

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

FAIR DEBT COLLECTION PRACTICES FOR SERVICEMEMBERS ACT

Ms. PRESSLEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1491) 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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1491

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. ENHANCED PROTECTION AGAINST DEBT COLLECTOR HARASSMENT OF SERVICEMEMBERS.

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

“(e) COMMUNICATIONS CONCERNING SERVICE-MEMBER DEBTS.—

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

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

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

“(ii) a person, with respect to an individual described in clause (i), described in subparagraph (A), (D), (E), or (I) of section 1072(2) of title 10, United States Code.

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

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

“(B) threaten to have the covered member’s security clearance revoked; or

“(C) threaten to have the covered member prosecuted under chapter 47 of title 10, United States Code (the Uniform Code of Military Justice).”.

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

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

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

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

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

SEC. 3. GAO STUDY.

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

(1) the timely delivery of information to a covered member (as defined in section 805(e) of the Fair Debt Collection Practices Act, as added by this Act);

(2) military readiness; and

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

SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.

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

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Massachusetts (Ms. PRESSLEY) and the gentleman from North Carolina (Mr. MCHENRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

GENERAL LEAVE

Ms. PRESSLEY. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Ms. PRESSLEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank Representative DEAN for her leadership on this important bill, which will provide much-needed relief and protection for our servicemembers.

Two out of every five servicemembers’ complaints submitted to the Consumer Financial Protection Bureau are about predatory debt collection practices. Some examples of what servicemembers reported experiencing include inappropriate threats of punishment under the Uniform Code of Military Justice, threats to the rank and security clearance of the servicemember, and even reports of debt collectors inappropriately contacting the commanding officer of the debt holder.

It is a disgrace that people serving in the military are being threatened and intimidated. The impact of these abusive collection practices is severe. Servicemembers have reported increased stress and hardship because of predatory debt collectors.

These unfair and unnecessary practices against people who are putting their lives on the line for this country must end, which is why the National Military Family Association; the National Consumer Law Center; and the former CFPB Assistant Director for Servicemember Affairs, retired Army Colonel Paul Kantwill, all support this bill.

I am happy to say that Democrats and Republicans agree that Congress should put a halt to these abusive practices, and this bill does just that. Congresswoman DEAN’s work across the

aisle and with the House Armed Services Committee last Congress resulted in a House floor vote of 355–0.

Madam Speaker, I urge my colleagues to unanimously support this bill again so we can better protect our servicemembers, who do so much to protect us.

Madam Speaker, I reserve the balance of my time.

Mr. MCHENRY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 1491, the Fair Debt Collection Practices for Servicemembers Act.

I thank Representative DEAN for offering this legislation.

Madam Speaker, our servicemembers put their lives on the line for us every day. To that end, we must ensure they are adequately protected from abuse or harassment related to outstanding debt. I am pleased that we were able to work in a bipartisan fashion to meet this goal.

H.R. 1491 prohibits debt collectors from using threats against a servicemember’s rank or security clearance, or threats of prosecution under the Uniform Code of Military Justice. Not only are such practices unfair, they also create the risk of harm to military readiness.

Last Congress, during the committee markup of H.R. 1491, Republicans expressed concerns that there were too many unanswered questions about how this bill could impact military readiness. The gentleman from Ohio (Mr. STIVERS), who has had a distinguished career in our military, offered an amendment, which directs the Comptroller General of the United States to conduct a study on the impact this bill has on readiness with servicemembers regarding debts in collection, as well as military readiness and national security. This commonsense approach ensures that Congress understands and is able to account for the connection between national security and the protection of servicemembers from unfair practices.

Madam Speaker, I thank the Democrat majority for accepting this amendment, and I am glad that it continues to be included in this bill we are considering today. This makes this a far more lasting bill, I believe, and more impactful on the people that the author and this Congress want to ensure are taken care of, and those are the folks who serve and protect us each and every day.

As a reminder, this bill passed the House unanimously in March of last year.

All Americans deserve to be treated with dignity and respect when faced with repaying a debt. This is especially true for our servicemembers, who fight for our freedoms every day.

Madam Speaker, this bill contains important safeguards. I urge my colleagues to vote “yes,” and I reserve the balance of my time.

Ms. PRESSLEY. Madam Speaker, I yield 3 minutes to the gentlewoman

from Pennsylvania (Ms. DEAN), who is also the sponsor of this legislation.

Ms. DEAN. Madam Speaker, I thank the gentlewoman for yielding to me. I also thank the ranking member and the committee in its entirety for working on this bill together. It is a sign of bipartisanship, one that I can be proud of and we can all be proud of.

Madam Speaker, I rise in support of H.R. 1491, the Fair Debt Collection Practices for Servicemembers Act.

Every day, we are reminded of the significant sacrifices our troops make to protect us. As Members of Congress, I believe we have a responsibility to protect those who protect us.

The Fair Debt Collection Practices for Servicemembers Act works to live up to this responsibility by addressing abusive debt collection practices specifically targeting servicemembers.

According to the Consumer Financial Protection Bureau, approximately 40 percent of complaints filed by servicemembers concern debt collection, as compared to only 26 percent by nonservicemembers. These debt collection practices are manipulative and have negative career implications for soldiers, like contacting their superior officers or threatening them with rank reductions.

Unfortunately, these practices do not stop with the servicemembers. Debt collectors also target military spouses, unfairly burdening our military families who have sacrificed so much.

These tactics are egregious and must stop. Our servicemen and -women make extraordinary sacrifices on our behalf. The last thing they need is harassment from debt collectors who take advantage of their service, which is why I am pleased to rise in support of the bill today.

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Specifically, my bill amends the Fair Debt Collection Practices Act and prohibits a debt collector from communicating with a servicemember's chain of command or a dependent for the purpose of threatening to have their rank reduced or threatening to revoke their security clearance.

This legislation will help ensure that our military families are not unnecessarily targeted and shield them from bad practices from debt collectors. We recognize our servicemembers' spirit of service, and we must do our part to be of service to them.

Madam Speaker, I urge all Members, as they did last Congress, to support the Fair Debt Collection Practices for Servicemembers Act.

Mr. McHENRY. Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Ms. PRESSLEY. Madam Speaker, in closing, I yield myself the balance of my time.

Madam Speaker, I commend Congresswoman DEAN for her excellent work on H.R. 1491 to help ensure our servicemembers are not threatened or harassed by unscrupulous debt collectors.

Madam Speaker, I urge all Members to support our servicemembers by voting "yes" on H.R. 1491, and I yield back the balance of my time.

Ms. JACKSON LEE. Madam Speaker, I rise in strong support of H.R. 1491, the "Fair Debt Collection for Servicemembers Act," which addresses abusive debt collection practices affecting members of the military by amending the Fair Debt Collection Practices Act (FDCPA) by adding servicemember-specific provisions to Section 805 (covering prohibited communications in connection with debt collection) and 808 (defining unfair practices that constitute a violation of the Act).

H.R. 1491 specifically prohibits debt collectors from making threats of rank reduction, revocation of security clearance or prosecution under the Uniform Code of Military Justice.

Further, the bill requires the Government Accountability Office to report the impact of this act on military readiness and national security, including the extent covered members with security clearances would be impacted by uncollected debt.

While all Americans are covered by laws barring debt collectors from overly aggressive or deceptive tactics, military members and their families face particular financial challenges requiring extra protections: in service to their country, they relocate frequently, deploy overseas and are a prime target for scammers.

Military members are also more vulnerable to debt collectors in some instances, and debt collectors have taken advantage of this vulnerability by targeting members of the Armed Services through calling their superior officers, threatening reduction in rank and even courts-martial.

This past year has seen a rise in aggressive debt collections due to the impact of COVID-19, according to the Consumer Financial Protection Bureau ("CFPB").

According to the CFPB, in the past year credit and consumer reporting complaints accounted for more than 58 percent of complaints received by the CFPB, followed by debt collection (15 percent), credit card (7 percent), checking or savings (6 percent), and mortgage complaints (5 percent).

Nearly 40 percent of complaints filed by servicemembers with the CFPB concern debt collection—as compared to only 26 percent by non-servicemembers.

This pandemic has been among the most disruptive long-term events we will see in our lifetimes, and it is not surprising that the shockwaves it sent across the planet were felt deeply in the consumer financial marketplace.

Our servicemen and servicewomen make extraordinary sacrifices on our behalf, and they should not be forced to confront aggressive and manipulative debt collectors who capitalize on the strains required of them in the course of their duties.

It is critical for the United States Congress to stand with the women and men who have served our country and remove the unethical methods debt collectors use to prey upon our servicemembers.

Madam Speaker, I urge my colleagues to join me in supporting H.R. 1491, and address these abusive debt collection practices; the patriots serving our country deserve no less.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Massachusetts

(Ms. PRESSLEY) that the House suspend the rules and pass the bill, H.R. 1491.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BIGGS. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this motion are postponed.

HOUSING FINANCIAL LITERACY ACT OF 2021

Ms. PRESSLEY. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1395) to require the Secretary of Housing and Urban Development to discount FHA single-family mortgage insurance premium payments for first-time homebuyers who complete a financial literacy housing counseling program.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1395

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Housing Financial Literacy Act of 2021".

SEC. 2. DISCOUNT ON MORTGAGE INSURANCE PREMIUM PAYMENTS FOR FIRST-TIME HOMEBUYERS WHO COMPLETE FINANCIAL LITERACY HOUSING COUNSELING PROGRAMS.

The second sentence of subparagraph (A) of section 203(c)(2) of the National Housing Act (12 U.S.C. 1709(c)(2)(A)) is amended—

(1) by inserting before the comma the following: "and such program is completed before the mortgagor has signed an application for a mortgage to be insured under this title or a sales agreement"; and

(2) by striking "not exceed 2.75 percent of the amount of the original insured principal obligation of the mortgage" and inserting "be 25 basis points lower than the premium payment amount established by the Secretary under the first sentence of this subparagraph".

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Massachusetts (Ms. PRESSLEY) and the gentleman from North Carolina (Mr. McHENRY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

GENERAL LEAVE

Ms. PRESSLEY. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Ms. PRESSLEY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise to support H.R. 1395, the Housing Financial Literacy Act, a bipartisan bill authored by