

Congress of the United States
Washington, DC 20510

October 30, 2023

The Honorable Mike Rogers
Chairman
House Armed Services Committee
2216 Rayburn Office Building
Washington, D.C. 20515

The Honorable Adam Smith
Ranking Member
House Armed Services Committee
2216 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Jack Reed
Chairman
Senate Armed Services Committee
228 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Roger Wicker
Ranking Member
Senate Armed Services Committee
205 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairman Rogers, Chairman Reed, Ranking Member Smith and Ranking Member Wicker:

As the House and Senate conferees negotiate the final Fiscal Year (FY) 2024 National Defense Authorization Act (NDAA), I strongly urge you to retain sections 11001, 11002, and 11003 of the Senate-passed NDAA (S. 2226), also known as the Fair Debt Collection Practices for Servicemembers Act, which will protect servicemembers and recent Veterans from manipulative debt collector communications. These provisions are a commonsense protection against a quality-of-life issue for servicemembers who should not have their service weaponized against them by debt collectors and would help provide additional peace of mind for servicemembers who already perform stressful jobs.

Fair Debt Collection Practices for Servicemembers Act

The Fair Debt Collection Practices Act (FDCPA) is designed to protect servicemembers from debt collectors who use abusive, unfair, or deceptive practices. Servicemembers and veterans, however, report being harassed by debt collectors to the Consumer Financial Protection Bureau (CFPB) at a higher rate than the civilian population. Forty percent of complaints filed by servicemembers with the CFPB are about debt collection, and debt collection is the third most common source of complaints to the Federal Trade Commission (FTC) from servicemembers, their dependents, military retirees, and veterans.

That is why I urge conferees to retain the bipartisan provisions contained in Sec. 11001-11003 that would protect our nation's servicemembers from unscrupulous debt collectors. To accomplish this, Sec. 11002 would restrict some of the communications debt collectors are allowed to have when interacting with members of our military. The changes would prohibit debt collectors from making threats of rank reduction, revocation of security clearance, or prosecution under the UCMJ. These

protections would also extend to those leaving service for one year. This provision will prohibit debt collection practices that are manipulative, cannot be acted on by unscrupulous debt collectors, and serve only to distract our servicemembers from focusing on accomplishing their missions and caring for their families. These provisions would also ensure that servicemembers are still afforded timely delivery of debt-related information through a Government Accountability Office study.

The vast majority of Congress agrees that this bipartisan provision should remain in the final bill. That is why this provision passed by a vote of 95-2 on the Senate floor, with the House passing similar provisions twice under suspension of the rules and in two previous House-passed NDAA's. Retaining this provision sends a powerful message of support to our servicemembers and their families.

I commend you all on your leadership and commitment to our servicemembers, and I urge you to preserve this provision in the final FY 2024 NDAA conference agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Warnock" with a stylized flourish at the end.

Raphael Warnock
United States Senator