

Union Calendar No. 429

115TH CONGRESS
2D SESSION

H. R. 435

[Report No. 115–568]

To amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2017

Mr. ELLISON (for himself, Mr. PITTENGER, Mrs. CAROLYN B. MALONEY of New York, Mr. DUFFY, Mr. AL GREEN of Texas, Mr. STIVERS, Mr. MEEKS, Mrs. LOVE, Mr. CAPUANO, Mr. RENACCI, Ms. MOORE, Mr. JONES, Mr. CONYERS, Mr. GRIJALVA, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Financial Services

FEBRUARY 16, 2018

Additional sponsors: Mr. CRIST, Mr. COHEN, Mr. GONZALEZ of Texas, Mr. TIPTON, Mr. BARR, Mr. ROSS, Mr. RASKIN, Mr. MCNERNEY, Ms. NORTON, Mr. ROYCE of California, Ms. BLUNT ROCHESTER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CICILLINE, Mrs. WATSON COLEMAN, Mr. BISHOP of Georgia, and Mr. MESSER

FEBRUARY 16, 2018

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

[Insert the part printed in *italic*]

A BILL

To amend the Fair Credit Reporting Act to clarify Federal law with respect to reporting certain positive consumer credit information to consumer reporting agencies, 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 “The Credit Access and
5 Inclusion Act of 2017”.

6 **SEC. 2. POSITIVE CREDIT REPORTING PERMITTED.**

7 (a) IN GENERAL.—Section 623 of the Fair Credit
8 Reporting Act (15 U.S.C. 1681s–2) is amended by adding
9 at the end the following new subsection:

10 “(f) FULL-FILE CREDIT REPORTING.—

11 “(1) IN GENERAL.—Subject to the limitation in
12 paragraph (2) and notwithstanding any other provi-
13 sion of law, a person or the Secretary of Housing
14 and Urban Development may furnish to a consumer
15 reporting agency information relating to the per-
16 formance of a consumer in making payments—

17 “(A) under a lease agreement with respect
18 to a dwelling, including such a lease in which
19 the Department of Housing and Urban Devel-
20 opment provides subsidized payments for occu-
21 pancy in a dwelling; or

22 “(B) pursuant to a contract for a utility or
23 telecommunications service.

24 “(2) LIMITATION.—Information about a con-
25 sumer’s usage of any utility services provided by a

1 utility or telecommunication firm may be furnished
2 to a consumer reporting agency only to the extent
3 that such information relates to payment by the con-
4 sumer for the services of such utility or tele-
5 communication service or other terms of the provi-
6 sion of the services to the consumer, including any
7 deposit, discount, or conditions for interruption or
8 termination of the services.

9 “(3) PAYMENT PLAN.—An energy utility firm
10 may not report payment information to a consumer
11 reporting agency with respect to an outstanding bal-
12 ance of a consumer as late if—

13 “(A) the energy utility firm and the con-
14 sumer have entered into a payment plan (in-
15 cluding a deferred payment agreement, an ar-
16 rearage management program, or a debt for-
17 giveness program) with respect to such out-
18 standing balance; and

19 “(B) the consumer is meeting the obliga-
20 tions of the payment plan, as determined by the
21 energy utility firm.

22 “(4) DEFINITIONS.—In this subsection, the fol-
23 lowing definitions shall apply:

24 “(A) ENERGY UTILITY FIRM.—The term
25 ‘energy utility firm’ means an entity that pro-

1 vides gas or electric utility services to the pub-
 2 lic.

3 “(B) UTILITY OR TELECOMMUNICATION
 4 FIRM.—The term ‘utility or telecommunication
 5 firm’ means an entity that provides utility serv-
 6 ices to the public through pipe, wire, landline,
 7 wireless, cable, or other connected facilities, or
 8 radio, electronic, or similar transmission (in-
 9 cluding the extension of such facilities).”.

10 (b) LIMITATION ON LIABILITY.—Section 623(c) of
 11 the Consumer Credit Protection Act (15 U.S.C. 1681s–
 12 2(c)) is amended—

13 (1) in paragraph (2), by striking “or” at the
 14 end;

15 (2) by redesignating paragraph (3) as para-
 16 graph (4); and

17 (3) by inserting after paragraph (2) the fol-
 18 lowing new paragraph:

19 “(3) subsection (f) of this section, including any
 20 regulations issued thereunder; or”.

21 (c) *GAO STUDY AND REPORT.*—*Not later than 2 years*
 22 *after the date of the enactment of this Act, the Comptroller*
 23 *General of the United States shall submit to Congress a re-*
 24 *port on the impact of furnishing information pursuant to*
 25 *subsection (f) of section 623 of the Fair Credit Reporting*

1 *Act (15 U.S.C. 1681s-2) (as added by this Act) on con-*
2 *sumers.*

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