

July 27, 2010

The Honorable Brad Miller
1127 Longworth Building
Washington, DC 20515

Re: Support for The Freedom and Mobility in Consumer Banking Act

Dear Congressman Miller:

We, the undersigned consumer, civil rights and labor groups write to express our strong support for The Freedom and Mobility in Consumer Banking Act, which would ensure that consumers are able to close unwanted bank accounts without being taken advantage of in the process. With bank fees climbing, consumers need full freedom to liquidate their accounts or move their money to institutions better suited to their needs. They must be able to do so free of charge, without delay, and without risk of negative reports to consumer reporting agencies. The important protections provided by the Freedom and Mobility in Consumer Banking Act will ensure that consumers are treated fairly.

The Freedom and Mobility in Consumer Banking Act would ensure these important protections:

- Provides consumers the right to close an account at any time, at no charge, regardless of whether the balance is positive, zero, or negative.
- Provides consumer the right to close an account in person, by phone, or by other remote means, and to receive funds by certified check or by electronic transfer to the consumer's new account.
- Prohibits fees or charges from being assessed to an account subsequent to receiving a request to close an account.
- Requires institutions to take reasonable steps to facilitate account closures, including notifying consumers of preauthorized and recurring debits that hit their account for 30 days after a qualified account is closed.
- Provides that consumers shall be given at least 30 days to remit payment for an account that is closed with a negative balance prior to the institution's initiating any collection activity, or reporting to a third party.
- Prohibits institutions from reporting to consumer reporting services like ChexSystems delinquencies resulting solely from overdraft or other fees assessed by the institution, to protect consumers from being shut out of the banking system due to negative consumer reports.

We applaud your leadership on this issue, and look forward to working with you on this important legislation.

Sincerely,

AFL-CIO
Center for Responsible Lending
Consumer Federation of America
Consumers Union
HomeFree-USA
Neighborhood Economic Development Advocacy
Project (NEDAP)
NAACP
National Association of Consumer Advocates
National Community Reinvestment Coalition
(NCRC)
National Consumer Law Center
(on behalf of its low income clients)
National Council of La Raza
Leadership Conference on Civil and Human Rights
Rainbow Push Coalition
SEIU
U.S. Public Interest Research Group