

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 435

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## AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “The Credit Access and  
3 Inclusion Act of 2017”.

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

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

8 “(f) FULL-FILE CREDIT REPORTING.—

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

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

20 “(B) pursuant to a contract for a utility or  
21 telecommunications service.

22 “(2) LIMITATION.—Information about a con-  
23 sumer’s usage of any utility services provided by a  
24 utility or telecommunication firm may be furnished  
25 to a consumer reporting agency only to the extent  
26 that such information relates to payment by the con-

1 consumer for the services of such utility or tele-  
2 communication service or other terms of the provi-  
3 sion of the services to the consumer, including any  
4 deposit, discount, or conditions for interruption or  
5 termination of the services.

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

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

16 “(B) the consumer is meeting the obliga-  
17 tions of the payment plan, as determined by the  
18 energy utility firm.

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

21 “(A) ENERGY UTILITY FIRM.—The term  
22 ‘energy utility firm’ means an entity that pro-  
23 vides gas or electric utility services to the pub-  
24 lic.

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

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

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

13           (2) by redesignating paragraph (3) as para-  
14          graph (4); and

15           (3) by inserting after paragraph (2) the fol-  
16          lowing new paragraph:

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

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

1 it Reporting Act (15 U.S.C. 1681s-2) (as added by this  
2 Act) on consumers.

Passed the House of Representatives June 25, 2018.

Attest:

*Clerk.*

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