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February 3, 2022

Rohit Chopra
Director
Consumer Financial Protection Bureau
1700 G St. NW
Washington, DC 20552

Dear Director Chopra,

I write today to express my concern regarding the Consumer Financial Protection Bureau's (CFPB) November 2021 decision that allows debt collectors to contact consumers through their personal text messages, social media accounts, and emails.¹ I strongly urge you to reconsider this decision and disallow these practices from occurring due to the personal nature of these forms of communication and the potential for fraud.

I understand the CFPB's desire to modernize and adapt communication methods to fit with the current time, but I am deeply concerned that this rule will increase the potential for individuals to fall prey to scams. While I appreciate the CFPB's efforts to ensure that debt collectors identify themselves with each communication, this practice has opened the door for fraudulent activity.² Over the years, we have seen how easily a scammer can pose as a trusted source and prey on unsuspecting individuals. Last year, Americans lost \$29.8 billion to phone scams.³ Allowing debt collectors to call, text, and leverage social media will add confusion and further increase an individual's vulnerability to scams.

By allowing debt collectors to contact consumers through phone calls, text messages, and social media messages, the CFPB has inadvertently provided criminals with another opportunity to exploit and manipulate consumers into providing personal information or soliciting illegal payments.⁴ While consumers of all ages can be targeted by bad actors, I am particularly concerned about the vulnerabilities of our seniors, many of whom are not as familiar with the best practices for differentiating between fraudulent and real messages. This concern is not unfounded as data has shown that seniors lose approximately three billion dollars to scams each year.⁵ In fact, one of the most common scams targeting older individuals is when criminals pose as official agencies seeking private information or money.⁶ With these concerns in mind, I

¹ Consumer Financial Protection Bureau, [Understand how the CFPB's Debt Collection Rule impacts you](#), 11/30/2021

² Forbes, [Debt Collectors May Soon Contact You By Text and Social Media. Here's What You Should Know](#), 1/29/2021

³ CNBC, [Americans lost \\$29.8 billion to phone scams alone over the past year](#), 6/29/2021

⁴ CNBC, [Debt collectors can text, email and message you on social media now](#), 12/7/2021

⁵ Federal Bureau of Investigation, [Elder Fraud](#)

⁶ National Council on Aging, [Top 10 Financial Scams Targeting Seniors](#), 2/19/2021

strongly urge you to reconsider allowing debt collectors to reach out to consumers in these manners without their prior consent. Instead, I encourage the CFPB to allow consumers to opt into these modes of communication should they choose to do so.

Thank you for your attention to this critical matter, and I look forward to working with you to resolve this issue.

Sincerely,

A handwritten signature in black ink that reads "Josh Harder". The signature is written in a cursive, slightly stylized font. The "J" and "H" are capitalized and prominent, while the rest of the name is written in a more fluid, connected script.

Josh Harder
Member of Congress