To amend the Fair Credit Reporting Act to require nationwide consumer reporting agencies, upon request, to use a consumer’s current legal name on consumer reports, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

... introduced the following bill; which was referred to the Committee on ...

A BILL

To amend the Fair Credit Reporting Act to require nationwide consumer reporting agencies, upon request, to use a consumer’s current legal name on consumer reports, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Credit Reporting Accuracy After a Legal Name Change Act of 2022”.

SEC. 2. FINDINGS.

Congress finds the following:
(1) Consumer reports are significant to the ability for American consumers to access credit, housing, and employment.

(2) Fragmented files created by the credit reporting industry lead to inaccuracies on the consumer reports of transgender and gender nonconforming consumers after a legal name change. Inaccurate consumer reports create additional burdens and barriers for these consumers and impair their ability to access credit, housing, and employment.

(3) As of 2017, there were approximately 1.4 million adults who identify as transgender, according to the Williams Institute report, “Age of Individuals Who Identify as Transgender in the United States”, and as of 2021, approximately 1.2 million adults identify as nonbinary, according to the Williams Institute report, “Nonbinary LGBTQ Adults in the United States”.

(4) As evidence that transgender and gender nonconforming adults are vulnerable to discrimination, harassment, and abuse based on their gender identity and expression, in its 2016 report “Injustice at Every Turn”, the National Center for Transgender Equality found that transgender adults experienced unemployment at twice the rate of the
general population, and 90% reported experiencing harassment, discrimination, or mistreatment in the workplace. The report further found that one in five transgender adults reported having been refused a home or apartment because of their gender identity.

(5) Transgender and gender nonconforming consumers face a myriad of problems in terms of consumer reporting problems after they change their names, including that their credit report fragments into two or more unconnected files upon their name change and that their name change and any credit actions that follow are never reflected in their report at all. Many consumers report that credit reporting problems have a negative impact on their financial and personal lives, including credit score decreases of 100 points or more, which can be a barrier to accessing banking services, mortgages, auto financing, employment, and rental housing.

(6) Transgender consumers face severe adverse effects from having their former name reflected on their credit report. The disclosure of a transgender person’s prior name in a consumer report to a creditor, employer, or lessor can expose those consumers to unlawful discrimination on the basis of that consumer’s gender identity.
SEC. 3. REQUIREMENT TO USE A CONSUMER'S CURRENT LEGAL NAME ON CONSUMER REPORTS.

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

“(9) With respect to a consumer reporting agency described in section 603(p), any prior name of the consumer about whom the report relates, other than the consumer’s current legal name, after receiving a request from the consumer to use only the consumer’s current legal name on all consumer reports.”.