



U.S. Department of Justice

Executive Office for United States Trustees

Office of the Director

Washington, DC 20530

October 4, 2017

**Via email to krista.damelio@nacba.com
And U.S. Mail**

Ms. Krista D'Amelio
Director of Government Affairs & Communications
National Association of Consumer Bankruptcy Attorneys
2200 Pennsylvania Avenue, N.W., 4th Floor
Washington, DC 20037

Dear Ms. D'Amelio:

Thank you for your letter to Director Cliff White requesting that the United States Trustee Program (USTP) waive the credit counseling requirement for debtors affected by the recent hurricanes impacting Texas, Florida, and Puerto Rico.

The USTP shares your view that hardships imposed by natural disasters on parties to bankruptcy cases should be a consideration in the USTP's execution of its statutory enforcement and administrative responsibilities. It is for that reason that, as your letter recognizes, the USTP recently re-issued guidance to all of its offices concerning the exercise of prosecutorial discretion in the wake of natural disasters, including Hurricanes Harvey, Irma, and Maria.

Moreover, as authorized by the Bankruptcy Code, the USTP has evaluated whether the situation in the judicial districts impacted by the recent hurricanes has made it unreasonable for individual debtors in those districts to obtain adequate credit counseling and debtor education services from approved providers. Accordingly, on September 28, 2017, Acting United States Trustee Guy Gebhardt issued temporary waivers of the credit counseling and debtor education requirements for consumer debtors in the judicial districts of Puerto Rico and the Virgin Islands in the devastating aftermath of Hurricanes Irma and Maria.

We welcome any additional information you may wish to provide regarding hardships in obtaining bankruptcy relief suffered by victims of these hurricanes who are located in other judicial districts, and we will take action within our statutory authority as is appropriate.

Sincerely yours,

Ramona D. Elliott
Deputy Director/General Counsel