

Congress of the United States
Washington, DC 20515

May 6, 2011

The Honorable Ben Bernanke
Chairman
Board of Governors of the Federal Reserve System
20th Street and Constitution Avenue, NW
Washington, DC 20551

Dear Chairman Bernanke:

We write to follow up on the Board's final rules that it approved on March 18 concerning Regulation Z and specifically the "Ability to Pay" provision standard that is contained in those rules. We are disappointed that in issuing this rule with a unified standard for assessing ability to pay, the Federal Reserve has chosen to ignore the intent of Congress which created two standards, one for consumers under 21 and one for all other consumers.

We continue to be concerned that applying an *independent* ability to pay standard for consumers other than those under 21 may have a negative impact on stay-at-home spouses who rely on household income and do not themselves have independent salaries. While we understand that the Federal Reserve does not share this concern, we believe you will agree about the importance of insuring that the rule will not negatively impact stay-at-home spouses.

We would therefore request that the Federal Reserve, in consultation with the CFPB, undertake a study to look at the effects of applying a uniform standard on all consumers. The study should examine the effects of the uniform standard for the first six months after the implementation with a report back to Congress. If it is found that stay-at-home spouses have been negatively impacted, the Board or the CFPB should then amend the rule to correct any problems it has found.

We understand the difficulty the Board confronted as it attempted to clarify initial confusion that was raised about applying the ability to pay rules. We are sure the Board understands that it was never the intention of Congress that there would be any impact on stay-at-home spouses, and that we should make sure that that is in fact the case.

We appreciate your attention to this matter.

Sincerely,



CAROLYN B. MALONEY
Member of Congress



BARNEY FRANK
Member of Congress



LOUISE M. SLAUGHTER
Member of Congress



MIKE FITZPATRICK
Member of Congress