

[DISCUSSION DRAFT]

117TH CONGRESS
2^D SESSION

H. R. _____

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

M. _____ 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.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Credit Reporting Accu-
5 racy After a Legal Name Change Act of 2022".

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

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

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

11 (3) As of 2017, there were approximately 1.4
12 million adults who identify as transgender, according
13 to the Williams Institute report, “Age of Individuals
14 Who Identify as Transgender in the United States”,
15 and as of 2021, approximately 1.2 million adults
16 identify as nonbinary, according to the Williams In-
17 stitute report, “Nonbinary LGBTQ Adults in the
18 United States”.

19 (4) As evidence that transgender and gender
20 nonconforming adults are vulnerable to discrimina-
21 tion, harassment, and abuse based on their gender
22 identity and expression, in its 2016 report “Injustice
23 at Every Turn”, the National Center for
24 Transgender Equality found that transgender adults
25 experienced unemployment at twice the rate of the

1 general population, and 90% reported experiencing
2 harassment, discrimination, or mistreatment in the
3 workplace. The report further found that one in five
4 transgender adults reported having been refused a
5 home or apartment because of their gender identity.

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

19 (6) Transgender consumers face severe adverse
20 effects from having their former name reflected on
21 their credit report. The disclosure of a transgender
22 person's prior name in a consumer report to a cred-
23 itor, employer, or lessor can expose those consumers
24 to unlawful discrimination on the basis of that con-
25 sumer's gender identity.

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

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

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