

118TH CONGRESS
1ST SESSION

H. R. 5674

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

SEPTEMBER 22, 2023

Ms. DEAN of Pennsylvania (for herself and Mr. DAVIDSON) introduced the following bill; which was referred to the Committee on Financial Services

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) COVERED MEMBER DEFINED.—In this
11 subsection, the term ‘covered member’ means any of
12 the following:

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

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

21 “(C) A person, with respect to an indi-
22 vidual described in subparagraph (B), described
23 in subparagraph (A), (D), (E), or (I) of section
24 1072(2) of title 10, United States Code.

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

4 “(A) threaten to have the covered member
5 reduced in rank;

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

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

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

15 “(9) The representation or implication to any
16 covered member (as defined under section 805(e)(1))
17 that failure to cooperate with a debt collector will re-
18 sult in—

19 “(A) a reduction in rank of the covered
20 member;

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

23 “(C) prosecution under chapter 47 of title
24 10, United States Code (the Uniform Code of
25 Military Justice).”.

1 **SEC. 3. GAO STUDY.**

2 The Comptroller General of the United States shall
3 conduct a study and submit a report to Congress on the
4 impact of this Act on—

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

9 (2) military readiness; and

10 (3) national security, including the extent to
11 which covered members with security clearances
12 would be impacted by uncollected debt.

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