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July 3, 2023

Nik Marda
White House Office of Science and Technology Policy
Eisenhower Executive Office Building
725 17th Street NW
Washington, D.C., 20006

Re: Request for Information on National Priorities for Artificial Intelligence

Dear Mr. Marda:

On behalf of the Association of Credit and Collection Professionals (“ACA International” or “Association”), I am writing in response to the White House Office of Science and Technology Policy (OSTP) Request for Information National Priorities for Artificial Intelligence (“AI”).

ACA International represents approximately 1,700 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 International member debt collection companies are small businesses. Women make up 70 % of the total diverse debt collection workforce.

I. Background about ACA International:

ACA International members play a critical role in protecting consumers and providing liquidity to lenders. ACA International members work with consumers to resolve their debts, which in turn saves every American household, on average, more than \$700, year after year. The accounts receivable management (“ARM”) industry is instrumental in keeping America’s credit-based economy functioning with access to credit at the lowest possible cost, thereby protecting one of the safety nets of the most vulnerable consumers in society from unplanned expenses. For example, in 2018 the ARM industry returned over \$90 billion to creditors for goods and services they had provided to their customers. And in turn, the ARM industry’s collections benefit all consumers by lowering the costs of

goods and services—especially when rising prices are impacting consumers’ quality of life throughout the country.

ACA International members also follow comprehensive compliance policies, are diligent about employing strong compliance management systems and high ethical standards to ensure consumers are treated fairly and the wide range of federal and state laws that govern collections are followed. The Association contributes to this end goal by providing timely industry-sponsored education as well as compliance certifications. In short, ACA International members are committed to assisting consumers as they work together to resolve their financial obligations, all in accord with the Collector’s Pledge¹ that all consumers are treated with dignity and respect.

II. Comments

ACA is pleased to offer the following comments on national priorities for artificial intelligence:

Question 10: What are the unique considerations for understanding the impacts of AI systems on underserved communities and particular groups, such as minors and people with disabilities? Are there additional considerations and safeguards that are important for preventing barriers to using these systems and protecting the rights and safety of these groups?

One key use of AI in the ARM industry is to allow consumers to access the information and certain services they need when it is most convenient for them, which often is outside of normal business hours. This is especially critical for people with disabilities who may prefer using technology to interact with a business to get the information that they need or complete a payment, for example. Similarly, allowing companies to use technologies powered by AI to permit consumers to get the information or services they need in off-peak hours is essential in providing more flexibility to people working in the service industry, for example, who may not have the option to make a 15-minute phone call from their desk while they are at work. While these types of services are commonplace today, in many cases AI technologies are the underpinning for the back end of these systems. The National AI Strategy should reflect these beneficial use-cases.

Question 18: How can the United States harness AI to improve the productivity and capabilities of American workers, while mitigating harmful impacts on workers?

AI technologies have improved the capabilities of ACA International members in a way that benefits consumers, and the National AI Strategy should reflect that. For example, call analytics can be considered a form of AI since they are based on machine learning. These technologies have allowed us to reach a higher volume of consumers more efficiently, thereby allowing ACA International member companies to just as efficiently share the information consumers need about their financial health as well steps on how to address any issues or make payments more quickly. Additionally, robotics process automation is also commonplace in the ARM industry and has driven efficiency gains, therefore it should not be considered a form of AI or regulated by the government in any way.

Question 29: Do you have any other comments that you would like to provide to inform the National AI strategy that are not covered by the questions above?

¹ Collectors Pledge states that ACA members • believe every person has worth as an individual. • believe every person should be treated with dignity and respect. • will make it their responsibility to help consumers find ways to pay their just debts. • will be professional and ethical. • will commit to honoring this pledge.

The definition of AI should not be overly broad. The White House and federal regulatory agencies must work closely with industry to garner data and research to understand the impacts of regulation before moving forward. Today, ACA International members are using AI for a variety of beneficial uses for consumers, including call analytics. Any framework to regulate the use of AI in the United States should be risk-based and focus on mitigating potential harms to consumers and should not focus on back-end processes that allow businesses to run more efficiently. Federal agencies, such as the Consumer Financial Protection Bureau (“CFPB”), should also not be announcing sweeping changes to these processes through blog posts or through other means outside the Administrative Procedure Act because not only is this unlawful but it also will not provide the public the benefit of sharing comments that can inform policymaking and ensure no negative unintended consequences, or the stymieing of innovation.

A lot of the tools that get swept under the “AI moniker,” particularly in the ARM industry, are simply interactive programs to provide information to consumers based on information already programmed into internal systems. Often, technology is simply querying data from a programmed system and providing that to the consumer in response to the consumer’s request. These programs are not making decisions on their own, but rather following programmed procedures. This type of communication should be embraced and promoted, since it will lead to more similar outcomes for consumers, as opposed to leaving it up to individual employee judgments, which can vary. This type of consistency benefits consumers.

Additionally, the National AI Strategy should consider how AI will be used for fraud. For example, how should an ACA International member company respond if someone is using a consumer’s voiceprint to access our systems to commit fraud? Most examples in this instance have focused on fraudulent calls to a consumer, but little attention has been paid to someone using a voiceprint to impersonate a consumer to interact with a company with which they are doing business. These types of issues are within the scope of the National AI Strategy and should be given full and fair consideration.

Thank you for your attention and due consideration. Please let me know if you have any questions.

A handwritten signature in black ink, appearing to read "Scott Purcell". The signature is fluid and cursive, with the first name "Scott" and last name "Purcell" clearly distinguishable.

Scott Purcell
Chief Executive Officer
On behalf of ACA International