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May 29, 2019

To: Clients and Friends

From: David F. Dulock

Subject: Debt Collection Practices Proposed Amendments to Regulation F

In the May 21, 2019, issue of the *Federal Register* (84 FR 23274, [click here](#)) the Consumer Financial Protection Bureau (CFPB) published a proposed rule to amend Regulation F, 12 CFR part 1006, which implements the Fair Debt Collection Practices Act (FDCPA). Currently Regulation F only contains procedures for State application for exemption from the provisions of the FDCPA. The proposed rule would amend Regulation F to prescribe Federal rules governing activities of debt collectors, as that term is defined in the FDCPA. The proposed rule would address communications in connection with debt collection; interpret and apply prohibitions on harassment or abuse, false or misleading representations, and unfair debt collection practices; clarify requirements for consumer-facing debt collection disclosures; and require debt collector compliance with certain additional disclosure-related and record retention requirements.

The proposed rule is composed of the following four subparts, three Appendices and one Supplement, which may be found on pages 23398 through 23418 of the above hyperlinked *Federal Register*:

Subpart A—General

1006.1 Authority, purpose, and coverage.

1006.2 Definitions.

Subpart B—Rules for FDCPA Debt Collectors

1006.6 Communications in connection with debt collection.

1006.10 Acquisition of location information.

1006.14 Harassing, oppressive, or abusive conduct.

1006.18 False, deceptive, or misleading representations or means.

1006.22 Unfair or unconscionable means.

1006.26 Collection of time-barred debts.

1006.30 Other prohibited practices.

1006.34 Notice for validation of debts.

1006.38 Disputes and requests for original-creditor information.

1006.42 Providing required disclosures.

Subpart C—[Reserved]

Subpart D—Miscellaneous

1006.100 Record retention.

1006.104 Relation to State laws.

1006.108 Exemption for State regulation.

Appendix A to Part 1006—Procedures for State application for exemption from the provisions of the Act

Appendix B to Part 1006—Model forms and clauses

Appendix C to Part 1006—Issuance of advisory opinions

Supplement I to Part 1006—Official interpretations

Those readers wishing to submit comments on the proposed rule may do so by submitting comments, identified by Docket No. CFPB–2019–0022 or RIN 3170–AA41,

(2 pages)

by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Email:* 2019-NPRM-DebtCollection@cfpb.gov. Include Docket No. CFPB-2019-0022 or RIN 3170-AA41 in the subject line of the email.
- *Mail:* Comment Intake—Debt Collection, Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20552.
- *Hand Delivery/Courier:* Comment Intake—Debt Collection, Bureau of Consumer Financial Protection, 1700 G Street NW, Washington, DC 20552.

Comments must be received by the CFPB on or before August 19, 2019.

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