

## Union Calendar No. 542

116TH CONGRESS  
2D SESSION

# H. R. 3948

**[Report No. 116–658]**

To amend the Fair Debt Collection Practices Act to extend the provisions of that Act to cover a debt collector who is collecting debt owed to a State or local government, to index award amounts under such Act for inflation, to provide for civil injunctive relief for violations of such Act, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JULY 24, 2019

Mr. MEEKS introduced the following bill; which was referred to the Committee on Financial Services

DECEMBER 16, 2020

Additional sponsors: Ms. OCASIO-CORTEZ, Ms. PRESSLEY, Mr. CLEAVER, and Mr. DAVID SCOTT of Georgia

DECEMBER 16, 2020

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on July 24, 2019]

# **A BILL**

To amend the Fair Debt Collection Practices Act to extend the provisions of that Act to cover a debt collector who is collecting debt owed to a State or local government, to index award amounts under such Act for inflation, to provide for civil injunctive relief for violations of such Act, 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 “Debt Collection Practices*  
 5 *Harmonization Act”.*

6 **SEC. 2. PREVENTING DECEPTIVE AND HARASSING PRAC-**  
 7 **TICES WHEN COLLECTING DEBT OWED TO A**  
 8 **STATE OR LOCAL GOVERNMENT.**

9 *Section 803(5) of the Fair Debt Collection Practices*  
 10 *Act (15 U.S.C. 1692a(5)) is amended—*

11 *(1) by striking “money arising out” and insert-*  
 12 *ing the following: “money—*

13 *“(A) arising out”;*

14 *(2) by striking “judgment.” and inserting “judg-*  
 15 *ment; or”;* and

16 *(3) by adding at the end the following:*

17 *“(B) owed to a State.”.*

18 **SEC. 3. AWARD OF DAMAGES.**

19 *(a) ADDITIONAL DAMAGES INDEXED FOR INFLA-*  
 20 *TION.—*

21 *(1) IN GENERAL.—Section 813 of the Fair Debt*  
 22 *Collection Practices Act (15 U.S.C. 1692k) is amend-*  
 23 *ed by adding at the end the following:*

24 *“(f) ADJUSTMENT FOR INFLATION.—*

1           “(1) *INITIAL ADJUSTMENT.*—Not later than 90  
 2           days after the date of the enactment of this subsection,  
 3           the Bureau shall provide a percentage increase  
 4           (rounded to the nearest multiple of \$100 or \$1,000, as  
 5           applicable) in the amounts set forth in this section  
 6           equal to the percentage by which—

7                   “(A) *the Consumer Price Index for All*  
 8                   *Urban Consumers (all items, United States city*  
 9                   *average) for the 12-month period ending on the*  
 10                   *June 30 preceding the date on which the percent-*  
 11                   *age increase is provided, exceeds*

12                   “(B) *the Consumer Price Index for the 12-*  
 13                   *month period preceding January 1, 1978.*

14           “(2) *ANNUAL ADJUSTMENTS.*—With respect to  
 15           any fiscal year beginning after the date of the in-  
 16           crease provided under paragraph (1), the Bureau  
 17           shall provide a percentage increase (rounded to the  
 18           nearest multiple of \$100 or \$1,000, as applicable) in  
 19           the amounts set forth in this section equal to the per-  
 20           centage by which—

21                   “(A) *the Consumer Price Index for All*  
 22                   *Urban Consumers (all items, United States city*  
 23                   *average) for the 12-month period ending on the*  
 24                   *June 30 preceding the beginning of the fiscal*  
 25                   *year for which the increase is made, exceeds*

1           “(B) the Consumer Price Index for the 12-  
 2           month period preceding the 12-month period de-  
 3           scribed in subparagraph (A).”.

4           (2) *APPLICABILITY*.—The increases made under  
 5           section 813(f) of the Fair Debt Collection Practices  
 6           Act, as added by paragraph (1) of this subsection,  
 7           shall apply with respect to failures to comply with a  
 8           provision of such Act (15 U.S.C. 1601 et seq.) occur-  
 9           ring on or after the date of enactment of this Act.

10          (b) *INJUNCTIVE RELIEF*.—Section 813(d) of the Fair  
 11          Debt Collection Practices Act (15 U.S.C. 1692k(d)) is  
 12          amended by adding at the end the following: “In a civil  
 13          action alleging a violation of this title, the court may award  
 14          appropriate relief, including injunctive relief.”.

15          **SEC. 4. PROHIBITION ON THE REFERRAL OF EMERGENCY**

16                               **INDIVIDUAL ASSISTANCE DEBT.**

17          Chapter 3 of title 31, United States Code, is amend-  
 18          ed—

19                       (1) in subchapter II, by adding at the end the  
 20          following:

21          **“§ 334. Prohibition on the referral of emergency indi-**  
 22                               **vidual assistance debt**

23                       “With respect to any assistance provided by the Fed-  
 24          eral Emergency Management Agency to an individual or  
 25          household pursuant to the Robert T. Stafford Disaster Relief

1 *and Emergency Assistance Act (42 U.S.C. 5122 et seq.), if*  
2 *the Secretary of the Treasury seeks to recoup any amount*  
3 *of such assistance because of an overpayment, the Secretary*  
4 *may not contract with any debt collector or other private*  
5 *party to collect such amounts, unless the overpayment oc-*  
6 *curred because of fraud or deceit and the recipient of such*  
7 *assistance knew or should have known about such fraud or*  
8 *deceit.”; and*

9           *(2) in the table of contents for such chapter, by*  
10       *inserting after the item relating to section 333 the fol-*  
11       *lowing:*

*“334. Prohibition on the referral of emergency individual assistance debt.”.*



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