

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. _____
OFFERED BY MS. PRESSLEY OF MASSACHUSETTS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Credit Reporting Accu-
3 racy After a Legal Name Change Act of 2022”.

4 SEC. 2. FINDINGS; SENSE OF CONGRESS.

5 (a) FINDINGS.—Congress finds the following:

6 (1) Consumer reports are significant to the
7 ability for American consumers to access credit,
8 housing, and employment.

9 (2) Fragmented files created by the credit re-
10 porting industry lead to inaccuracies on the con-
11 sumer reports of transgender and gender noncon-
12 forming consumers after a legal name change. Inac-
13 curate consumer reports create additional burdens
14 and barriers for these consumers and impair their
15 ability to access credit, housing, and employment.

16 (3) As of 2017, there were approximately 1.4
17 million adults who identify as transgender, according
18 to the Williams Institute report, “Age of Individuals

1 Who Identify as Transgender in the United States”,
2 and as of 2021, approximately 1.2 million adults
3 identify as nonbinary, according to the Williams In-
4 stitute report, “Nonbinary LGBTQ Adults in the
5 United States”.

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

18 (5) Transgender and gender nonconforming
19 consumers face a myriad of problems in terms of
20 consumer reporting problems after they change their
21 names, including that their credit report fragments
22 into two or more unconnected files upon their name
23 change and that their name change and any credit
24 actions that follow are never reflected in their report
25 at all. Many consumers report that credit reporting

1 problems have a negative impact on their financial
2 and personal lives, including credit score decreases
3 of 100 points or more, which can be a barrier to ac-
4 cessing banking services, mortgages, auto financing,
5 employment, and rental housing.

6 (6) Transgender consumers face severe adverse
7 effects from having their former name reflected on
8 their credit report. The disclosure of a transgender
9 person's prior name in a consumer report to a cred-
10 itor, employer, or lessor can expose those consumers
11 to unlawful discrimination on the basis of that con-
12 sumer's gender identity.

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that the Bureau of Consumer Financial Protection
15 should take measures to address the problems faced by
16 transgender and nonbinary consumers after they change
17 their legal names, including by requiring consumer report-
18 ing agencies to—

19 (1) improve their matching criteria and algo-
20 rithms to ensure information is associated with the
21 correct consumer;

22 (2) establish a system that allows a consumer
23 to submit a single request to all consumer reporting
24 agencies to have their legal name on their consumer
25 report updated;

1 (3) establish clear procedures to update a con-
2 sumer's name when presented with a consumer's re-
3 quest to have their legal name on their consumer re-
4 port updated and ensure that staff are sufficiently
5 trained in those procedures; and

6 (4) create procedures to detect when a con-
7 sumer changes their legal name with a creditor, to
8 associate the new name with their credit file, and to
9 consolidate a consumer's information in their cur-
10 rent and previous names in a single file.

11 **SEC. 3. REQUIREMENT TO USE A CONSUMER'S CURRENT**
12 **LEGAL NAME ON CONSUMER REPORTS.**

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

16 “(9) Any prior name of the consumer about
17 whom the report relates, other than the consumer's
18 current legal name, after receiving a request from
19 the consumer to use only the consumer's current
20 legal name on all consumer reports.”.

