson Calendars 2018-07-07 — 2018-12-17\).pdf](#), Pg. 8]

- On November 29, 2018, Brian Johnson had a meeting titled “Rep. Luetkemeyer: Operation Choke Point.” [[CFPB-2019-0285-F \(Brian Johnson Calendars 2018-07-07 — 2018-12-17\).pdf](#), Pg. 376]
- On December 20, 2018, Kathy Kraninger and Brian Johnson had a meeting with Rep. Blaine Luetkemeyer in his Capitol Hill office. [[CFPB-2019-0285-F \(Brian Johnson Calendars 2018-07-07 — 2018-12-17\).pdf](#), Pg. 397]
- **CFPB Deputy Director Brian Johnson Was A Senior Advisor To Former Acting Director Mick Mulvaney From 2017 And Eventually Was Named Deputy Director In May 2019.** “Brian Johnson, a Republican political appointee at the Consumer Financial Protection Bureau who has had a hand in resetting the agency’s recent policy agenda, has been named its deputy director. Johnson has served as acting deputy director since July 2018 and was named a principal policy director in April. He was hired in 2017 as a senior adviser by former acting CFPB Director Mick Mulvaney [...]” [Kate Berry, “[CFPB political appointee named agency's No. 2](#),” *American Banker*, 05/13/19]

Rep. Luetkemeyer Has Repeatedly Introduced Legislation Strongly Supported By The Debt Collection Industry To “End” Operation Choke Point. “ACA International supports legislation reintroduced in January by U.S. Rep. Blaine Luetkemeyer, R-Mo., that would end the highly controversial Operation Choke Point. ‘Despite that they are highly regulated, and despite that their work helps ensure a functioning economy and the safety and soundness of banks, ACA members have been unfairly targeted by Operation Choke Point for the past several years,’ ACA International CEO Mark Neeb said in a letter to Luetkemeyer expressing support of H.R. 189, the Financial Institution Consumer Protection Act of 2019.” [[“Legislation to End Operation Choke Point is Critical for ACA Members,”](#) ACA International, 02/15/19]

- **ACA International Claimed That The Obama Administration “Applied Pressure” On Banks To Cut Off Debt Collectors.** “The Financial Institution Customer Protection Act of 2019 is one among Luetkemeyer’s efforts to end the controversial Obama-era program in which the Federal Deposit Insurance Corporation and U.S. Department of Justice (DOJ) reportedly applied pressure to financial institutions to cut off financial services to certain licensed, legally operating industries, including debt collection.” [[“Legislation to End Operation Choke Point is Critical for ACA Members,”](#) ACA International, 02/15/19]
- **Rep. Luetkemeyer Has Introduced Bills To “End” The “Unconscionable” Operation Choke Point In The Last Two Congresses.** “On the opening day of the 116th Congress, Congressman Blaine Luetkemeyer (MO-03) has reintroduced the *Financial Institution Customer Protection Act*. Congressman Luetkemeyer’s legislation will finally put an end to the unconscionable initiative aptly dubbed “Operation Choke Point.” [...] The *Financial Institution Customer Protection Act* passed the House in

the 115th Congress by a vote of 395-2.” [[Press Release](#), Rep. Blaine Luetkemeyer, 01/03/19]

...Brian Johnson Also Appears To Have Introduced CFPB Director Kathy Kraninger To Two Of Congress’ Biggest Debt Collection Allies Shortly After She Was Sworn Into Office.

Following His Prior Meetings With Rep. Blaine Luetkemeyer (R-MO) Under Acting Director Mulvaney, Brian Johnson Accompanied Kathy Kraninger In A Meeting With The Congressman Just Over A Week After Kraninger Was Sworn In.

Director Kathy Kraninger Traveled To Rep. Luetkemeyer’s Office Along With Brian Johnson Just Over A Week After She Was Sworn In. On December 20, 2018, Kathy Kraninger and Brian Johnson had a meeting with Rep. Blaine Luetkemeyer in his congressional office. [[CFPB-2019-0285-F \(Brian Johnson Calendars 2018-07-07 — 2018-12-17\).pdf](#), Pg. 397]

- **Kathy Kraninger Was Sworn In On December 10, 2018.** [Kate Berry, “[Kathy Kraninger sworn in as CFPB director](#),” *American Banker*, 12/11/8]

Rep. Luetkemeyer Has Repeatedly Introduced Legislation Strongly Supported By The Debt Collection Industry To “End” Operation Choke Point. “ACA International supports legislation reintroduced in January by U.S. Rep. Blaine Luetkemeyer, R-Mo., that would end the highly controversial Operation Choke Point. ‘Despite that they are highly regulated, and despite that their work helps ensure a functioning economy and the safety and soundness of banks, ACA members have been unfairly targeted by Operation Choke Point for the past several years,’ ACA International CEO Mark Neeb said in a letter to Luetkemeyer expressing support of H.R. 189, the Financial Institution Consumer Protection Act of 2019.” [“[Legislation to End Operation Choke Point is Critical for ACA Members](#),” ACA International, 02/15/19]

In January 2019, Kathy Kraninger And Brian Johnson Met With Rep. Patrick McHenry (R-NC), Who Held Congress’ First Investigations Against Operation Choke Point And Claimed The Policy “Targeted” Debt Collectors.

In January 2019, Director Kathy Kraninger And Acting Deputy Director Brian Johnson Traveled To Capitol Hill To Meet With Rep. Patrick McHenry (R-NC). On January 8, 2019, Brian Johnson and Kathy Kraninger met with Congressman McHenry in his congressional office. [[CFPB-2019-0285-F \(Brian Johnson Calendars 2018-07-07 — 2018-12-17\).pdf](#), Pg. 416]

- **Brian Johnson Was Acting Deputy Director At This Point.** “Brian Johnson has actually held the position of acting deputy director of the CFPB since July 2018, but now, the bureau is making his appointment official.” [Ben Lane, “[CFPB names Mulvaney, Hensarling aide Brian Johnson deputy director](#),” *HousingWire*, 05/13/19]

While Chairman Of The House Financial Services Subcommittee On Oversight And Investigations, Patrick McHenry Held The First Congressional Hearing On Operation Choke Point, Which He Claims “Targeted” Businesses. “Congressman Patrick McHenry applauded House passage of H.R. 766, the Financial Institution Customer Protection Act of 2015 which ends Operation Choke Point. While serving as the Chairman of the House Financial Services Subcommittee on Oversight and Investigations in 2014, Congressman McHenry led efforts to bring Obama Administration officials before Congress to answer as to why legal businesses were being targeted.” [[Press Release](#), Rep. Patrick McHenry, 02/05/16]

Patrick McHenry Supported Legislation To End Operation Choke Point, Which He Claimed Let “Washington Bureaucrats Possess The Power To Manipulate The Banking System.” “Having chaired the first Congressional hearing that examined Operation Choke Point, today is an important day. With passage of H.R. 766, never again will Washington bureaucrats possess the power to manipulate the banking system and threaten the livelihood of legal businesses they don’t like.” [[Press Release](#), Rep. Patrick McHenry, 02/05/16]

Amidst All Of His Industry Appearances, Meetings About Debt Collection, And Lobbying By Debt Collectors, Mick Mulvaney Announced That The CFPB Would Be “Prioritizing” A Debt Collection Rule But It Would No Longer “Aggressively ‘Push The Envelope’”—A Statement Which Industry Was “Pleased To Hear.”

In January 2018, Mick Mulvaney Suggested In A Wall Street Journal Opinion Piece That The CFPB Would Be “Prioritizing” Debt Collection Rulemaking Going Forward.

On January 23, 2018, Mick Mulvaney Suggested In A Wall Street Journal Op-Ed That The CFPB Would Be “Prioritizing” Debt Collection Rulemaking Going Forward. “On regulation, it seems that the people we regulate should have the right to know what the rules are before being charged with breaking them. This means more formal rule making and less regulation by enforcement. And we will be prioritizing. In 2016, almost a third of the complaints into this office related to debt collection. Only 0.9% related to prepaid cards and 2% to payday lending. Data like that should, and will, guide our actions.” [Mick Mulvaney, “[The CFPB Has Pushed Its Last Envelope \[Opinion\]](#),” *The Wall Street Journal*, 01/23/18]

Just A Day After Mulvaney’s Wall Street Journal Piece, Mulvaney Sent A CFPB-Wide Memo Claiming He Would No Longer “Aggressively ‘Push The Envelope’” In Regulation— A Statement Which Industry Was “Pleased To Hear.”

Just A Day After His Wall Street Journal Op-Ed, Mick Mulvaney Said In A CFPB Memo That He Would Not “Aggressively “Push The Envelope”” In Regulating Industry, Unlike Previous Director Richard Cordray. “In a memo sent yesterday to Consumer Financial Protection Bureau (CFPB or Bureau) staff, Acting Director Mick Mulvaney provided insight and guidance into his intentions for the new direction of the Bureau. He reiterated that he intends to enforce consumer protection laws. However he made it clear that this would look different under his watch than it did under former Director Richard Cordray.” [Stephanie Eidelman, “[Mulvaney Suggests Debt Collection Rules May Be Coming](#),” *insideARM*, 01/24/18]

- In his memo, Mulvaney stated, "I think it is fair to say that the previous governing philosophy here was to aggressively 'push the envelope' in pursuit of the 'mission;' that we were the 'good guys' and the 'new sherriff in town,' out to fight the 'bad guys.' Simply put: that is what is going to be different. In fact, the entire governing philosophy of pushing the envelope frightens me a little. I would hope it would bother you as well." [Stephanie Eidelman, “[Mulvaney Suggests Debt Collection Rules May Be Coming](#),” *insideARM*, 01/24/18]

***insideARM*, A Debt Collection Industry Publication, Said, “Industry Will Be Pleased To Hear [Mulvaney’s] Opinion On Regulation [...]”** “Industry will be pleased to hear his opinion on regulation: ‘[t]he people we regulate should have the right to know what the rules are before being charged with breaking them. This means more formal rulemaking on which financial institutions can rely, and less regulation by enforcement.’” [Stephanie Eidelman, “[Mulvaney Suggests Debt Collection Rules May Be Coming](#),” *insideARM*, 01/24/18]

- ***insideARM* Is A Major Debt Collection Industry Publication, With An “Engaged Audience Of Executives Within Collection Agencies.”** “Publishing since 2000, *insideARM* has amassed the ARM industry’s most engaged audience of executives within collection agencies and law firms, debt buyers, creditors, suppliers of technology and services, regulators, investors, and other interested parties.” [“[About insideARM](#),” *insideARM*, accessed 08/26/19]

Mulvaney Brings An Industry Insider On At CFPB To Help Write Debt Collection Rule

Just Months After Mulvaney Said He Would Prioritize Debt Collection, He Brought On An Industry Insider—Who Had Legally Represented Collectors And Vocally Opposed Former Director Cordray’s Efforts—To Oversee The Debt Collection Rulemaking.

Tom Pahl Is Currently The CFPB’s Policy Associate Director For Research, Markets, And Regulations, A Political Position Created By Then-Director Mick Mulvaney.

Thomas Pahl's Position As Policy Associate Director for Research, Markets & Regulations "Is A Political Post" Created By Then-Acting Director Mick Mulvaney. "Tom Pahl has had the opportunity to make the regulatory rounds in recent years, uniquely preparing him for this moment. On Monday he returns to the Consumer Financial Protection Bureau (CFPB) as Policy Associate Director for Research, Markets & Regulations (RMR). He will report directly to Acting Director Mick Mulvaney. [...] Unlike Pahl's previous CFPB job as a career staffer, this latest job is a political post. In most federal agencies the top person, a political appointee, has a handful of positions available to bring in his or her own senior team. The Federal Trade Commission, for example, has nine such slots. The CFPB had none. Acting Director Mulvaney has created such positions and has hired individuals for those roles [...]" [Stephanie Eidelman, "[Tom Pahl Returns to CFPB, Will Oversee Debt Collection Rulemaking at Critical Juncture](#)," *insideARM*, 04/19/18]

Pahl Was Likely Brought On By Then-Acting CFPB Director Mick Mulvaney Because Of His Debt Collection Rulemaking Experience; With Current Deputy Director Brian Johnson Potentially Recommending Him For His Current Position.

Tom Pahl Was Likely Brought On By Mulvaney Because Of His Experience In The Federal Trade Commission's Debt Collection Rulemaking. "Acting Director Mulvaney has said he views debt collection rulemaking as a priority. Given Pahl's many years of deep experience in this arena, we could expect him to be up to speed extremely quickly and help to make this priority a reality." [Stephanie Eidelman, "[Tom Pahl Returns to CFPB, Will Oversee Debt Collection Rulemaking at Critical Juncture](#)," *insideARM*, 04/19/18]

On March 16, 2018, Then-Principal Policy Director Brian Johnson Told Other Senior CFPB Officials That He'd Like To "Bring In A Candidate" For "An RMR PD Interview." On March 16, 2018 Brian Johnson emailed Kirsten Sutton Mork and Emma Doyle to request "an RMR PD interview," adding "I'd like to bring in a candidate, per my conversation earlier this week." [FOIA #CFPB-2018-517-E, p. 1023]

Just Over A Month Later, It Was Reported That The CFPB Would Be Hiring Thomas Pahl As Policy Associate Director For Research, Markets, And Regulations, Reporting Directly To Then-Acting Director Mick Mulvaney. On April 19, 2018, it was reported that the CFPB would be bringing in Thomas Pahl "as Policy Associate Director for Research, Markets & Regulations (RMR)" where he would "report directly to Acting Director Mick Mulvaney." [Stephanie Eidelman, "[Tom Pahl Returns to CFPB, Will Oversee Debt Collection Rulemaking at Critical Juncture](#)," *insideARM*, 04/19/18]

- **CFPB's Research, Markets And Regulations Policy Associate Director Is "Responsible For Monitoring Consumer Financial Markets, Conducting Research, And Writing Rules."** [[Research, Markets & Regulations](#)," Consumer Financial Protection Bureau, accessed 08/26/19]

At The Time Of His Hiring, Thomas Pahl Was Poised To Be Displaced At The FTC. "In February 2017 Acting Federal Trade Commission Chairman Maureen Ohlhausen, a Trump appointee and advocate of 'regulatory humility,' named Pahl Acting Director FTC Bureau of

Consumer Protection. Earlier this year, President Trump announced that he had nominated Ohlhausen to be a judge on the United States Court of Federal Claims, which meant that Pahl would likely be replaced by someone chosen by an incoming FTC Chairman.” [Stephanie Eidelman, “[Tom Pahl Returns to CFPB, Will Oversee Debt Collection Rulemaking at Critical Juncture](#),” *InsideARM*, 04/19/18]

Tom Pahl Was “Closely Involved” In “Shepherding” The CFPB’s Previous Debt Collection Rulemaking While A Managing Counsel At The Bureau For Over Three Years.

Before He Was Named A Policy Associate Director At The CFPB, Tom Pahl Was A Managing Counsel “Closely Involved In The CFPB’s Debt Collection Rulemaking” In The Bureau’s Office Of Regulations. “Pahl also spent time as managing counsel at the Consumer Financial Protection Bureau’s Office of Regulations, where he was responsible for rulemaking, guidance and policy development activities. During this time, Pahl was closely involved in the CFPB’s debt collection rulemaking efforts.” [“[Tom Pahl, Acting Director of the FTC’s Bureau of Consumer Protection, to Speak at ACA International’s Washington Insights Conference](#),” ACA International, 03/14/18]

- **Tom Pahl Was Managing Counsel At The CFPB For Three And A Half Years.** “Pahl is in demand because he spent three and a half years as a managing counsel at the bureau, a creation of the 2010 Dodd-Frank financial regulatory law that has already levied \$12 billion in fines and penalties against firms that break the rules.” [“Veteran Consumer Finance Regulator Heads Downtown,” *Congressional Quarterly Magazine*, 11/11/16]

Tom Pahl “Spent More Than Three Years Shepherding” The CFPB’s Previous Debt Collection Rule Efforts. “At the agency, Pahl spent more than three years shepherding a contentious plan to regulate the debt-collection industry, about which the bureau receives more consumer complaints than any other industry.” [“Veteran Consumer Finance Regulator Heads Downtown,” *Congressional Quarterly Magazine*, 11/11/16]

- **Tom Pahl Started At The CFPB As A Policy Associate Director In April 2018.** [[LinkedIn Profile for Thomas Pahl](#), accessed 08/26/19]

Tom Pahl Was “In The Thick Of It” At The CFPB, “Responsible For Rulemaking, Policy Development And Regulatory Guidance To Implement Laws Governing Debt Collection.” “Pahl was in the thick of it at the bureau, responsible for rulemaking, policy development and regulatory guidance to implement laws governing debt collection and credit reporting.” [“Veteran Consumer Finance Regulator Heads Downtown,” *Congressional Quarterly Magazine*, 11/11/16]

Pahl “Managed” The Federal Trade Commission Division That Oversaw Rulemaking And Policy Development For Debt Collection Activities For Six Years.

Tom Pahl Oversaw Rulemaking And Debt Collection “Policy Development Activities” As An Assistant Director For The Division Of Financial Practices At The Federal Trade Commission’s Bureau Of Consumer Protection. “Prior to joining the CFPB, Mr. Pahl was Assistant Director for the Division of Financial Practices, Bureau of Consumer Protection at the Federal Trade Commission, where he managed the division responsible for law enforcement, rulemaking and policy development activities related to financial services, including debt collection, payday lending, mortgage lending and debt relief services.” [[“Former CFPB Attorney Thomas B. Pahl Joins Arnall Golden Gregory’s Washington Office,” BusinessWire, 09/20/16](#)]

Tom Pahl Was Assistant Director In The FTC’s Division Of Financial Practices For Six Years. “Pahl first joined the FTC in 1990, and spent more than two decades serving in various positions, including for six years as assistant director in the Division of Financial Practices, which oversees debt collection issues. In his current position, Pahl oversees the FTC’s attorneys, investigators, and administrative personnel working to protect consumers from unfair and deceptive practices in the marketplace.” [[“Tom Pahl, Acting Director of the FTC’s Bureau of Consumer Protection, to Speak at ACA International’s Washington Insights Conference,” ACA International, 03/14/18](#)]

Tom Pahl Has Opposed CFPB Limits Against How Many Times Debt Collectors Can Contact Consumers, Arguing The Bureau “Should Abandon These Efforts As An Exercise In ‘Regulatory Humility.’”

Thomas Pahl Opposed CFPB Limits On How Many Times Debt Collectors Can Contact Consumers, Arguing That The Bureau “Should Abandon These Efforts As An Exercise In ‘Regulatory Humility.’” “In January 2017, Thomas Pahl wrote a piece opposing CFPB limits on the number of times debt collectors may contact consumers titled “Collector Contact Caps and the Application of ‘Regulatory Humility.’” Responding to a recent CFPB announcement that it was “considering proposing rules that would mandate specific numerical limits on communications through all methods between debt collectors and consumers,” Pahl said that the Bureau “should abandon these efforts as an exercise in ‘regulatory humility.’” [Thomas Pahl, [“Collector Contact Caps and the Application of ‘Regulatory Humility,’” insideARM, 01/30/17](#)]

Pahl Has Argued That States, Not The CFPB, Should Have “Primary Oversight” Over Attorneys In Debt Collection Litigation.

Thomas Pahl Has Argued That States, And Not The CFPB, Should Have “Primary Oversight” Over Aspects Of Debt Collection Litigation. In December 2017, Thomas Pahl wrote a piece opposed to CFPB regulation of debt collection litigation titled, “Why States Should Have Primary Oversight of Attorney’s Activities in Debt-Collection Litigation.” He wrote that the CFPB’s work on debt collection “may impose even more extensive and complicated requirements to flesh out meaningful involvement, substantiation, and other FDCPA [Fair Debt Collection Practices Act] concepts for representations made in complaints.” He claimed that applying “FDCPA standards and state court and state bar standards at the same time to the representations in complaints risks conflict and confusion that will make it harder for collection litigation attorneys to comply with the law.” [Thomas Pahl, [“Why States Should Have Primary Oversight of Attorney’s Activities in Debt-Collection Litigation,” insideARM, 12/14/18](#)]

While At Arnall Golden Gregory LLP, Tom Pahl Represented CFPB-Regulated Companies, Including “Consumer Reporting Agencies, Debt Collectors, Debt Buyers, [And] Creditors.”

Thomas Pahl Represented “Consumer Reporting Agencies, Debt Collectors, Debt Buyers, Creditors And Other Consumer Financial Services Companies.” “Thomas B. Pahl, the former managing counsel at the Consumer Financial Protection Bureau, recently joined Arnall Golden Gregory LLP [...] He will focus on representing consumer reporting agencies, debt collectors, debt buyers, creditors and other consumer financial services companies in his practice. Pahl led efforts for rulemaking, policy development and regulatory guidance to implement the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, the Gramm-Leach-Bliley Act, the Dodd-Frank Act and other regulatory requirements at the CFPB.” [[Former CFPB Managing Counsel Thomas Pahl Joins D.C. Law Firm](#),” ACA International, 09/22/16]

Pahl Worked “Closely” With Lead Consumer Regulatory Lawyer Robert Belair, Who Has Represented A Major Debt Collection Industry Trade Group That Had 575 Member Companies As Of Early 2017.

Arnall Golden Gregory (AGG) Claimed That Tom Pahl Was To ‘Work Closely’ With Robert R. Belair, The Firm’s “Leader Of The Privacy And Consumer Regulatory Practice.” “Mr. Pahl will work closely with Robert R. Belair, leader of the Privacy and Consumer Regulatory Practice and the firm’s Washington office.” [[Press Release](#), Arnall Golden Gregory LLP, accessed 08/26/19]

AGG Partner Robert Belair Has Been “Regulatory Council For DBA International.” “AGG Partner Robert R. Belair, who leads AGG’s Privacy Practice Group, is quoted in a May 23, 2012, *Collections & Credit Risk* article titled ‘Debt Collectors Ramping Up For CFPB Audits’ [...]. The Consumer Financial Protection Bureau is expected to clarify its guidelines for audits on July 21, 2012, but in the meantime, organizations like ACA International and DBA International have created training modules regarding best practices for complying with the Fair Debt Collections Practice Act. Mr. Belair, who also serves as regulatory council for DBA, finds it highly likely that the CFPB will base its examination on the FDCPA, which is why DBA is developing a certification program for members to help them learn industry best practices and benchmark their performance against regulatory guidelines and the expectations of auditors.” [[Bob Belair Quoted in Collections & Credit Risk](#),” Arnall Golden Gregory LLP, 05/23/12]

- “Mr. Belair also serves as Federal Legislative / Regulatory Counsel to the DBA International.” [[Robert R. Belair - Legal Compliance Counsel, Debt Recovery Market](#),” Fin.Solutions, accessed 08/26/19]

In Early 2017, DBA International Became The Receivables Management Association, A “Trade Association That Represents More Than 575 Companies” In The Debt Collection Industry. “The receivables management industry is abuzz as newly elected association President Mark Naiman announced that DBA International is now Receivables Management Association. The membership voted to approve the new name today as part of a change in the

association bylaws.” [[“DBA International is now Receivables Management Association,”](#) *insideARM*, 02/09/17]

- “Receivables Management Association is the nonprofit trade association that represents more than 575 companies that purchase performing and nonperforming receivables on the secondary market.” [[“DBA International is now Receivables Management Association,”](#) *insideARM*, 02/09/17]

Pahl Has Been A “Frequent Speaker” At Debt Collection Industry Events And Conferences Throughout His Career.

Tom Pahl Is “A Frequent Speaker” At Events Hosted By ACA International, “The Largest Trade Group For The Debt Collection Industry.”

Tom Pahl Is “A Frequent Speaker” At Events Hosted By ACA International. “As a frequent speaker at ACA events, Pahl also appeared at ACA International’s Washington Insights Conference in both 2015 and 2016 and shared insights into the CFPB’s approach to developing rules to regulate the accounts receivable management industry, as well as debt collection research conducted by the CFPB to inform its decision making.” [[“Thomas Pahl to Return to CFPB’s Rulemaking Division,”](#) ACA International, 04/18/18]

- **ACA International Is “The Largest Trade Group For The Debt Collection Industry.”** “ACA International, the largest trade group for the debt collection industry, represents approximately 2,500 members, including credit grantors, third-party collection agencies, asset buyers, attorneys, and vendor affiliates, who employ more than 129,000 employees worldwide.” [[“ACA International Fact Sheet,”](#) ACA International, January 2019]

In May 2019, Tom Pahl Was A Featured Speaker At ACA International’s 2019 “Washington Insights Fly-In.”

Tom Pahl Was A Featured Speaker At ACA International’s 2019 Washington Insights Fly-In That Took Place May 14-16, 2019. [[“Washington Insights Speakers,”](#) ACA International, accessed 08/26/19]

In May 2018, Tom Pahl And Then-CFPB Director Mick Mulvaney Were Featured Speakers At ACA International’s “Washington Insights Conference.”

Tom Pahl Was A Featured Speaker At ACA International’s 2018 “Washington Insights Conference” That Took Place May 21-23, 2018. “Mulvaney and Pahl are speakers at ACA International’s upcoming Washington Insights Conference, May 21-23. Members will greatly benefit from their insights on the FTC, CFPB and regulations for the accounts receivable

management industry.” [[Thomas Pahl to Return to CFPB’s Rulemaking Division](#),” ACA International, 04/18/18]

In Both 2015 And 2016, Tom Pahl Was A Featured Speaker At ACA International’s “Washington Insights Conference.”

Tom Pahl Was A Featured Speaker At Both ACA International’s 2015 And 2016 Washington Insights Conference. “As a frequent speaker at ACA events, Pahl also appeared at ACA International’s Washington Insights Conference in both 2015 and 2016 and shared insights into the CFPB’s approach to developing rules to regulate the accounts receivable management industry, as well as debt collection research conducted by the CFPB to inform its decision making.” [[Thomas Pahl to Return to CFPB’s Rulemaking Division](#),” ACA International, 04/18/18]

In November 2011, Tom Pahl Led A Session At ACA International’s “Fall Forum,” Where He Claimed That The Fair Debt Collection Practices Act Was Intended “To Be Enforced Primarily By Private Actions Rather Than Through Government Enforcement.”

In November 2011, Tom Pahl Led A Session On “The FTC’s Enforcement Priorities Related To The Collection Industry” At ACA International’s 2011 Fall Forum. “ACA International’s 2011 Fall Forum conference brought together credit and collection professionals in Chicago. The event took place Nov. 9-11, 2011, with nearly 400 ACA members gathering for three days of education and networking. [...] In a session led by Thomas Pahl, assistant director of the Federal Trade Commission’s Division of Financial Practices, attendees learned about the FTC’s enforcement priorities related to the collection industry.” [[Fall Forum Takes Chicago \[Collector\]](#),” *Insurance News Net*, 01/02/12]

- **At The Event, Pahl Spoke About The “Value The Debt Collection Industry” Brings To The Economy And Claimed That The Fair Debt Collection Practices Act Was Intended “To Be Enforced Primarily By Private Actions Rather Than Through Government Enforcement.”** “Pahl noted the FTC realizes the value the debt collection industry, working in compliance with the Fair Debt Collection Practices Act, brings to the American economy. [...] Pahl also addressed the future relationship between the FTC and the Consumer Financial Protection Bureau as it relates to collection industry oversight. He pointed out that when the FDCPA was originally passed, Congress intended for it to be enforced primarily by private actions rather than through government enforcement.” [[Fall Forum Takes Chicago \[Collector\]](#),” *Insurance News Net*, 01/02/12]

December 2018: Kathy Kraninger Takes The Baton From Mulvaney

Following Mick Mulvaney’s Departure From The CFPB, Director Kathy Kraninger Continued His Debt Collection Efforts, Claiming She Would “Provide Clarity” And “Modernize The Legal Regime For Debt Collection.”

In April 2019, Kathy Kraninger Stated The CFPB’s Debt Collection Rule Would “Provide Clarity On How Collectors May Communicate Via Newer Technology Such As Email Or Text Messages.”

On April 17, 2019, Kathy Kraninger Gave A Speech At The Bipartisan Policy Center In Which She Stated The Proposed Debt Collection Rule Would “Provide Clarity On How Collectors May Communicate Via Newer Technology Such As Email Or Text Messages.” “We will propose to provide clarity on how collectors may communicate via newer technology such as email or text messages. We will propose that collectors provide consumers with more and better information at the outset of collection to help them identify debts and understand their options, including their rights in disputing debts or paying them. As the CFPB moves to modernize the legal regime for debt collection, we are keenly interested in the views of stakeholders and look forward to engagement with you.” [[Speech at the Bipartisan Policy Center By Kathleen L. Kraninger, Director, Consumer Financial Protection Bureau](#),” Consumer Financial Protection Bureau, 04/17/19]

In May 2019, Kathy Kraninger Stated The CFPB’s Debt Collection Rule Was “Designed To Provide Clarity” And “Modernize The Legal Regime For Debt Collection.”

On May 8, 2019, Kathy Kraninger Gave A Speech At A CFPB Debt Collection Town Hall Meeting In Pennsylvania, Where She Stated The CFPB’s Proposed Debt Collection Rule Was “Designed To Provide Clarity” And “Modernize The Legal Regime For Debt Collection.” “Our proposed rules are designed to provide clarity where it has been lacking so consumers know their rights and collectors know their limitations. As the CFPB moves to modernize the legal regime for debt collection, we are keenly interested in the views of stakeholders and look forward to engagement. The public will have 90 days to submit written comments before we make a decision on issuing final rules. When we hear all sides of an issue, we all benefit.” [[CFPB Director Kathleen L. Kraninger’s Speech at the Debt Collection Town Hall](#),” Consumer Financial Protection Bureau, 05/08/19]

In June 2019, Kathy Kraninger Stated That The Debt Collection Rulemaking Process Was A “Great Example” Of The Bureau’s New Focus On Collecting “Consumer And Public Input” During The Rulemaking Process.

On June 10, 2019, Kathy Kraninger Appeared On Bloomberg TV, Where She Stated The CFPB’s Debt Collection Rulemaking Was A “Great Example” Of The Bureau’s New Focus

On Collecting “Consumer And Public Input” During The Rulemaking Process. “It’s been a huge focus for me really making sure we are following the Administrative Procedures Act and all of the processes there to have consumer and public input, to have stakeholder input on all of the rulemaking actions, and we’re really starting from the beginning of the process. A great example is our debt collection rule. So, the Federal Debt Collection Practices Act was enacted in 1977. The Bureau for the first time was given the rulemaking responsibility for that and issued a notice of proposed rulemaking – just a couple of months ago – and we are really engaged in the process throughout, from the beginning, to solicit comments, to make sure we get evidence and data to make the best possible decisions. And we’re engaged in even some additional research on disclosures that are going to work to help consumers.” [[Kraninger Says She Hasn’t Weakened the CFPB](#),” Bloomberg TV, 06/10/19 (1:12)]

Kathy Kraninger’s Proposed Debt Collection Rule Ultimately Eroded Key Protections Found In Richard Cordray’s Original Proposal—including Weakening Restrictions On Collectors’ Communications, Legal Responsibilities, And Ability To Pursue Old “Zombie” Debts.

The CFPB Issued Its New Proposed Debt Collection Rulemaking On May 7, 2019.

Kathy Kraninger’s CFPB Issued Its Proposed Debt Collection Rule On May 7, 2019. “[May 7, 2019], the Consumer Financial Protection Bureau (Bureau) issued a Notice of Proposed Rulemaking (NPRM) to implement the Fair Debt Collection Practices Act (FDCPA).” [[Press Release](#), Consumer Financial Protection Bureau, 05/07/19]

Kathy Kraninger’s Debt Collection Rule Would Only Include Already-Existing Requirements For Collectors To Actually Verify And Substantiate Consumers’ Debts—While Richard Cordray’s Rule Would Have Added Protections For Consumers.

On Debt Substantiation, Kathy Kraninger’s Debt Collection Rule Only Requires Debt Collectors Provide Information That Has Already Been Required Under Existing Law. “Only the Outline’s requirement that debt collectors disclose ‘validation information’ to consumers prior to or simultaneously with the initial communication—which is already expressly required by the underlying statute—made it into the NPRM.” [[“Consumer Financial Protection Bureau Releases Rules for Comprehensive Reform of Debt Collection Industry \[PDF\]”](#), Debevoise & Plimpton, 06/03/19]

- **Under Former Director Richard Cordray, The Debt Collection Rule Originally Would Have Required Collectors To Substantiate The Debt They Were Pursuing, Transfer Important Information About Consumers When Selling Their Debt To Other Collectors, And Provide A “Statement Of Rights.”** “To address these concerns

the 2016 Outline included three categories of additional requirements: (1) substantiation of debt prior to collection; (2) transfer of certain information provided by consumers to subsequent collectors; and (3) the FDCPA-mandated validation notice and a Statement of Rights.” [[“Consumer Financial Protection Bureau Releases Rules for Comprehensive Reform of Debt Collection Industry \[PDF\],”](#) Debevoise & Plimpton, 06/03/19]

Kathy Kraninger’s Debt Collection Rule Would Allow Debt Collectors To Email And Text Consumers An “Unlimited” Number Of Times And Call Consumers Once A Day *Per Debt* They Hold—While Richard Cordray’s Rule Would Have Limited Collector Communications To A Total Of Just Six Per Week.

Kathy Kraninger’s Debt Collection Rule Allows Debt Collectors To Call Consumers Seven Times A Week Per Debt They Hold, Meaning A Consumer With 8 Medical Debts Could Receive 56 Attempted Calls Per Week “Collectors could make up to seven attempted calls *per debt* per week, either to the consumer or to friends and family to ask for the consumer’s contact information. A consumer with 8 medical debts could receive 56 attempted calls per week.” [[“CFPB Debt Collection Rule Must Protect Consumers, Not Abusive Collectors,”](#) National Consumer Law Center, May 2019]

Kathy Kraninger’s Debt Collection Rule Would Allow Industry To Send “Unlimited Amounts Of Texts And Emails” To Consumers. “The Consumer Financial Protection Bureau on Tuesday proposed rules that would give the industry the go-ahead to send consumers unlimited amounts of texts and emails, accelerating a trend the watchdog bureau says could be beneficial for everyone.” [Renaë Merle, “[Trump administration wants to allow debt collectors to call 7 times a week and text, email as much as they want,](#)” *The Washington Post*, 05/07/19]

- **Under Former Director Cordray, The Debt Collection Rule Originally Would Have “Limited Collectors’ Communications (And Attempts) To Six Per Week Through Any Point Of Contact.”** “In contrast, the 2016 Outline would have limited collectors’ communications (and attempts) to six per week through any point of contact unless the collector had reached the consumer or the consumer’s representative.” [[“Consumer Financial Protection Bureau Releases Rules for Comprehensive Reform of Debt Collection Industry \[PDF\],”](#) Debevoise & Plimpton, 06/03/19]
- **Under Former Director Cordray, The CFPB “Believe[d] That It Would Be Excessive For A Debt Collector To Make Contact Attempts Through Any One Of These Points Of Contact [Phone, Email, And Mail] More Than A Certain Number Of Times Per Week” And That Contacts Through Multiple Means Of Communication “Can Have The Same Harassing Consequence.”** “Because collectors may have or obtain several phone numbers as well as potentially one or more email and mailing addresses for a consumer, the Bureau believes that it would be excessive for a debt collector to make contact attempts through any one of these points of contact more than a certain number of times per week. The Bureau also believes that overall contact attempts by a given debt collector through different points of contact can have the same harassing consequence.” [[“Small Business Review Panel For Debt Collector And Debt Buyer](#)

[Rulemaking Outline Of Proposals Under Consideration And Alternatives Considered,](#)
Consumer Financial Protection Bureau, 07/28/16]

Kathy Kraninger’s Debt Collection Rule Would Allow Collectors To Text, Email, And Directly Message Consumers “Without Consent”—While Richard Cordray’s Rule Would Have Required Collectors To Obtain Consent “Directly” From Consumers.

Kathy Kraninger’s Debt Collection Rule Allows Industry To Contact Consumers Through “Texts, Emails, And Direct Messages Without Consent.” The current CFPB debt collection rule “[a]llows texts, emails, and direct messages without consent.” [“[CFPB Debt Collection Rule Must Protect Consumers, Not Abusive Collectors,](#)” National Consumer Law Center, May 2019]

- **Under Former Director Cordray, The CFPB Considered Requiring Each Collector To Obtain Consent “Directly” From Consumers.** “[...] the Bureau is considering including in its proposed rules the requirement that each collector, to obtain consent, must obtain it *directly* from the consumer (whether orally or in writing). Thus, for example, each debt collector who obtains a debt following a sale or placement would be required to obtain consent anew rather than being able to rely on the consent provided to the creditor or to a prior collector.” [“[Small Business Review Panel For Debt Collector And Debt Buyer Rulemaking Outline Of Proposals Under Consideration And Alternatives Considered,](#)” Consumer Financial Protection Bureau, 07/28/16]

Kathy Kraninger’s Debt Collection Gives Debt Collectors More Freedom To Pursue Consumers Over Old, “Zombie Debt”—While Richard Cordray’s Rule Would Have Erected More Legal Defenses For Consumers.

On Time-Barred, Or “Zombie” Debt, Kathy Kraninger’s Debt Collection Rule Only Blocks Collectors From Suing Consumers Over Old Debts If A Collector “Knows Or Should Know” About A Legal Time Limit. “The proposal prohibits collectors from filing or threatening a lawsuit *only if* the collector ‘*knows or should know*’ that the legal time limit to sue has expired. The CFPB should hold the collector responsible for knowing a debt is too old for a lawsuit as courts have done.” [“[CFPB Debt Collection Rule Must Protect Consumers, Not Abusive Collectors,](#)” National Consumer Law Center, May 2019]

- **The Original Debt Collection Rule Under Former Director Cordray Would Have Required Collectors To Provide Consumers Proper Disclosures About “Time-Barred Debt” And Their Legal Rights Regarding Old Debts.** “A collector seeking to collect a time-barred debt would be required to include a ‘time-barred debt disclosure’ in the validation notice, in the first oral communication in which it requests payment, and possibly in each subsequent communication seeking payment. The same disclosure requirement would apply to any subsequent collector and a subsequent collector could not sue on a debt as to which a prior collector had provided the disclosure. The CFPB is also considering whether to require an ‘obsolescence disclosure’ informing the consumer whether a time-barred debt can appear on a credit report; prohibit collection of

a time-barred debt that can be revived under state law unless the right to sue is waived; and prohibit a collector from accepting payment on a time-barred or obsolete debt until it has obtained the consumer's written acknowledgment of having received a time-barred debt and obsolescence disclosure.” [[“CFPB Previews Debt Collection Rule in SBREFA Outline,”](#) Ballard Spahr LLP, 07/29/16]

Time-Barred Debt Is Also Known As “Zombie-Debt.” “Collectors would have to disclose, when applicable, if the consumer can no longer be sued because the debt is so old that it's considered a time-barred ‘zombie-debt.’” [Susan Tompor, [“Debt collectors could face new limits on calls,”](#) *USA Today*, 07/28/16]

Following The Release Of Kraninger’s Proposed Debt Collection Rule, Consumer Advocates Argued She Gave Industry “Almost Everything” It Demanded—Meanwhile, Debt Collectors Said They Were “Happy” And “Encouraged” By The Rule, And That It “Reflects” Industry Needs.

Consumer Advocates Charged That The CFPB’s Proposed Rule Gave The Debt Collection Industry “Almost Everything” It Wanted And Accused The Bureau Of “Catering To Businesses Instead Of Consumers.”

Consumers Advocates Charged That The CFPB Gave Debt Collectors “Almost Everything That The Industry Wanted” And Accused It Of “Catering To Businesses Instead Of Consumers.” “Consumer advocates, though, say the bureau set the limit too high. ‘We’re very upset and very concerned — I think outraged might be the right word for it,’ said Margot Saunders, senior counsel at the National Consumer Law Center. ‘Almost everything that the industry wanted, the bureau gave them,’ Saunders said. ‘Although they didn’t go as far as the industry wanted, the whole rule is to expand collectors’ rights. ... They’re not expanding consumers’ rights.’ [...] Melissa Stegman, senior policy counsel at the Center for Responsible Lending, agreed, accusing the CFPB of ‘again catering to businesses instead of consumers’ in an emailed statement.” [Katy O’Donnell, [“CFPB overhauls rules for debt collectors as consumer groups balk,”](#) *Politico*, 05/07/19]

ACA International’s President Called The Release Of Kathy Kraninger’s Proposed Debt Collection Rule “A Historic Time For Our Industry.”

ACA International’s President Said, “The Release Of The CFPB’s Proposed Rules On Debt Collection Is A Historic Time For Our Industry.” ACA International President Jack Brown III said, “[t]he release of the CFPB’s proposed rules on debt collection is a historic time for our industry. As with any change, there are challenges and opportunities presented to our members; the rules provide opportunities to deploy modern technology in communicating with

consumers while also presenting challenges of fertile ground for consumer attorneys to plow.” [[Industry Insight: What ACA Members Are Saying on the CFPB Proposed Debt Collection Rule](#),” ACA International, 05/07/19]

An ACA International Member Said She Was “Encouraged” That Kraninger’s Rule “Address[ed] Specific Industry Concerns.”

One ACA International Member Said She Was “Encouraged” To See Kraninger’s Rule “Address Specific Industry Concerns Raised Throughout This Long Process.” Kelly Knepper-Stephens, Vice President of Legal at True Accord Corporation, said, “[a]s I preliminarily read through this rule, I am encouraged to see that the CFPB has provided proposed rules to address specific industry concerns raised throughout this long process.” [[Industry Insight: What ACA Members Are Saying on the CFPB Proposed Debt Collection Rule](#),” ACA International, 05/07/19]

An ACA International Member Said The Debt Collection Rule “Reflects The Bureau Following Through On Promises Made Throughout The Rulemaking Process.”

One ACA International Member Said, “The Proposed Rule Reflects The Bureau Following Through On Promises Made Throughout The Rulemaking Process.” ACA International Member Chuck Dodge, A Partner At Hudson Cook LLP, said, “[t]he proposed rule reflects the Bureau following through on promises made throughout the rulemaking process about the issues to be addressed. There are proposals related to voicemails, the debt validation notice, and consumer contact methods (including, most significantly, electronic communications) and frequency. If enacted, this rule will give debt collectors some reliable parameters within which to try and collect valid consumer debts without the threat of technical litigation around debt validation notices and the uncertainty about voicemails that have plagued the industry for years.” [[Industry Insight: What ACA Members Are Saying on the CFPB Proposed Debt Collection Rule](#),” ACA International, 05/07/19]

One ACA International Member Complained About The Rulemaking Process Under Former Director Richard Cordray, But Said He Was “Happy” That Industry Comments “Were Taken Into Account” In Kraninger’s Proposed Rule.

One ACA International Member Criticized The Small Business Panels Held For Former Director Richard Cordray’s Rulemaking As “Disjointed And [...] Not Hav[ing] All Of The Players At The Table”—But He Said That In Kraninger’s Rule, He Was “Happy To See Many Comments In Relation To The SBREFA Panels Requests Were Taken Into Account.” “ACA International Member Bill Hopkinson, President and CEO of Valley Credit Service Incorporated, said, “[t]he Small Business Review Panel process [in 2016] was disjointed and did not have all of the players at the table. As I am reading the proposed rule now, I’m happy to see many comments in relation to the SBREFA panels requests were taken into account. [...] On the positive side, I expect some ‘safe harbors’ for all actors involved in the

credit and collection processes.” [[Industry Insight: What ACA Members Are Saying on the CFPB Proposed Debt Collection Rule](#),” ACA International, 05/07/19]

A Day After Kathy Kraninger Released The Debt Collection Rule She Met With 20 Debt Collection Executives And Representatives Who Told Her “The Ability To Send Emails And Text Messages To Consumers Recognizes Their Preferences.”

In May 2019, Kathy Kraninger And Senior CFPB Staff Met With 20 Debt Collection Industry Executives And Representatives To Discuss The Debt Collection Rule, Which Was Released Just A Day Before. “On May 8, following the debt collection town hall in Philadelphia, representatives from the accounts receivable management industry met with CFPB staff for an introductory meeting to Director Kathy Kraninger and to discuss some very initial thoughts on the proposed rule, which was released the day before.” [[Memorandum, Meeting with Industry Representatives on Debt Collection Practices \(Regulation F\) \[PDF\]](#)], Consumer Financial Protection Bureau, 05/08/19]

- “CFPB staff:
Director Kathy Kraninger
Jennifer Stockett
Brian Johnson
Andrew Duke
John McNamara
David Silberman”
[[Memorandum, Meeting with Industry Representatives on Debt Collection Practices \(Regulation F\) \[PDF\]](#)], Consumer Financial Protection Bureau, 05/08/19]
- “Industry representatives:
Mark Neeb, CEO, ACA International
Leah Dempsey, Vice President and Senior Counsel of Federal Advocacy, ACA International
Karen Scheibe Eliason, Vice President and Senior Counsel, ACA International
Jack Brown, President Gulf Coast Collection Bureau, Inc. and ACA International
President Rick Perr, Partner, Partner, Fineman Krekstein & Harris, P.C and ACA International
Past- President
Eileen Bitterman, Shareholder, Weltman, Weinberg & Reis Co., L.P.A
Michael Barrist, CEO, Radius Global Solutions
Leslie Bender, Chief Strategy Officer and General Counsel, BCA Financial Services
Ralph Liberio, President and CEO, NCB Management Services, Inc.
Jim Beck, Chief Operations Officer, MRS BPO, LLC
Michael Kraft, General Counsel, The CCS Companies” [[Memorandum, Meeting with Industry Representatives on Debt Collection Practices \(Regulation F\) \[PDF\]](#)], Consumer Financial Protection Bureau, 05/08/19]

The Debt Collection Industry Told Kathy Kraninger That Rule’s “Ability To Send Emails And Text Messages To Consumers Recognizes Their Preferences.” “The ability to send emails and text messages to consumers recognizes their preferences. Clear guidance on the

use of modern methods to communicate with consumers including email messages and text messages is necessary since this is how many people are communicating in 2019, as opposed to 1977 when the FDCPA was enacted and these were not predominant forms of communication.” [[Memorandum, Meeting with Industry Representatives on Debt Collection Practices \(Regulation F\) \[PDF\]](#), Consumer Financial Protection Bureau, 05/08/19]

Following The Release Of Kathy Kraninger’s Debt Collection Rule, ACA International Said It Was “Pleased” That The CFPB Addressed Modern Communications Technology, Which The Group Said Had “Long Been A Source Of Great Frustration For Debt Collectors.” “ACA is pleased that the CFPB chose to address the use of modern technology and communication, which have long been a source of great frustration for debt collectors.” [[“CFPB Releases Long-Awaited Proposed Debt Collection Rule,”](#) ACA International, 05/10/19]

ACA International’s President Said, “The Rules Provide Opportunities To Deploy Modern Technology In Communicating With Consumers.” ACA International President Jack Brown III said, “[t]he release of the CFPB’s proposed rules on debt collection is a historic time for our industry. As with any change, there are challenges and opportunities presented to our members; the rules provide opportunities to deploy modern technology in communicating with consumers [...]” [[“Industry Insight: What ACA Members Are Saying on the CFPB Proposed Debt Collection Rule,”](#) ACA International, 05/07/19]

In 2019, RMAI Had A “Front Row Seat” At Kathy Kraninger’s Debt Collection Townhall Following The Announcement Of Her Rule, Which The Group’s Leadership Called “A Clear Step Forward” And “Reflected” Industry’s Input.

RMAI “Had A Front Row Seat” At Kathy Kraninger’s May 2019 Debt Collection Town Hall. “Yesterday, RMAI had a front row seat at the CFPB Debt Collection Town Hall in Philadelphia, PA. Representing RMAI was RMAI Executive Director Jan Stieger, RMAI President Marian Sangalang, RMAI President-Elect Jim Mastriani, and RMAI Legal Counsel Don Maurice. The event was hosted by the CFPB to receive insights and feedback from the business and consumer communities on the CFPB’s Notice of Proposed Rulemaking (NPRM) on Debt Collection Practices.” [[“CFPB Debt Collection Town Hall Recap,”](#) Receivables Management Association International, 05/09/19]

- **The CFPB Had Just Announced Its Proposed Debt Collection Rule Just Two Days Earlier On May 7, 2019.** [[Press Release](#), Consumer Financial Protection Bureau, 05/07/19]



[[“CFPB Debt Collection Town Hall Recap,”](#) Receivables Management Association International, 05/09/19]

RMAI Called The Release Of Kraninger’s Debt Collection Proposal “One Of The Most Exciting Weeks For The Industry.” “The release of the CFPB Debt Collection NPR made last week one of the most exciting weeks for the industry.” [[“RMAI Update May 2019,”](#) Receivables Management Association International, May 2019]

RMAI’s President-Elect Called Several Aspects Of Kathy Kraninger’s Debt Collection Rule “A Clear Step Forward.” “The atmosphere was one of anticipation and excitement. Director Kraninger’s remarks acknowledging the importance of the collection industry to the health of the credit ecosystem and the necessity for the rules to address innovations in technology and electronic communications and the adoption of standard forms and notices are a clear step forward in providing the industry the clarity that we have been seeking.’ – Jim Mastriani, RMAI President-Elect” [[“CFPB Debt Collection Town Hall Recap,”](#) Receivables Management Association International, 05/09/19]

RMAI’s Legal Counsel Said That Kathy Kraninger’s Stakeholder Engagement “Was Reflected In The NRPM,” The Proposed Debt Collection Rule. “The Bureau engaged all stakeholders in the process developing these proposed rules and it was reflected in the NPRM. This was continued in the town hall and subsequent roundtable discussions and I anticipate this to continue in the months ahead. There is much work to be done to finalize the proposed rules for both the industry and consumers.’ – Don Maurice, RMAI Legal Counsel” [[“CFPB Debt Collection Town Hall Recap,”](#) Receivables Management Association International, 05/09/19]