

**SUBSTITUTE AMENDMENT TO THE AMENDMENT IN  
THE NATURE OF A SUBSTITUTE TO H.R. 3629  
OFFERED BY MR. MCHENRY OF NORTH  
CAROLINA**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. CYBERSECURITY SUPERVISION AND EXAMINA-**  
2 **TION OF LARGE CONSUMER REPORTING**  
3 **AGENCIES.**

4 The Federal Financial Institutions Examination  
5 Council Act of 1978 (12 U.S.C. 3301 et seq.) is amended  
6 by adding at the end the following:

7 **“SEC. 1012. CYBERSECURITY SUPERVISION AND EXAMINA-**  
8 **TION OF LARGE CONSUMER REPORTING**  
9 **AGENCIES.**

10 “(a) IN GENERAL.—Large consumer reporting agen-  
11 cies shall be subject to cybersecurity supervision and ex-  
12 amination by the Bureau of Consumer Financial Protec-  
13 tion.

14 “(b) LARGE CONSUMER REPORTING AGENCY DE-  
15 FINED.—The term ‘large consumer reporting agency’ has  
16 the meaning given the term ‘consumer reporting agency’  
17 that compiles and maintains files on consumers on a na-

1 tionwide basis’ under section 603(p) of the Fair Credit  
2 Reporting Act.”.

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

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

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

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

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

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

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

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

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

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

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

6           (a) **PLACEMENT OF FREEZE.**—Section 605A(j)(2)(A)  
7 of the Fair Credit Reporting Act (15 U.S.C. 1681c-  
8 1(j)(2)(A)) is amended to read as follows:

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

20           (b) **REMOVAL OF FREEZE.**—Section 605A(j)(4) of  
21 the Fair Credit Reporting Act (15 U.S.C. 1681c-1(j)(4))  
22 is amended—

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

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

4           (3) in subparagraph (C)—

5                 (A) by striking “not later than—” and in-  
6                 serting the “not later than 3 days business days  
7                 after receiving the request directly from the  
8                 protected consumer or protected consumer’s  
9                 representative.”; and

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

11 **SEC. 5. PUBLIC RECORD DATA SOURCES IN CONSUMER RE-**  
12 **PORTS.**

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

16                “(3) PUBLIC RECORD DATA.—If a consumer re-  
17                porting agency furnishes a consumer report that  
18                contains public record data, such consumer reporting  
19                agency shall include the source of such public record  
20                data in such report.”.



1           stitution and an agency or department of a local,  
2           State, or Federal Government.

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

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

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

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

19           (b) TABLE OF CONTENTS AMENDMENT.—The table  
20 of contents of the Fair Credit Reporting Act is amended  
21 by inserting after the item relating to section 605B the  
22 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. BUREAU LIST OF CREDIT REPORTING AGENCIES.**

6 The Bureau of Consumer Financial Protection shall  
7 maintain a list of credit reporting agencies in the United  
8 States and publish such list of the website on the Bureau  
9 of Consumer Financial Protection.

10 **SEC. 10. STUDY AND REPORT TO CONGRESS ON USE OF**  
11 **NON-TRADITIONAL DATA IN CREDIT SCOR-**  
12 **ING.**

13 (a) STUDY.—The Bureau of Consumer Financial  
14 Protection shall carry out a study about the use of non-  
15 traditional data—

16 (1) by consumer reporting agencies when com-  
17 piling and furnishing consumer reports; and

18 (2) by persons that create, maintain, or pur-  
19 chase credit scoring models used in making credit  
20 decisions.

21 (b) REPORT.—Not later than 18 months after the  
22 date of the enactment of this section, the Bureau of Con-  
23 sumer Financial Protection shall issue a report to the  
24 Committee on Financial Services of the House of Rep-  
25 resentatives and the Committee on Banking, Housing, and

1 Urban Affairs of the Senate containing all findings and  
2 determinations, including any recommendations for any  
3 legislative or regulatory changes, made in carrying out the  
4 study required under subsection (a).

5 (c) DEFINITIONS.—For the purposes of this section,  
6 the terms “consumer reporting agency” and “consumer  
7 report” shall have the meanings given the terms in section  
8 603 of the Fair Credit Reporting Act.

