

Feature Story

CFPB Publishes Advanced Notice of Proposed Rulemaking on Debt Collection Practices

The Consumer Financial Protection Bureau published an [advanced notice of proposed rulemaking](#) (ANPR) seeking comments and data from the public about debt collection practices, which the Bureau states affect a significant number of customers. “While debt collection can benefit consumers by reducing the price and increasing the availability of credit, in the absence of legislation and regulation many consumers may be subject to debt collection efforts that raise consumer protection concerns. Typically, competition in markets will incentivize firms to provide products and services on terms that consumers favor, but this competition may not be effective with regard to collections practices... In this ANPR, the Bureau seeks information to help it determine what rules and other Bureau actions, if any, would be useful under the FDCPA and the Dodd-Frank Act. The Bureau has not yet decided the precise scope and nature of rulemaking(s) it may conduct concerning debt collection. Specifically, the Bureau seeks to learn more about regulations that would best complement other governmental activities in protecting consumers from problems in debt collection. The Bureau's objective would be to protect consumers, yet not impose undue or unnecessary burdens on the industry.” [Comments](#) are due on February 10th, 2014.

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American Enterprise Institute

- An easy fix to Dodd-Frank's credit ratings rule, *Alex J. Pollock*
- Basel III: Some costs will outweigh the benefits, *Paul H. Kupiec*

Australian Government Productivity Commission

- Regulator Engagement with Small Business: Productivity Commission Research Report

Center for Effective Government

- EPA Developing New Standards to Curb Power Plant Water Pollution, *Justin Santopietro*

Center for Progressive Reform

- TESTIMONY: Justice Denied: Rules Delayed on Auto Safety and Mental Health, *Thomas O. McGarity*

Competitive Enterprise Institute

- Under Obamacare, People Pay More for Inferior Health Plans, Lose Health Insurance

In Opinion

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In the News

Congress & Regulatory Reform

- [Sen. Vitter presses EPA on carbon cost tally](#), *The Hill*
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- [Regulations.gov crashes for second time](#), *The Hill*
- [States file brief against EPA rules](#), *The Hill*
- [Tighter Compounding Pharmacy Oversight Advances in Senate](#), *Bloomberg*
- [House chairman: EPA trying to control all U.S. waters](#), *The Hill*

Financial Markets & Housing

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- [Obama to nominate Timothy Massad for CFTC chairman](#), *Washington Post*
- [Obama praises CFTC nominee Timothy Massad, says he eschews spotlight but gets results](#), *Washington Post*
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- [Consumer watchdog: Mortgages rules are 'lending 101'](#), *The Hill*
- [Fed's Dudley Says Banker Pay Rules Could Help Curb Risk-Taking](#), *Bloomberg*
- [Bernanke Says Failing Bank Process Needed to Reduce Crises](#), *Bloomberg*
- [Dodd-Frank Derivatives Momentum Threatened by Vacancies on CFTC](#)



They Liked, *Hans Bader*

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Energy Bar Association

- EVENT: Assessing the Social Cost of Carbon, November 20th, 12:00pm – 1:30pm

Federal Regulations Advisor

- Monday Morning Regulatory Review – 11/11/13 – Part I: Regulations, *Leland Beck*
- Monday Morning Regulatory Review – 11/11/13 – Part II: Litigation, *Leland Beck*

Free State Foundation

- It's Time to Remove the Costly Integration Ban, *Sarah Leggin*

The George Washington University Regulatory Studies Center

- The Affordable Care Act's Effects on Existing Health Insurance, *Don King*
- Public Interest Comment on the Department of Energy's Proposed Rule: Energy Conservation Standards for Commercial Refrigeration Equipment, *Sofie E. Miller*

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The Mercatus Center

- The Federal Reserve's Expanding Regulatory Authority Initiated by Dodd-Frank, *Hester Peirce & Robert Greene*
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- CFPB Publishes International Money Transfer Compliance Procedures, *Abena Yebo*

Bloomberg

[Bernanke Says Regulators Must Confront Moral Hazard](#), *Bloomberg TV*
[OCC Releases Guidelines for Ensuring Consultants' Qualifications](#),

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[Obama Nominee for Swaps Agency Draws Skepticism Over Experience](#),

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[CFPB chief questioned on data collection](#), *The Hill*

Energy & Environment

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[Beyond HealthCare.gov, Obamacare's other challenges](#), *Washington Post*

[FDA ruling essentially bans trans fats](#), *The Hill*

[Mental Health Coverage Expanded to Most Insurance Plans](#), *Bloomberg*

[Trans Fat Ban Seen Threatening 4 Million Acres of Soy](#), *Bloomberg*

Business

[OSHA wants to make workplace safety reports public in major change to reporting rules](#), *Washington Post*

Rulemaking

Occupational Safety and Health Administration

OSHA Proposes Electronic Submission of Injury and Illness Records

The Occupational Safety and Health Administration published a [proposed rule](#) that would require employers to electronically report to OSHA the injury and illness information that employers are already required to record. This rule adds three new electronic reporting requirements to OSHA's annual injury and illness survey. The rule doesn't require any new recordkeeping actions by employers, but it changes employers' obligation to report the records to OSHA. "OSHA anticipates that establishments' electronic submission of establishment-specific injury/illness data will improve OSHA's ability to identify, target, and remove safety and health hazards, thereby preventing workplace injuries, illnesses, and deaths. In addition, OSHA believes that the data submission requirements of the proposed rule will improve the quality of the information and lead employers to increase workplace safety. Finally, the Agency plans to make the injury and illness data public, as encouraged by President Obama's Open Government Initiative. Online access to these data will allow the public, including employees and potential employees, researchers, employers, and workplace safety consultants, to use and benefit from the data."

[Comments](#) are due on February 6th, 2014.



Securities and Exchange Commission

SEC Finalizes 332-Page Rule Implementing Dodd-Frank Municipal Advisor Requirements

The Securities and Exchange Commission published a 332-page [final rule](#) establishing a registration regime for municipal advisors pursuant to Title IX of the Dodd-Frank Act and imposing certain record-keeping requirements on these municipal advisors. Title IX of the Dodd-Frank Act creates a distinction for “municipal advisors” and requires them to register with the SEC, effective October 1, 2010. This requirement “makes it unlawful for any municipal advisor to provide certain advice to or on behalf of, or to solicit, municipal entities or certain other persons without registering with the Commission. A person is deemed under the Exchange Act to have a statutory fiduciary duty to any municipal entity for whom such person acts as a municipal advisor... The new registration requirements and regulatory standards are intended to mitigate some of the problems observed with the conduct of some municipal advisors, including “pay to play” practices, undisclosed conflicts of interest, advice rendered by financial advisors without adequate training or qualifications, and failure to place the duty of loyalty to their clients ahead of their own interests.” To meet statutory deadlines, SEC had published an interim final rule in September, 2010, establishing a temporary way for municipal advisors to register with the Commission. “The Commission has considered comments received in connection with both the 2010 interim final temporary rules, as well as the Proposal, and is today establishing a permanent registration regime for municipal advisors and imposing certain record-keeping requirements on such advisors.”

Office of Personnel Management

OPM Finalizes Rule Granting DC Federal Employees Partial Exemption from Political Activity Restrictions

The Office of Personnel Management published a [final rule](#) amending its existing regulations to “grant Federal employees residing in the District of Columbia a partial exemption from the political activity restrictions, and to add the District of Columbia to its regulatory list of designated localities in OPM regulations. This regulatory amendment reflects OPM’s determination that the District of Columbia meets the criteria in the Hatch Act, as amended by the Hatch Act Modernization Act of 2012, for a partial exemption to issue.” Upon implementation of this final rule, federal government employees will be eligible to run as independent candidates in local elections to partisan political office, but not as representatives of a political party for local partisan political office.

Nuclear Regulatory Commission

NRC Extends Comment Deadline on Environmental Impact Determinations for Spent Nuclear Fuel Storage

The Nuclear Regulatory Commission is [extending](#) the comment deadline for its [proposed rule](#), *Waste Confidence-Continued Storage of Spent Nuclear Fuel* due to both the government shutdown in October and requests from the public to extend the deadline. NRC’s proposed rule would amend the Commission’s generic determination on the environmental impacts of the continued storage of spent nuclear fuel beyond a reactor’s licensed life for operation and prior to ultimate disposal. “The Commission proposes to conclude that the analysis generically addresses the environmental impacts of continued storage of spent nuclear fuel beyond the licensed life for operation of a reactor and supports the determinations that it is feasible to safely store spent nuclear fuel beyond the licensed life for operation of a reactor and to have a mined geologic repository within 60 years following the licensed life for operation of a reactor. The proposed rule also would clarify that the generic determination applies to a license renewal for an independent spent fuel storage installation (ISFSI). In addition, the proposed rule would make conforming amendments to the Commission’s 2013 findings on the environmental effects of renewing the operating license of a nuclear power plant to address issues related to the storage of spent nuclear fuel after a reactor’s licensed life for operation and the offsite radiological impacts of spent nuclear fuel and high-level waste disposal.” [Comments](#) are now due on December 20th.

Agencies

Export-Import Bank

Ex-Im Bank Receives Application for \$100+ Million to Fund Export of Satellites to Bulgaria

The Export-Import Bank published a [notice](#) announcing the receipt of an application for a long-term loan or financial guarantee in excess of \$100 million to fund the export of U.S.–manufactured satellites and satellite launch services to Bulgaria. If funded, this export would be “expected to provide additional capacity to broadcasting and telecommunications companies in Central and Eastern Europe.” Comments are due on December 3rd.

