

**AMENDMENT TO H.R. 5332, AS REPORTED  
OFFERED BY MR. MCHENRY OF NORTH  
CAROLINA**

Strike sections 2 through 11 and insert the following:

**1 SEC. 2. PROHIBITION ON THE USE OF SOCIAL SECURITY  
2 NUMBERS.**

3 (a) IN GENERAL.—Section 605 of the Fair Credit  
4 Reporting Act (15 U.S.C. 1681e) is amended by adding  
5 at the end the following:

6 “(i) PROHIBITION ON THE USE OF SOCIAL SECURITY  
7 NUMBERS.—A consumer reporting agency described  
8 under section 603(p)—

9 “(1) may not make any consumer report con-  
10 taining a social security number; and

11 “(2) may not use the social security number of  
12 a consumer as a method to verify the consumer.”.

13 (b) CONFORMING AMENDMENT.—Section 609(a)(1)  
14 of the Fair Credit Reporting Act (15 U.S.C. 1681g(a)(1))  
15 is amended by striking “except that—” and all that fol-  
16 lows through “(B) nothing” and inserting “except that  
17 nothing”.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect on January 1, 2020.

3 **SEC. 3. EXCLUSION OF PAID MEDICAL DEBT.**

4 Section 605(a) of the Fair Credit Reporting Act (15  
5 U.S.C. 1681c(a)) is amended, by adding at the end the  
6 following:

7 “(9) Paid debt arising from the receipt of medi-  
8 cally necessary, non-elective medical services, prod-  
9 ucts, or devices which from the date of payment,  
10 antedate the report by more than 1 year.”.

11 **SEC. 4. SECURITY FREEZES FOR PROTECTED CONSUMERS.**

12 (a) PLACEMENT OF FREEZE.—Section 605A(j)(2)(A)  
13 of the Fair Credit Reporting Act (15 U.S.C. 1681c-  
14 1(j)(2)(A)) is amended to read as follows:

15 “(A) IN GENERAL.—Upon receiving a di-  
16 rect request from a protected consumer’s rep-  
17 resentative, by mail, toll-free telephone, or se-  
18 cure electronic means, that a consumer report-  
19 ing agency place a security freeze, and upon re-  
20 ceiving sufficient proof of identification and suf-  
21 ficient proof of authority, the consumer report-  
22 ing agency shall, free of charge, place the secu-  
23 rity freeze not later than 3 business days after  
24 receiving the request directly from the protected  
25 consumer’s representative.”.

1 (b) REMOVAL OF FREEZE.—Section 605A(j)(4) of  
2 the Fair Credit Reporting Act (15 U.S.C. 1681c–1(j)(4))  
3 is amended—

4 (1) in subparagraph (A)(i), by inserting after  
5 “Upon the direct request” the following: “, by mail  
6 or secure electronic means,”;

7 (2) in subparagraph (A)(ii), by inserting after  
8 “Upon the direct request” the following: “, by mail  
9 or secure electronic means,”; and

10 (3) in subparagraph (C)—

11 (A) by striking “not later than—” and in-  
12 serting the “not later than 3 days business days  
13 after receiving the request directly from the  
14 protected consumer or protected consumer’s  
15 representative.”; and

16 (B) by striking clauses (i) and (ii).

17 **SEC. 5. PUBLIC RECORD DATA SOURCES IN CONSUMER RE-**  
18 **PORTS.**

19 Section 605(d) of the Fair Credit Reporting Act (15  
20 U.S.C. 1681c(d)) is amended by adding at the end the  
21 following:

22 “(3) PUBLIC RECORD DATA.—If a consumer re-  
23 porting agency furnishes a consumer report that  
24 contains public record data, such consumer reporting

1 agency shall include the source of such public record  
2 data in such report.”.

3 **SEC. 6. PROHIBITION ON INCLUDING ADVERSE INFORMA-**  
4 **TION RELATED TO PREDATORY MORTGAGE**  
5 **LENDING.**

6 (a) IN GENERAL.—The Fair Credit Reporting Act  
7 (15 U.S.C. 1681 et seq.) is amended by inserting after  
8 section 605B the following:

9 **“§ 605C. Adverse information relating to predatory**  
10 **mortgage lending**

11 “(a) IN GENERAL.—A consumer reporting agency  
12 may not furnish any consumer report containing any ad-  
13 verse item of information relating to a covered residential  
14 mortgage loan (including the origination and servicing of  
15 such a loan, any loss mitigation activities related to such  
16 a loan, and any foreclosure, deed in lieu of foreclosure,  
17 or short sale related to such a loan), if the action or inae-  
18 tion to which the item of information relates—

19 “(1) resulted from an unfair, deceptive, or abu-  
20 sive act or practice, or a fraudulent, discriminatory,  
21 or illegal activity of a financial institution, as deter-  
22 mined by a court of competent jurisdiction; or

23 “(2) is related to an unfair, deceptive, or abu-  
24 sive act or practice, or a fraudulent, discriminatory,  
25 or illegal activity of a financial institution that is the

1 subject of a settlement agreement initiated on behalf  
2 of a consumer and that is between the financial in-  
3 stitution and an agency or department of a local,  
4 State, or Federal Government.

5 “(b) COVERED RESIDENTIAL MORTGAGE.—In this  
6 section, the term ‘covered residential mortgage loan’  
7 means any loan made primarily for personal, family, or  
8 household use that is secured by a mortgage, deed of trust,  
9 or other equivalent consensual security interest on a dwell-  
10 ing (as defined in section 103(w) of the Truth in Lending  
11 Act), including a loan in which the proceeds will be used  
12 for—

13 “(1) a manufactured home (as defined in sec-  
14 tion 603 of the Housing and Community Develop-  
15 ment Act of 1974);

16 “(2) any installment sales contract, land con-  
17 tract, or contract for deed on a residential property;  
18 or

19 “(3) a reverse mortgage transaction (as defined  
20 in section 103(cc) of the Truth in Lending Act).”.

21 (b) TABLE OF CONTENTS AMENDMENT.—The table  
22 of contents of the Fair Credit Reporting Act is amended  
23 by inserting after the item relating to section 605B the  
24 following new item:

“605C. Adverse information relating to predatory mortgage lending.”.





1 (b) TABLE OF CONTENTS AMENDMENT.—The table  
2 of contents of the Fair Credit Reporting Act is amended  
3 by inserting after the item relating to section 605D the  
4 following new item:

“605E. Adverse information in cases of a defrauded student obligor.”.

5 **SEC. 9. GAO STUDY AND REPORT ON USE OF NON-TRADI-**  
6 **TIONAL DATA IN CREDIT SCORING.**

7 (a) STUDY.—The Comptroller General of the United  
8 States shall carry out a study about the use of non-tradi-  
9 tional data—

10 (1) by consumer reporting agencies when com-  
11 piling and furnishing consumer reports; and

12 (2) by persons that create, maintain, or pur-  
13 chase credit scoring models used in making credit  
14 decisions.

15 (b) REPORT.—Not later than 18 months after the  
16 date of the enactment of this section, the Comptroller  
17 General shall issue a report to the Committee on Financial  
18 Services of the House of Representatives and the Com-  
19 mittee on Banking, Housing, and Urban Affairs of the  
20 Senate containing all findings and determinations, includ-  
21 ing any recommendations for any legislative or regulatory  
22 changes, made in carrying out the study required under  
23 subsection (a).

24 (c) DEFINITIONS.—For the purposes of this section,  
25 the terms “consumer reporting agency” and “consumer



1 report” shall have the meanings given the terms in section  
2 603 of the Fair Credit Reporting Act.

