



Consumer Financial
Protection Bureau

1700 G Street NW, Washington, DC 20552

September 13, 2016

Jessica Steadman Rustin
Managing Corporate Counsel
Advance America, Cash Advance Centers, Inc.
135 N. Church Street
Spartanburg, SC 29306

**Re: Information Quality Act Request for Correction of
CFPB 2013 White Paper on Payday Loans**

Dear Ms. Rustin:

Your letter dated July 19, 2016 addressed to the Chief Information Officer, Consumer Financial Protection Bureau (CFPB or Bureau), invoking the Information Quality Act, Section 515 of Public Law 106-0554, has been referred to me for response.

Your letter presents several arguments posited as a basis for modifying the CFPB 2013 White Paper on Payday Loans pursuant to the Information Quality Act. As corrective measures, you request that CFPB publish the full data set used to produce the prior reports and collect and study additional data in order to add to the evidence already provided in the proposed rule. As such, your request argues for an alternative study and a delay in rulemaking to allow for consideration of the Whitepaper results, not for correction of the Whitepaper itself.

As you note in the letter, the Bureau has issued a proposed rule governing Payday, Vehicle Title and Certain High-Cost Installment Loans.¹ To avoid duplication of administrative processes,

¹ See 81 FR 47863 (July 22, 2016), available at <https://www.regulations.gov/document?D=CFPB-2016-0025-0001>.

agencies are permitted to treat requests for corrections received during notice-and-comment rulemaking under Administrative Procedure Act (“APA”) procedures, if such requests can be adequately addressed as a matter of due process. See Information Quality Act: OMB’s Guidance and Initial Implementation, CRS Report to Congress (updated Sept. 17, 2004) at 7, note 11 (noting OMB guidance that “agencies should handle correction requests submitted during public comment period for a rule through APA commenting process”). In light of the pending rulemaking proceedings, the Bureau has determined to treat your request as a comment on the proposed rule.

Your letter and this response will be made part of the rulemaking record, and your requests for correction will be addressed, as appropriate, in the preamble to any final rule.

Sincerely,



Ron Borzekowski
Assistant Director for Research