

[DISCUSSION DRAFT]

117TH CONGRESS
1ST SESSION

H. R. _____

To amend the Fair Debt Collection Practices Act to provide enhanced protection against debt collector harassment of members of the Armed Forces, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. DEAN introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Fair Debt Collection Practices Act to provide enhanced protection against debt collector harassment of members of the Armed Forces, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fair Debt Collection
5 Practices for Servicemembers Act”.

1 **SEC. 2. ENHANCED PROTECTION AGAINST DEBT COL-**
2 **LECTOR HARASSMENT OF**
3 **SERVICEMEMBERS.**

4 (a) COMMUNICATION IN CONNECTION WITH DEBT
5 COLLECTION.—Section 805 of the Fair Debt Collection
6 Practices Act (15 U.S.C. 1692c) is amended by adding
7 at the end the following:

8 “(e) COMMUNICATIONS CONCERNING SERVICEMEM-
9 BER DEBTS.—

10 “(1) DEFINITION.—In this subsection, the term
11 ‘covered member’ means—

12 “(A) a covered member or a dependent as
13 defined in section 987(i) of title 10, United
14 States Code; and

15 “(B)(i) an individual who was separated,
16 discharged, or released from duty described in
17 such section 987(i)(1), but only during the 365-
18 day period beginning on the date of separation,
19 discharge, or release; or

20 “(ii) a person, with respect to an individual
21 described in clause (i), described in subpara-
22 graph (A), (D), (E), or (I) of section 1072(2)
23 of title 10, United States Code.

24 “(2) PROHIBITIONS.—A debt collector may not,
25 in connection with the collection of any debt of a
26 covered member—

1 “(A) threaten to have the covered member
2 reduced in rank;

3 “(B) threaten to have the covered mem-
4 ber’s security clearance revoked; or

5 “(C) threaten to have the covered member
6 prosecuted under chapter 47 of title 10, United
7 States Code (the Uniform Code of Military Jus-
8 tice).”.

9 (b) UNFAIR PRACTICES.—Section 808 of the Fair
10 Debt Collection Practices Act (15 U.S.C. 1692f) is amend-
11 ed by adding at the end the following:

12 “(9) The representation to any covered member
13 (as defined under section 805(e)(1)) that failure to
14 cooperate with a debt collector will result in—

15 “(A) a reduction in rank of the covered
16 member;

17 “(B) a revocation of the covered member’s
18 security clearance; or

19 “(C) prosecution under chapter 47 of title
20 10, United States Code (the Uniform Code of
21 Military Justice).”.

22 **SEC. 3. GAO STUDY.**

23 The Comptroller General of the United States shall
24 conduct a study and submit a report to Congress on the
25 impact of this Act on—

1 (1) the timely delivery of information to a cov-
2 ered member (as defined in section 805(e) of the
3 Fair Debt Collection Practices Act, as added by this
4 Act);

5 (2) military readiness; and

6 (3) national security, including the extent to
7 which covered members with security clearances
8 would be impacted by uncollected debt.

9 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

10 The budgetary effects of this Act, for the purpose of
11 complying with the Statutory Pay-As-You-Go Act of 2010,
12 shall be determined by reference to the latest statement
13 titled “Budgetary Effects of PAYGO Legislation” for this
14 Act, submitted for printing in the Congressional Record
15 by the Chairman of the House Budget Committee, pro-
16 vided that such statement has been submitted prior to the
17 vote on passage.