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ATTN: Mr. George Schaefer  
Department of Defense  
Federal Docket Management System Office  
1160 Defense Pentagon  
Washington, DC 20301-1160

Reference: **DOD-2006-0S-0216; FR Doc. 06-9518**

Dear Mr. Schaefer:

The American Bar Association (“ABA”) is the largest professional trade association with over 400,000 members representing all aspects of the legal system. In addition to lawyers, judges, academicians and others, the American Bar Association has proudly worked to protect the rights of military servicemembers and their dependents since World War II. I write to you now on behalf of the ABA in support of recently enacted laws, particularly provisions of the Talent-Nelson Amendment of P.L. 109-364 that seek to protect the most vulnerable of our armed forces from abusive financial products.

We appreciate that the range of financial instruments available can be helpful tools for establishing personal financial stability, including by bridging temporary economic hardships. However, we believe the record of abuses within the industry, such as those discussed during the September 2006 Senate Banking Committee hearing on predatory lending and the report of the Department of Defense last summer, are patent.

To the extent that such products seek to unreasonably stretch or exceed a person’s ability to repay, and to the extent that such unfairly accumulated debt distracts our soldiers and sailors from their missions, destabilize their home life, and even affect their ability to deploy, we believe the terms of the Talent-Nelson Amendment are integral to national security, and necessary to the integrity of legislation such as the Servicemembers Civil Relief Act.

Accordingly, because the harm to our servicemembers is in the instrument and not the point of origination, we oppose any efforts to carve out from the law any exemptions for financial institutions whose products would otherwise violate the

terms set by Congress and the Secretary. We also understand that terms such as what costs are included within the 36% rate cap on lending products is in question. We do not take a position on the specific point at which terms become usurious, but we urge you to consider whether any proposed definitions tend to reflect the purpose behind the Talent-Nelson Amendment, or whether a proposal would subject servicemembers to a similar harm as prior to enactment.

Thank you for your consideration of these comments. We look forward to implementation of these vital protections by October 2007.

Sincerely,

A handwritten signature in cursive script that reads "Robert D. Evans". The signature is written in black ink and is positioned below the word "Sincerely,".

Robert D. Evans