Date: September 16, 2026

To: Members of the House Committee on Financial Services

From: Naomi Camper, Chief Policy Officer

Re: ABA Views on Legislation for the September 16, 2026, Full Committee Markup

The American Bankers Association (ABA)[1] supports H.R. 1653, H.R. 4936, H.R. 7866, and H.R. 10184, which are scheduled to be marked up by the full Committee on September 16, 2026.

H.R. 1653, the Civil Investigative Demand Reform Act of 2025, led by Rep. Andy Barr (R-KY) and Rep. Vicente Gonzalez (D-TX)

ABA strongly supports H.R. 1653, which would reform the process the Consumer Financial Protection Bureau (CFPB) uses to issue civil investigative demands (CIDs) to financial services providers. Among other changes, the bill would impose a six-year statute of limitations on CIDs, require that CIDs make specific reference to particular facts rather than broad, unsubstantiated statements of purpose, and allow recipients to petition for relief from unduly burdensome or vague demands and, if that petition is denied, to appeal directly to federal court.

These provisions—which would be more durable than comparable policy changes made by CFPB leadership—would go a long way toward promoting fairness for CID recipients, all without undermining the Bureau's ability to pursue legitimate investigations.

H.R. 4936, the Taskforce for Recognizing and Averting Payment Scams (TRAPS) Act, led by Rep. Zach Nunn (R-IA) and Rep. Jim Himes (D-CT)

H.R. 4936 would direct the Secretary of the Treasury to establish, within 90 days of enactment, a Task Force for Recognizing and Averting Payment Scams. The Task Force would be chaired by the Secretary or a designee and include representatives from the CFPB, the Federal Communications Commission, the Federal Trade Commission, the Department of Justice, and other federal agencies, along with representatives from financial institutions, credit unions, digital payment networks, consumer groups, scam-survivor advocates, and the technology sector. The Task Force would examine current and emerging payment-scam trends, coordinate prevention efforts across agencies, and issue annual reports to guide federal policy.

[1] The American Bankers Association is the voice of the nation's $26.5 trillion banking industry, which is composed of small, regional and large banks that together employ over 2 million people, safeguard $20.7 trillion in deposits and extend $13.9 trillion in loans.

ABA continues to believe that a coordinated national strategy, anchored by a dedicated federal task force, is the best way to combat the evolving and increasingly sophisticated threat that payment scams pose to American consumers, including seniors.

H.R. 7866, the American Lending Fairness Act of 2026 (ALFA), led by Rep. Warren Davidson (R-OH) and Rep. Andy Barr (R-KY)

H.R. 7866 would amend Section 27 of the Federal Deposit Insurance Act to clarify the intended scope of the state opt-out provision in Section 525 of the Depository Institutions Deregulation and Monetary Control Act of 1980 (DIDMCA). The bill would confirm that a state's exercise of its Section 525 opt-out authority does not permit that state to regulate the interest rate charged on a loan made to its residents by an out-of-state, state-chartered bank, preserving the interest-rate parity between state and federally chartered lenders that DIDMCA was designed to protect.

This legislation was noticed as a part of the House Financial Services Committee hearing on September 2, 2026, titled "Strengthening the American Economy: Promoting Growth, Opportunity, and Prosperity." ABA, together with a broad and diverse coalition of financial trade associations, submitted a joint trades letter for the record ahead of that hearing in support of ALFA. As that letter explains, DIDMCA has preserved parity between the dual banking system's federally chartered and state-chartered lenders for nearly half a century. ALFA is a narrow, targeted clarification of Section 525's opt-out provision, not a substantive change to DIDMCA, and it is needed to prevent a patchwork of conflicting state interest-rate regimes and the resulting harm to the nationwide lending market that DIDMCA was intended to prevent.

H.R. 10184, the Consumer Financial Protection Accountability and Reform Act of 2026, led by Rep. Andy Barr (R-KY) and Chairman French Hill (R-AR)

H.R. 10184 is a five-title bill that would substantially reform the CFPB's funding, rulemaking authority, enforcement powers, and supervisory reach. Among other changes, the bill would move the Bureau onto the regular congressional appropriations process, require rigorous cost-benefit analysis and small-business impact review for new rules, establish a dedicated CFPB Inspector General, define "abusive" and "substantial injury" for unfair, deceptive, or abusive acts or practices (UDAAP) purposes, raise the asset threshold for direct CFPB supervision of banks and credit unions from $10 billion to $30 billion, reform the Bureau's civil penalty structure, create new frameworks for small-dollar credit, and require a GAO study of buy-now-pay-later products.

ABA members have decades of experience complying with and being supervised under the federal consumer financial laws the Bureau administers. We have consistently called for the CFPB to implement rules and policies that are transparent, fully consistent with the law, and focused on promoting the interests of consumers in a vibrant and innovative market that offers the variety of financial products and services that consumers want and value. Over the past several months, ABA has worked extensively with the Committee, providing detailed comments as it developed its CFPB reform proposal, and we are encouraged to see so many of our members' priorities reflected in the bill.

We strongly support the bill's core governance reforms: subjecting the Bureau to congressional appropriations, requiring transparent and rigorous cost-benefit analysis, establishing a dedicated Inspector General, and modernizing periodic rule review. We also support the bill's UDAAP reforms, including a defined "abusive" standard, a bar on treating discrimination claims as UDAAP violations, a workable definition of "substantial injury," and the prohibition on using UDAAP to circumvent other laws' limitations periods. ABA also welcomes the bill's clarification of Bureau authority over persons regulated by state insurance regulators, the guidance clarity statement, indexing of regulatory thresholds, reforms to the consumer complaint process, and the Section 1071 small-business loan privacy rulemaking requirement. We are especially glad to see a proposal to increase the threshold for CFPB supervision to $30 billion, which is aligned with recent, independent threshold determinations by the FDIC and OCC.

Conclusion

ABA respectfully requests that the Committee report favorably H.R. 1653, H.R. 4936, H.R. 7866, and H.R. 10184. Thank you for the opportunity to express our views on this important legislation.