

[DISCUSSION DRAFT]

116TH 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

M____. _____ 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 MEMBERS OF THE**
3 **ARMED FORCES.**

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’—

12 “(A) has the meaning given the term in
13 section 987(i)(1) of title 10, United States
14 Code; and

15 “(B) means an individual who was sepa-
16 rated, discharged, or released from duty de-
17 scribed in such section 987(i)(1), but only dur-
18 ing the 365-day period beginning on the date of
19 separation, discharge, or release.

20 “(2) PROHIBITION.—A debt collector may not
21 communicate, in connection with the collection of
22 any debt, with the commanding officer or officer in
23 charge of any covered member, including for the
24 purpose of acquiring location information about the
25 covered member.”.

1 (b) FALSE OR MISLEADING REPRESENTATIONS.—

2 Section 807 of the Fair Debt Collection Practices Act (15

3 U.S.C. 1692e) is amended by adding at the end the fol-

4 lowing:

5 “(17) The false representation to any covered

6 member (as defined under section 805(e)(1)) that

7 failure to cooperate with a debt collection will result

8 in prosecution under chapter 47 of title 10, United

9 States Code (the Uniform Code of Military Jus-

10 tice).”.