

Amendment to H.R. 833, As Reported
Offered by Mr. Dooley of California

Page 124, strike lines 13 through 20, and insert the following:

1 “(a) The clerk of each district shall maintain a pub-
2 licly available list of credit counseling agencies and of pro-
3 grams described in section 109(h) and instructional
4 courses offered by such agencies currently approved by—

5 “(1) the United States Trustee; or

6 “(2) the bankruptcy administrator for the dis-
7 trict.

8 “(b) The United States Trustee or bankruptcy ad-
9 ministrator shall only approve credit counseling agencies
10 which satisfy standards set in regulations promulgated by
11 the Federal Trade Commission and which are accredited
12 by the Council on Accreditation or an equivalent third
13 party nonprofit accrediting organization.

14 “(c) The United States Trustee or bankruptcy ad-
15 ministrator shall only approve programs or courses under
16 subsection (a) if they satisfy standards set in regulations
17 promulgated by the Executive Office of the United States
18 Trustees. The Executive Office of the United States

1 Trustee is authorized to promulgate regulations setting
2 such standards.

3 “(d) The Federal Trade Commission shall have au-
4 thority to promulgate regulations setting standards for
5 credit counseling agencies for the purposes of subsection
6 (b). Such standards shall establish minimum requirements
7 for such agencies with respect to providing qualified coun-
8 selors, safekeeping and payment of client funds, disclosure
9 to clients, adequate counseling with respect to client credit
10 problems, and such other matters as relate to the quality
11 and financial security of such programs. Nothing in this
12 provision shall limit the authority of the Federal Trade
13 Commission pursuant to the Federal Trade Commission
14 Act (15 U.S.C. 45 et seq.).

15 “(e) The United States Trustee or bankruptcy ad-
16 ministrator may notify the clerk that a credit counseling
17 agency, or a program or course, is no longer approved,
18 in which case the clerk shall remove it from the list main-
19 tained under subsection (a).

20 “(2) REGULATIONS.—The Federal Trade Commis-
21 sion and the Executive Office of United States Trustees
22 shall promulgate regulations pursuant to the power dele-
23 gated in this section within 180 days of the date of the
24 enactment of this Act.”.

Page 124, line 21, strike “(2)” and insert “(3)”.