



United States Organizations for Bankruptcy Alternatives, Inc.

October 8, 2009

Via Email: tsrdebtrelief@ftc.gov and
Overnight UPS
Federal Trade Commission
Office of the Secretary
Room H-135 (Annex T)
600 Pennsylvania Avenue, NW
Washington, DC 20580

**Re: Telemarketing Sales Rule – Debt Relief Rulemaking Forum – Request to
Participate, R411001**

To Whom It May Concern:

Please allow this letter to serve as a request by the United States Organizations for Bankruptcy Alternatives (“USOBA”) to participate in the November 4, 2009 public forum regarding the above-reference rule (the “Request”) and Notice of Public Rulemaking regarding the same (“NPRM”).

USOBA respectfully requests that **John Ansbach, Chair of the Legislative Committee for USOBA**, be allowed to speak and participate in the Forum, presently scheduled for November 4, 2009. As Chair of our Legislative Committee, Mr. Ansbach has represented the debt resolution industry and our members in numerous state legislative and regulatory efforts regarding debt settlement, including but not limited to those in California, Texas, Florida, Pennsylvania and Maine, among others. He was a participant in the FTC Workshop held on the debt settlement industry a year ago September, and he is a drafter of model legislation in the industry, i.e., the Debt Settlement Services Act (“DSSA”). Mr. Ansbach is intimately familiar with the provisions of the other model act in the industry, the Uniform Debt Management Services Act (“UDMSA”); USOBA’s best practices and standards for professional conduct of its members; current economic conditions requiring the need for debt resolution options; as well as, the effects of regulation on debt resolution providers and the consumers they serve. Mr. Ansbach’s comments and insight will assist the FTC in its rulemaking process and, as such, we respectfully request he be granted the opportunity to speak and participate on our behalf and on behalf of our members. Pursuant to the guidelines provided by the FTC, Mr. Ansbach’s biography is attached to this letter and his contact information is provided here:

John E. Ansbach
Chair, Legislative Committee, USOBA
972-464-4430 (ofc) // 866-328-1958 (fax)
jansbach@usoba.org

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Additionally, USOBA would also ask that, in addition to Mr. Ansbach,¹ I, Ms. Jenna Keehnen, USOBA's Executive Director, be allowed to speak at the November 4, 2009 forum. I have served as USOBA's Executive Director since 2006. As such, I have intimate knowledge of the debt resolution industry, including the needs of consumers and providers, alike. I have helped to develop regulation and legislation within the industry for several years, working in concert with state regulators and consumer protection advocates. My comments and insight will assist the FTC in its rulemaking process and, as such, I respectfully request that I also be granted the opportunity to speak and participate on USOBA's behalf and on behalf of our members. Pursuant to the guidelines provided by the FTC, my biography is attached to this letter and my contact information is provided here:

Jenna Keehnen
Executive Director, USOBA
877-768-7622 (ofc) // 713-456-2837 (fax)
jkeehnen@usoba.org

Please note that USOBA will be submitting a written comment in response to the NPRM as required for participation in the public forum. We understand from an email received from Stephanie Rosenthal (with the FTC) dated October 5, 2009, that the deadline for submitting such written comments has been extended to October 26, 2009.

On this note, while USOBA appreciates the extension and will do all that it can to respond timely under the new deadline, we join others, including numerous members of the United States Congress, in requesting a more reasonable extension of the comment period (120 days) and a corresponding postponement of the November 4, 2009 public forum date. Given the FTC's own comments in the NPRM regarding the lack of "empirical data" on which to base its findings, USOBA respectfully suggests that additional time for consideration of the important consumer issues at hand is appropriate.

We appreciate very much the Commission's consideration of this Request. USOBA looks forward to assisting the Commission to the greatest extent possible in developing a final rule in this matter; a rule that will accomplish strong, needed consumer protections in the debt settlement industry, but which will also allow for the continued health and operation of honest, ethical providers who serve those consumers and the preservation of debt relief choices.

With much thanks,

Jenna Keehnen
Executive Director
USOBA

Attachments

¹ In the event that the Commission is unable to accommodate more than one speaker per organization at the Forum, USOBA respectfully submits Mr. Ansbach, only, to speak on our behalf.



United States Organizations for Bankruptcy Alternatives, Inc.

John Ansbach

John Ansbach is the Chairman of the Legislative Committee for the United States Organization for Bankruptcy Alternatives. John also serves as General Counsel for EFA Processing, L.P., in Frisco, Texas, a business process-outsourcing firm; a visiting lecturer at the University of Texas School of Law in Austin, Texas; and, a speaker for and advisor to companies and non-profits across North America.

As USOBA's Legislative Committee Chair and a member of the USOBA Board of Directors, John develops legislative and public policy for the debt settlement industry, working closely with federal and state regulators and legislators. Most recently in this role, John has represented the industry in Washington, D.C., as well as in Texas, California, New York, Florida, and Pennsylvania, negotiating and promoting legislation to enact appropriate regulatory schemes within his industry.

As General Counsel for EFA, John is responsible for the legal affairs of the company, which include negotiating and memorializing commercial agreements; overseeing regulatory and compliance efforts; developing labor and employment solutions; and, working consistently and proactively to address risk management challenges.

In addition to John's work in the consumer finance industry, John also speaks and consults for for-profit and non-profit companies, trade associations and other organizations across the United States and Canada, including Frito Lay, Toyota, the National Association of REALTORS®, Hewlett-Packard, the Texas Association of REALTORS®, the Society for Human Resource Management, several national law firms, and various other organizations. John speaks and consults on topics related to diversity in the marketplace and workplace, as well as on issues related to leadership and consumer service.

John Ansbach is a cum laude graduate of Texas A&M University where he earned a Bachelors of Science degree in Economics, as well as a minor in Speech Communications. He earned his law degree from The University of Texas School of Law in Austin.

In his community, John serves on the Board of Directors for the Dallas Affiliate of Susan G. Komen for the Cure® where he works to raise funds in the fight against breast cancer. He also consults for the national organization Susan G. Komen for the Cure®; is active in the e-Mentoring Program of the Dallas Bar Association; serves as the 2010 President-Elect and on the Board of Directors of the Texas General Counsel Forum - DFW Chapter; and, volunteers for the Center for Non-Profit Management in Dallas.

5405F TC Jester Blvd. #3310 * Houston, TX 77091 * 281-820-0666

www.USOBA.org



United States Organizations for Bankruptcy Alternatives, Inc.

Jenna Keehnen

Jenna Keehnen is the Executive Director for the United States Organizations for Bankruptcy Alternatives, Inc. ("USOBA"), the oldest active trade association in the bankruptcy alternatives industry that represents more than 200 members nationwide. USOBA's mission is to provide legislative and legal compliance support to its member (primarily debt settlement) companies while maintaining the utmost in consumer protection.

Jenna began her career in the consumer debt vector as the Director of Operations for the American Association of Debt Management Organizations ("AADMO"). AADMO is also a trade association that represents more than 150 members nationwide. The growing need for representation for debt settlement companies led to the creation of USOBA in 2004. Jenna acted as the Director of Operations for USOBA until 2006 when she was elevated to the position of Executive Director.

As Executive Director, Jenna oversees all legislative action including collaborating with regulatory and legislative entities and drafting and amending bills. She also coordinates bi-annual industry-specific conferences, ensures excellent member relations and assists consumers seeking debt relief assistance. She publishes a State Law Guide summary that has been reviewed by legislators and regulators and continually updates member companies of any legal changes. Her office also produces informative newsletters for both member companies and consumers.

In addition to her work in the debt settlement industry, Jenna also speaks at various conferences and workshops nationwide. Jenna was recently a panelist at the Federal Trade Commission's 2008 "Consumer Protection and the Debt Settlement Industry" workshop. She has also spoken at the DBA International Annual Conference as well as the National Strategy for Financial Literacy's "Taking Ownership of the Future" conference. In October, Jenna will be speaking at the 2009 Debt Settlement Leadership Conference.

Jenna supports Susan G. Komen Foundation, Tourette syndrome research, the Make a Wish Foundation, local blood banks, Communities in Schools of South Texas and mentors through the Houston Big Brother Big Sister program.

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Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

October 22, 2009

Jenna Keehnan
Executive Director, United States Organizations
for Bankruptcy Alternatives, Inc.
5405F TC Jester Boulevard, #3310
Houston, TX 77091

Dear Ms. Keehnan:

Thank you for your submission to the Federal Trade Commission dated October 8, 2009, regarding the proposed amendments to the Telemarketing Sales Rule covering debt relief services. You request that the Commission extend the period for public comment on the proposed rule by 120 days to provide commentors with additional time to consider and prepare responses regarding the legal and factual issues discussed in the Notice of Proposed Rulemaking ("NPRM") the Commission announced on July 30, 2009.¹ You also state that industry members require more time to collect and analyze data about the debt relief industry.

The proposed rule involves important issues, and the Commission has thus far received more than 150 comments, including some comments from industry members. As you know, in response to earlier requests, the Commission has already extended the public comment period by 15 days, until Monday, October 26, 2009, thereby allowing additional time for the public to submit their comments without causing undue delay in the rulemaking proceeding.² In making that determination, the Commission expressly determined that a 120-day extension was "unnecessary to ensure that interested parties have an adequate opportunity to prepare and

¹ See *FTC Seeks Public Comment on Proposed Rules to Protect Consumers of Debt Relief Services* (July 30, 2009), available at <http://www.ftc.gov/opa/2009/07/tsr.shtm>; *Federal Trade Commission: Telemarketing Sales Rule: Notice of Proposed Rulemaking and Announcement of Public Forum*, 74 Fed. Reg. 41988 (August 19, 2009).

² *Federal Trade Commission: Telemarketing Sales Rule: Extension of Comment Period in the Notice of Proposed Rulemaking*, 74 Fed. Reg. 52914 (October 15, 2009).

Jenna Keehnan, Executive Director, United States Organizations
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submit comments and would cause undue delay. . . .” and noted that the November 4, 2009 public forum would provide “another opportunity to provide information to the Commission.”³ With respect to the data issue you have raised, I would also note that the Commission has been studying and publicly requesting information about the debt relief industry since June 2008.⁴

Sincerely,

Donald S. Clark
Secretary of the Commission

³ *Id.*

⁴ See, e.g., FTC Press Release, *FTC to Hold Public Workshop to Examine Debt Settlement Industry; Agency Seeks Comments, Original Papers, and Participation* (June 2008) (requesting comments for public workshop on debt relief including “any original research, surveys, and academic papers”).