

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 2808**  
**OFFERED BY MR. ROSE OF TENNESSEE**

Strike all after the enacting clause and insert the following:

**1 SEC. 1. SHORT TITLE.**

2       This Act may be cited as the “Homebuyers Privacy  
3 Protection Act”.

**4 SEC. 2. TREATMENT OF PRESCREENING REPORT RE-**  
**5 QUESTS.**

6       (a) IN GENERAL.—Section 604(c) of the Fair Credit  
7 Reporting Act (15 U.S.C. 1681b(c)) is amended by adding  
8 at the end the following:

9               “(4) TREATMENT OF PRESCREENING REPORT  
10 REQUESTS.—

11               “(A) DEFINITIONS.—In this paragraph:

12                       “(i) CREDIT UNION.—The term ‘cred-  
13 it union’ means a Federal credit union or  
14 a State credit union, as those terms are  
15 defined in section 101 of the Federal Cred-  
16 it Union Act (12 U.S.C. 1752).

17                       “(ii) INSURED DEPOSITORY INSTITU-  
18 TION.—The term ‘insured depository insti-

1                   tution’ has the meaning given the term in  
2                   section 3 of the Federal Deposit Insurance  
3                   Act (12 U.S.C. 1813(c)).

4                   “(iii)     RESIDENTIAL     MORTGAGE  
5                   LOAN.—The term ‘residential mortgage  
6                   loan’ has the meaning given the term in  
7                   section 1503 of the S.A.F.E. Mortgage Li-  
8                   censing Act of 2008 (12 U.S.C. 5102).

9                   “(iv) SERVICER.—The term ‘servicer’  
10                  has the meaning given the term in section  
11                  6(i) of the Real Estate Settlement Proce-  
12                  dures Act of 1974 (12 U.S.C. 2605(i)).

13                 “(B) LIMITATION.—If a person requests a  
14                 consumer report from a consumer reporting  
15                 agency in connection with a credit transaction  
16                 involving a residential mortgage loan, that  
17                 agency may not, based in whole or in part on  
18                 that request, furnish a consumer report to an-  
19                 other person under this subsection unless—

20                         “(i) the transaction consists of a firm  
21                         offer of credit or insurance; and

22                         “(ii) that other person—

23                                 “(I) has submitted documenta-  
24                                 tion to that agency certifying that  
25                                 such other person has, pursuant to

1 paragraph (1)(A), the authorization of  
2 the consumer to whom the consumer  
3 report relates; or

4 “(II)(aa) has originated a cur-  
5 rent residential mortgage loan of the  
6 consumer to whom the consumer re-  
7 port relates;

8 “(bb) is the servicer of a  
9 current residential mortgage loan  
10 of the consumer to whom the  
11 consumer report relates; or

12 “(cc)(AA) is an insured de-  
13 pository institution or credit  
14 union; and

15 “(BB) holds a current  
16 account for the consumer to  
17 whom the consumer report  
18 relates.”.

19 **SEC. 3. EFFECTIVE DATE.**

20 This Act, and the amendments made by this Act,  
21 shall take effect on the date that is 180 days after the  
22 date of enactment of this Act.

23 **SEC. 4. GAO STUDY.**

24 (a) IN GENERAL.—The Comptroller General of the  
25 United States shall carry out a study on the value of trig-

1 ger leads received by text message that includes input  
2 from State regulatory agencies, mortgage lenders, deposi-  
3 tory institutions (as defined in section 3 of the Federal  
4 Deposit Insurance Act (12 U.S.C. 1813)), consumer re-  
5 porting agencies (as defined in section 603 of the Fair  
6 Credit Reporting Act (15 U.S.C. 1681a)), and consumers.

7 (b) REPORT.—Not later than the end of the 12-  
8 month period beginning on the date of enactment of this  
9 Act, the Comptroller General shall submit to Congress a  
10 report containing any findings and determinations made  
11 in the study required by paragraph (1).

