

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3948
OFFERED BY MR. MEEKS OF NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Debt Collection Prac-
3 tices Harmonization Act”.

**4 SEC. 2. PREVENTING DECEPTIVE AND HARASSING PRACTICES WHEN COLLECTING DEBT OWED TO A
5 STATE OR LOCAL GOVERNMENT.**

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

9 (1) by striking “money arising out” and insert-
10 ing the following: “money—

11 “(A) arising out”;

12 (2) by striking “judgment.” and inserting
13 “judgment; or”; and

14 (3) by adding at the end the following:

15 “(B) owed to a State.”.

16 SEC. 3. AWARD OF DAMAGES.

17 (a) ADDITIONAL DAMAGES INDEXED FOR INFLA-
18 TION.—

1 (1) IN GENERAL.—Section 813 of the Fair
2 Debt Collection Practices Act (15 U.S.C. 1692k) is
3 amended by adding at the end the following:

4 “(f) ADJUSTMENT FOR INFLATION.—

5 “(1) INITIAL ADJUSTMENT.—Not later than 90
6 days after the date of the enactment of this sub-
7 section, the Bureau shall provide a percentage in-
8 crease (rounded to the nearest multiple of \$100 or
9 \$1,000, as applicable) in the amounts set forth in
10 this section equal to the percentage by which—

11 “(A) the Consumer Price Index for All
12 Urban Consumers (all items, United States city
13 average) for the 12-month period ending on the
14 June 30 preceding the date on which the per-
15 centage increase is provided, exceeds

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

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

1 “(A) the Consumer Price Index for All
2 Urban Consumers (all items, United States city
3 average) for the 12-month period ending on the
4 June 30 preceding the beginning of the fiscal
5 year for which the increase is made, exceeds

6 “(B) the Consumer Price Index for the 12-
7 month period preceding the 12-month period
8 described in subparagraph (A).”.

9 (2) APPLICABILITY.—The increases made under
10 section 813(f) of the Fair Debt Collection Practices
11 Act, as added by paragraph (1) of this subsection,
12 shall apply with respect to failures to comply with a
13 provision of such Act (15 U.S.C. 1601 et seq.) oc-
14 curring on or after the date of enactment of this
15 Act.

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

21 **SEC. 4. PROHIBITION ON THE REFERRAL OF EMERGENCY**
22 **INDIVIDUAL ASSISTANCE DEBT.**

23 Chapter 3 of title 31, United States Code, is amend-
24 ed—

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

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

5 “With respect to any assistance provided by the Fed-
6 eral Emergency Management Agency to an individual or
7 household pursuant to the Robert T. Stafford Disaster Re-
8 lief and Emergency Assistance Act (42 U.S.C. 5122 et
9 seq.), if the Secretary of the Treasury seeks to recoup any
10 amount of such assistance because of an overpayment, the
11 Secretary may not contract with any debt collector or
12 other private party to collect such amounts, unless the
13 overpayment occurred because of fraud or deceit and the
14 recipient of such assistance knew or should have known
15 about such fraud or deceit.”; and

16 (2) in the table of contents for such chapter, by
17 inserting after the item relating to section 333 the
18 following:

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

