



December 19, 2023

Chairman Andy Barr
House Financial Services Committee
Subcommittee on Financial Institutions and Monetary Policy
Washington, D.C. 20510

Dear Chairman Barr:

On behalf of ACA International, the Association of Credit and Collection Professionals (“ACA International” or “ACA”), I am writing in support of H.R. 6789, the Rectifying Undefined Definitions of Abusive Acts or Practices (“UDAAP”) or the Rectifying UDAAP Act, legislation to amend the Consumer Financial Protection Act of 2010 to clarify standards UDAAP enforcement actions brought by the Bureau of Consumer Financial Protection (“CFPB”).

ACA 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.

ACA strongly supports that the legislation requires clarification about the definition of “abusive,” which has recently been further complicated by a CFPB policy statement on UDAAP in consumer financial markets and other guidance.¹ Furthermore, the legislation’s requirement for regulatory cost benefit analysis would help ensure that the CFPB’s actions do not do more harm than good and fulfill the need for regulators to evaluate consequences of actions in the marketplace. Additionally, the bill’s section providing an opportunity to cure would be a tremendous step forward in allowing stakeholders to self-identify compliance issues and address them without fear of public shaming or retribution. These changes, in addition to many other important aspects of your legislation, would create clear rules of the road that benefit both consumers and stakeholders. It would have the effect of rewarding robust compliance measures, rather than focusing efforts on seeking a needle in a haystack to tarnish industry.

¹ CFPB Statement of Policy Regarding Prohibition on Abusive Acts or Practices
<https://www.consumerfinance.gov/compliance/supervisory-guidance/policy-statement-on-abusiveness/> (April 3, 2023)

ACA recently fully [outlined](#) concerns with the CFPB's opaque approach to UDAAP in comments ² to the CFPB about its policy statement.

Thank you for your leadership in working to create clear requirements for the benefit of consumers and all stakeholders in the financial services marketplace. Please let me know if you have any questions.



Scott Purcell
Chief Executive Officer
ACA International

² ACA International comments on CFPB Statement of Policy Regarding Prohibition on Abusive Acts or Practices <https://policymakers.acainternational.org/wp-content/uploads/2023/07/ACAInternationalComments-CFPBAbusivePolicy-Statement-Final.pdf>