

AMI BERA, M.D.
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Congress of the United States
House of Representatives

October 5th, 2020

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The Honorable Kathleen Kraninger
Director
Consumer Financial Protection Bureau
1700 G St, NW
Washington, DC 20552

Dear Director Kraninger,

We write to urge for the immediate release of CFPB guidance to lenders and credit reporting agencies on the delayed payment of bills as a result of Postal Service delays. Through no fault of their own, many constituents and small business owners in our districts have received bills in the mail past the date they are due, or have mailed on-time payments which arrived past their due date as a result of delays within the United States Postal Service (USPS). Consumer Financial Protection Bureau (CFPB) guidance can shape how the USPS delays will affect our constituents' financial opportunities moving forward. We ask that you take action to mitigate the economic impact of USPS mismanagement on millions of Americans.

Americans across the country rely on the USPS in their everyday life. They depend on timely delivery and receipt of their bills and bill payments – from credit card and phone bills to utility and medical bills. However, this summer, operational changes at the USPS such as the removal of mail sorting machines and collection boxes, the elimination of overtime policies, and the abandonment of standards for letter carriers to deliver mail on time led to increased postal delivery delays. While many of these changes have been ordered to stop, our constituents continue to face the consequences of a weakened Postal Service.

USPS delays can prevent consumers from disputing unauthorized transactions or errors on bills and bank statements in a timely manner. The delays can also result in late fees and negative credit reporting for constituents who use the mail to pay their bills. Even when consumers use online banking to pay bills, the bank may have to issue and mail paper checks to payees that are not set up to receive electronic bills. This results in penalties for individuals who are paying their bills on time, while their checks are delayed by the Postal Service. This should not be a reason to push consumers toward electronic receipt of billing statements and electronic payments. All consumers, especially seniors, should be free to receive bills and make payments in the form they are comfortable with or prefer.

The Truth in Lending Act stipulates that credit card companies provide a reasonable deadline for payments received by mail.¹ Given the postal delays at the USPS, we request that the CFPB reevaluate what constitutes a reasonable deadline for these consumers. Our constituents should not be penalized for postal delays resulting from the USPS' failed leadership when they are being responsible and paying their bills on time. Until the USPS addresses these shortcomings, we are calling on the CFPB to provide guidance to lenders to ensure error resolution protections and prevent unfair late fees, and issue guidance to credit reporting agencies to ensure that these delays are not negatively impacting consumers' credit scores.

We stand ready to work with you to help our constituents and thank you for your attention to this important matter.

Sincerely,



AMI BERA, M.D.
Member of Congress

JAMES P. MCGOVERN
Member of Congress

ED CASE
Member of Congress

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¹ <https://www.consumerfinance.gov/policy-compliance/rulemaking/regulations/1026/10/#b-2>