



February 15, 2023

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue NW
Suite 1CC-5610 (Annex C)
Washington, DC 20580

Dear FTC Staff,

On behalf of ACA International, the Association of Credit and Collection Professionals (“ACA”), I am writing regarding the Federal Trade Commission’s (“FTC”) Notice of Proposed Rulemaking (“NPRM”) to impose a nationwide ban on almost all non-compete clauses.

ACA represents approximately 1,800 members, including credit grantors, third-party collection agencies, asset buyers, attorneys, and vendor affiliates in an industry that employs more than 125,000 people worldwide. Most ACA member debt collection companies, however, are small businesses. Women make up 70% of the total debt collection workforce and it is diverse.

The FTC’s broad proposal seeking to ban almost all non-compete clauses goes far beyond any other action taken by a federal agency in its attempt to restrict competition. There are also many questions about whether the FTC has the statutory authority to engage in this rulemaking, which would need to be granted by Congress. Since there are many legal and policy questions that must be considered as part of this NPRM, and many stakeholders have expressed concerns about its impact on businesses, we urge the FTC to extend the comment deadline to allow for the time and resources to consider these issues.

Thank you for your attention to the concerns of the ARM industry. Please let me know if you have any questions at advocacy@acainternational.org.

A handwritten signature in black ink, appearing to read 'Scott Purcell', is written over a light blue horizontal line.

Scott Purcell
Chief Executive Officer
ACA International