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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CUELLAR).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 29, 2020.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2020, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT BECOMES LAW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, today, at long last, the United States-Mexico-Canada trade agreement, USMCA, will officially become law. USMCA is a major win not only for American farmers, ranchers, manufacturers, and business owners, but for each and every American who depends on these industries.

Thanks to the leadership of the Trump administration, we are delivering real results for the men and women who are the backbone of the American economy. Freer markets, fairer trade, and increased opportunity are on the horizon as USMCA is signed today and implemented.

The numbers are staggering: more than $68 billion in new economic activity, approximately 176,000 new jobs, and an increase of more than $2 billion a year in agriculture exports. It is no wonder that USMCA passed with overwhelming bipartisan support in both the House and the Senate.

USMCA brings particularly good news for the Commonwealth of Pennsylvania. In 2018 alone, Pennsylvania exported approximately $15 billion in goods to Canada and Mexico, and USMCA continues to open doors for our producers.

As Pennsylvania's number one industry, agriculture is vital to the health of both the economy and our residents, as our farmers provide the food, the fiber, the energy, the building materials, and all that we depend upon. With increased market opportunities, the future of the Keystone State is brighter than ever.

That being said, it is impossible to talk about the impact USMCA will have on Pennsylvania without talking about dairy. For far too long, our Nation's dairy producers have been subject to Canada's unfair class 6 and class 7 ultrafiltered pricing programs, limiting our export potential both into Canada and, quite frankly, into Third World countries as Canada floods them with dairy components of whey and lactose, proteins and powdered milk. Thanks to USMCA, this is a thing of the past.

A 21st century economy requires 21st century trade policy, and with USMCA, we are sending a crystal-clear message to our trade partners around the globe: America is open for business.

THE OBAMA ECONOMY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE. Mr. Speaker, in 2016, I wrote this op-ed, ''Seven Years of Change You Can See and Feel.'' I wrote it in the backdrop of the election of President Barack Obama and his opening remarks and his inauguration that said: ''Today I say to you that the challenges we face are real. They are serious and they are many. They will not be met easily or in a short span of time. But know this America: They will be met.''

Mr. Speaker, I include in the RECORD the op-ed I authored.

[From the Washington Examiner, Feb. 17, 2016]

SEVEN YEARS OF CHANGE YOU CAN SEE AND FEEL

(By Sheila Jackson Lee)

The morning of January 20, 2009 was one of the coldest days on record in Washington, DC. But this was nothing compared to the chill wind blowing through the American economy and body politic. The nation was facing economic challenges unseen since the Great Depression: Americans were losing their jobs at a frightening rate of 800,000 per month; the national unemployment rate had risen to 7.8 percent and would continue to climb until reaching its peak of 10.0 percent in October 2009.

For African Americans, the numbers were much grimmer: A jobless rate of 13.5 percent in January 2009 which would grow to 16.5 percent by the end of the year. And on top of this, tens of thousands of American families each month were losing their health insurance and their homes to foreclosure. The United States was still bogged down in the quagmire that was the Iraq War and young people by the thousands were being forced to defer or drop out of college because of lack of financial aid. And the average price of gas exceeded $4 per gallon.

It was against this backdrop that I watched from the inaugural platform as Barack Obama, surrounded by his radiant and beautiful wife, Michelle, and their two adorable daughters, rose to take the oath of office. After being sworn in as the nation's

44th president of the United States, Obama reassured an anxious but hopeful nation, saying:

''Today I say to you that the challenges we face are real. They are serious and they are many. They will not be met easily or in a short span of time. But know this America: They will be met.''

Watching Barack Obama address the nation that day, spectators in attendance and viewers across the country and around the world understood they were witnessing a historic president, the first African American ever to hold the nation's highest office.

But more than being a historic president, Barack Obama's actions and leadership over the ensuing seven years would demonstrate that his would be a consequential presidency that changed America for the better.

His first and most pressing task was to rescue an economy on the brink of collapse. Working with the Democratic-controlled Congress, the American Recovery and Reinvestment Act was passed, which created 3.7 million jobs and saved the jobs of millions of teachers, firefighters, police officers and social service providers. The Recovery Act also cut taxes for working families, extended unemployment insurance, and expanded the Earned Income and Child Tax Credits, which disproportionately benefit African American families.

Seven years later the verdict is in on the economic plan put in place by President Obama and the Democratic Congress. The Recovery Act ended the Great Recession, transformed the economy from one hemorrhaging jobs to one that has created more than 16 million new jobs over a record 71 consecutive months. The national unemployment rate has dipped under 5 percent for the first time since President Clinton left office, the deficit has been cut by 71 percent and the Dow Jones stock market index topped 18,000 in 2015, an increase of 177 percent over where it stood the day President Obama took office.

As an added benefit, the average price of gasoline has been reduced from more than $4.11 per gallon to $1.80, the lowest price since before the tragedy of September 11. The seven years of Obama also effected policy change in the areas of criminal justice reform, health and education, national security and foreign affairs.

President Obama also made history by appointing two women to the U.S. Supreme Court, including the first Hispanic American to serve on the Court. He appointed the first African American man and woman to serve as attorney general and the first woman to chair the Federal Reserve Board.

In the area of foreign affairs and national security, President Obama ended the Iraq War, assembled and led an international coalition to impose sanctions on Iran that were so crippling that it was forced to the negotiating table. That yielded the Iran Nuclear Agreement that prevents Iran from ever attaining a nuclear weapon. And of course, as the world knows, because of President Obama's leadership, General Motors is alive and Osama Bin Laden is dead.

For seven years, President Barack Obama has represented our country with grace, integrity, honor, and distinction. He has provided consolation, hope, and healing in the face of unspeakable tragedies such as the massacre of innocent children at Sandy Hook, worshippers at Mother Emanuel AME Church in Charleston, spectators at the Boston Marathon, and mass shootings in Aurora, Colorado and Tucson, Arizona. He expressed and symbolized our joy and pride in the progress made over the last half century—and the distance we still have to travel—when he marched across the Edmund Pettus Bridge and addressed the multitude from the spot on the steps where the Rev. Martin Luther King, Jr. shared his dream for America's future.

So as President Obama serves the final year of his presidency, it is clear beyond doubt that he kept the promise he made to the nation seven years ago on that cold day in January when he said:

''Today I say to you that the challenges we face are real. But know this America: They will be met.''

They were more than just met; they were overcome under his leadership. And because of President Obama, today the United States is stronger, more prosperous and better positioned than ever to win the future.

And that is what makes his one of the most consequential presidencies in American history.

Ms. JACKSON LEE. In the years of Obama's service, we did, together, meet those challenges.

His first and most pressing task was to rescue an economy on the brink of collapse. Working with the Democratic-controlled Congress, the American Recovery and Reinvestment Act, the stimulus, was passed and created 3.7 million jobs and saved the jobs of millions of teachers, firefighters, police officers, and social service providers.

The Recovery Act also cut taxes for working families, extended unemployment insurance, and expanded the earned income and child tax credit, which disproportionately benefits African Americans. The challenge was met.

So any discussion of any excitement about the work of this administration creating an economy, it is an economy that was literally given to them because of the work of President Obama and the Democratic Caucus.

We have, now, $2 trillion extra in debt. We have the pending possibility of wars. We have the continuing downward spiral of issues that will impact this economy.

So, with this terrible tax cut, we were not given a strong economy. We paid an extremely high price: $1.9 trillion for tax cuts has done little for the economy. There is no such thing as a bump by this administration. Key indicators are saying that things, in actuality, are worse.

The Joint Economic Committee says unemployment was cut by more than half during the Obama administration, from a peak of 10 percent to 4 percent. The economy had experienced 76 consecutive months of job growth. The GDP growth was strong, an average of 2.6 percent in 11 quarters of the Obama administration. Growth in annual median household income was strong and trending upward, increasing $4,800 during those last 2 years. And the Chairman of the Council of Economic Advisors under George W. Bush states that the economy was in fine shape at the end of the Obama administration, despite what President Trump now asserts.

Mr. Speaker, I include in the RECORD the Joint Economic Committee article.

PRESIDENT TRUMP DID NOT CREATE THE STRONG ECONOMY; HE INHERITED IT

President Trump regularly claims the economy he inherited was a ''mess,'' but fact checkers have found this to false. Before Trump took office in January 2017, the economy had largely recovered from the Great Recession. Overall economic indicators were already strong and were trending stronger.

Unemployment had been cut by more than half during the Obama administration, from a peak of 10 percent to 4.7 percent.

The economy had experienced 76 consecutive months of job growth.

GDP growth was strong—an average of 2.6 percent growth in the last 11 quarters of the Obama administration.

Growth in annual median household income was strong and trending upward, increasing $4,800 during the last two years of the Obama administration.

Greg Mankiw, chairman of the Council of Economic Advisers under President George W. Bush, states that ''the economy was in fine shape at the end of the Obama administration, despite what President Trump sometimes asserts.''

THERE IS NO SUCH THING AS A ''TRUMP BUMP''—KEY ECONOMIC INDICATORS ARE THE SAME OR WORSE

Last week, the president said ''we have the greatest economy we've ever had in the history of our country.'' This claim did not make it by the fact checkers at The Associated Press. A few facts to keep in mind:

Monthly non-farm job growth has slowed in the first 35 months of the Trump administration compared to the last 35 months of the Obama administration—36,000 fewer jobs per month under Trump.

Average real GDP growth has been roughly the same for the first 11 quarters under Trump and the last 11 quarters of the Obama administration.

Growth in median annual household income was three times as great during the last two years of the Obama administration as during the first two years of the Trump administration.

PRESIDENT TRUMP'S SIGNATURE ECONOMIC POLICY—THE $1.9 TRILLION TAX CUT—HAS FAILED TO DELIVER THE PROMISED ECONOMIC BOOST

Trump promised the tax cuts would be like ''rocket fuel'' to the economy, but the effects have been underwhelming. The economic boost has been very small and short-lived.

GDP growth: Trump promised GDP growth as high as 6 percent. However, in the seven quarters before and after passage of the Republican tax law, GDP growth is exactly the same, averaging 2.5 percent.

Business investment: The Trump administration predicted a flood of business investment, which is critical to long-term economic growth. However, it actually has slowed since the tax cut, falling from an average annual growth rate of 4.6 percent in the seven quarters before enactment to a 3.5 percent annual rate in the seven quarters following the tax cut.

Household income: The administration predicted that the tax cuts would bring an increase of $4,000 to $9,000 or more per household. However, household income increased only $550 in the first year after the tax cuts went into effect.

Unemployment: It was at 4.1 percent before the tax cuts took effect, falling just over one-half of 1 percent since then.

WE PAID AN EXTREMELY HIGH PRICE—$1.9 TRILLION—FOR TAX CUTS THAT HAVE DONE SO LITTLE FOR THE ECONOMY

When it is fully implemented, the Republican tax law will add $1.9 trillion to the national debt, according to CBO.

In just the past two fiscal years, the annual deficit has increased from $666 billion in FY 2017 to $984 billion in FY 2019 (a 48 percent increase).

Despite a deficit forecast to exceed $1 trillion for the rest of the decade and beyond,

Trump administration officials continue to claim the tax cuts will pay for themselves.

In the long term, the vastly increased deficit likely will weigh down the economy and Republicans will argue that those deficits will require cuts to vital services and programs like Medicare and Social Security. In fact, the President admitted just last week he will look at cuts to those programs.

TRUMP'S SECOND MAJOR ECONOMIC POLICY—THE TRADE WAR—IS A SELF-INFLICTED WOUND, HURTING CONSUMERS, BUSINESSES AND THE ECONOMY

Trump's claim that China bears the entire cost of the tariffs is absolutely false—there are casualties on both sides of the trade war.

One analysis finds that the trade war with China had already cost 300,000 American jobs as of September 2019 and the number could rise to 450,000 by the end of 2019.

CBO estimated that the trade war reduced GDP by 0.3 percent by 2020.

The trade war hits consumers in their wallets and pocketbooks. The Federal Reserve Bank of New York estimated that tariffs on imports from China cost each U.S. household nearly $300 per year in 2018, and over $800 per year since with the additional 15 percent tariff on $200 billion worth of goods.

WHILE TRUMP CUTS TAXES FOR THE WEALTHY AND APPLAUDS THE STOCK MARKET, MILLIONS OF AMERICANS ARE STRUGGLING TO MAKE ENDS MEET

In a recent analysis, the Brookings Institution found that 53 million workers—44 percent of all workers—earn just $10.22 per hour or about $18,000 per year. $18,000 is not enough to raise a family on.

The president has begun talking about a blue-collar boom, but manufacturing has contracted in three of the last four quarters. The sector has added just 9,000 jobs in the past six months.

MOST OF PRESIDENT TRUMP'S CLAIMS ABOUT THE ECONOMY ARE FALSE OR HIGHLY MISLEADING

According to The Washington Post Fact Checker, Trump has made more than 1,500 false claims about the economy.

This is part of a broader pattern. Fact Checker has found that altogether Trump has made more than 16,000 false or misleading claims on all topics in his first three years in office.

Trump made half of those false or misleading claims in 2019—the pace of these claims is increasing.

Any statement the president makes about the economy has a good chance of being false or misleading.

Ms. JACKSON LEE. And so we have a challenge to try and recoup and recover, for hardworking Americans, a real economy, because it is frightening when we begin to start losing jobs.

Let me show how the trend went.

We were adding 270,000 jobs per month under President Obama. We are now adding an average of 191,000 jobs under this present administration. And it can be seen very clearly that the job growth is challenging.

We can also see that, when we were down in a slump on median household income, it was surging up because of the values and principles of the Obama administration working with the Democratic Congress.

Employment was down when Mr. Obama took office. We can see that it surged up; and then it began to go down, with respect to this administration, and turning red again. The economy, as I said, had been growing very well under President Obama.

The GOP tax scam led to a record-setting $1 trillion in stock buybacks, unlike what was represented to us, that that was going to create investment in this country.

We are now beginning to put forward some major legislation that deals with investment in our infrastructure, investment in public housing and affordable housing, because we realize what creates jobs. We create jobs when we invest back into the Nation. We do not create jobs when we take tax cuts and give them to the rich while everybody else suffers.

The GOP tax law encourages companies to send factories and jobs overseas. Under the GOP tax cut, income generated by American companies abroad face tax rates that are half the new top corporate rate of 21 percent.

By the way, corporations didn't ask for that low corporate tax rate. Some companies may be able to avoid taxes altogether on tangible investments made offshore.

The GOP tax law increases deficits, as I said earlier, by $1.9 trillion when we are facing major budgetary challenges driven by our aging population.

Finally, Mr. Speaker, I would say that there was nothing but a gift given to this administration by the hard work of the Obama administration.

Let us get back to investing in the American people. That is how we build the economy, not by snatching it away from them.

Mr. Speaker, the verdict is now in, and it leads to the inescapable conclusion that the Trump TaxScam has not accelerated the economy, rather it is a significant drag on the booming economy President Barack Obama bequeathed to his successor, the current occupant of the office.

Specifically, two points cannot be stressed enough.

First, President Trump did not create the strong economy; he inherited it.

Second, we paid an extremely high price—$1.9 trillion—for tax cuts that have done so little for the economy.

Mr. Speaker, most of President Trump's claims about the economy are false or highly misleading.

There is no such thing as a ''Trump bump''—key economic indicators are the same or worse.

The President's signature economic policy—the $1.9 trillion tax cut—has failed to deliver the promised economic boost and his second major economic policy—the trade war—is a self-inflicted wound, hurting farmers, consumers, businesses and the economy.

Mr. Speaker, those of us who were there remember well that the morning of January 20, 2009, which was one of the coldest days on record in Washington, DC.

But it was nothing compared to the chill wind blowing through the American economy and body politic because at that time the nation was facing economic challenges unseen since the Great Depression: Americans were losing their jobs at a frightening rate of 800,000 per month; the national unemployment rate had risen to 7.8 percent and would continue to climb until reaching its peak of 10.0 percent in October 2009.

For African Americans, the numbers were much grimmer, a jobless rate of 13.5 percent in January 2009 which would grow to 16.5 percent by the end of the year.

And on top of this, tens of thousands of American families each month were losing their health insurance and their homes to foreclosure.

And the average price of gas exceeded $4 per gallon.

It was against this backdrop that the new President of the United States, Barack Obama, rose to take the oath of office.

After being sworn in as the nation's 44th President, President Obama reassured an anxious but hopeful nation, saying:

''Today I say to you that the challenges we face are real. They are serious and they are many. They will not be met easily or in a short span of time. But know this America: They will be met.''

Because of the actions President Obama took, not to further the interests of himself but of the American people, these challenges were more than met and overcome and for that Barack Obama's presidency is regarded by historians as a consequential presidency that changed America for the better.

Mr. Speaker, before Trump took office in January 2017, the economy had recovered from the Great Recession and overall economic indicators were already strong and were trending stronger.

Unemployment had been cut by more than half during the Obama administration, from a peak of 10 percent to 4.7 percent.

The economy had experienced 76 consecutive months of job growth, the longest sustained period of growth in American history.

GDP growth was strong, average of 2.6 percent annually in the last 11 quarters of the Obama Administration and median household income growth was strong and trending upward, increasing $4,800 during in last two years of the Obama administration.

Even Greg Mankiw, chairman of the Council of Economic Advisers under President George W. Bush, had to admit that ''the economy was in fine shape at the end of the Obama administration, despite what the current President falsely asserts.

Mr. Speaker, I include in the RECORD an oped published on February 17, 2016 in the Washington Examiner, entitled ''Seven Years of Change You Can See and Feel.''

President Obama actually had a plan to tackle the economic woes that were affecting the American people.

Working with the Democratic-controlled Congress, the President signed into law the American Recovery and Reinvestment Act, which created 3.7 million jobs and saved the jobs of millions of teachers, firefighters, police officers, and social service providers.

The Recovery Act also cut taxes for working families, extended unemployment insurance, and expanded the Earned Income and Child tax credits, which disproportionately benefit African American families.

The Recovery Act ended the Great Recession, transformed the economy from one hemorrhaging jobs to one that has created over 16 million new jobs over a record 71 consecutive months.

The national unemployment rate has dipped under 5 percent, for the first time since President Clinton left office, the deficit has been cut

by 71 percent and the Dow Jones stock market index topped 18,000 in 2015, an increase of 177 percent over where it stood the day President Obama took office.

And, as an added benefit, the average price of gasoline has been reduced from more than $4.11 per gallon to $1.80, the lowest price since before the tragedy of September 11.

In short, Mr. Speaker, President Obama bequeathed a booming and vibrant economy to his successor, who promptly took actions to undermine it and explode the national debt.

Mr. Speaker, the GOP TaxScam was the wrong policy at the wrong time because it showered benefits on the top 1 percent large multinational corporations while doing little for everyday working Americans and Main Street small business owners.

GOP TaxScam also raises the nation's debt by $1.9 trillion at a time when the economy was already strong, and when we are facing major long-term budgetary challenges driven by our aging population.

And rather than devoting resources to wise investments in our workers and small businesses, the GOP TaxScam further burdens working families, endangers Americans' retirement security, and worsens our budgetary outlook.

Our long-term economic growth trajectory is unchanged and there is no sign of an investment boom.

Real wage growth for workers remains modest and factories and jobs are more likely to go overseas.

The federal deficit is soaring as corporate tax receipts plummet and the tax code is riddled with even more special-interest tax breaks and loopholes.

THE GOP TAXSCAM LED TO A RECORD-SETTING $1 TRILLION IN STOCK BUYBACKS

The GOP TaxScam delivered huge benefits to rich investors and CEOs through record-setting stock buybacks in 2018 while average workers struggle to pay for rising health care and living costs.

Stock buybacks do nothing to improve business operations or help workers.

THE GOP TAXSCAM SHOWERS BENEFITS ON THE WEALTHY AND LARGE CORPORATIONS WHILE DOING LITTLE FOR WORKERS AND MAIN STREET SMALL BUSINESSES

The GOP tax cut is heavily tilted toward the wealthy and corporations and exacerbates the stagnation of wages for the vast majority of workers and worsens income and wealth inequality.

The GOP tax law does nothing to help small businesses gain access to capital and grow their receipts.

Only 5 percent of small businesses pay taxes at the corporate level and most of the pass-through tax cuts go to the largest 2.6 percent of businesses.

THE GOP TAX LAW ENCOURAGES COMPANIES TO SEND FACTORIES AND JOBS OVERSEAS

Under the GOP tax law, income generated by American companies abroad face tax rates that are half the new top corporate rate of 21 percent.

Some companies may be able to avoid tax altogether on tangible investments made offshore.

This further incentivizes companies to move tangible assets, such as factories and machinery, overseas.

Rather than protecting workers and their families, the GOP tax law tilts the playing field against American workers.

THE GOP TAX LAW INCREASES DEFICITS BY $1.9 TRILLION WHEN WE ARE FACING MAJOR BUDGETARY CHALLENGES DRIVEN BY OUR AGING POPULATION

Even after accounting for any economic growth effects, the Congressional Budget Office (CBO) estimates the GOP tax scam increases deficits by $1.9 trillion over the ten years 2018 to 2028—hardly the "pay for itself' message we heard from the Administration and Republicans in Congress.

Our friends across the aisle promised the GOP TaxScam would significantly boost economic growth, spurred an investment boom, drove unemployment down to the lowest level since the 1960s, created jobs for millions of workers, and helped middle-class families keep more of their paychecks.

All of these claims have collapsed in the crucible of actual experience.

THE GOP TAXSCAM DID NOT SIGNIFICANTLY BOOST THE ECONOMY

In the seven quarters before and after passage of the Trump TaxScam, GDP growth is unchanged from the Obama economy, averaging 2.5 percent.

By 2023, the tax law's positive effect on economic growth will fade away entirely.

THE GOP TAXSCAM DOES NOT SPUR BUSINESS INVESTMENT

There is no evidence of an investment boom, which Republicans promised would be the key to unleashing unprecedented economic growth and wage gains.

Nonresidential business investment grew by less than 1 percent in the third quarter of last year, while business' orders for durable goods (another measure of investment) fell in December for the fourth time in five months.

Instead of encouraging investment, the tax cut triggered a record level of stock buybacks.

THE GOP TAXSCAM IS NOT THE CAUSE OF LOWEST UNEMPLOYMENT SINCE 1968

President Trump is coasting on an economic expansion—now the second-longest on record—that began under President Obama.

The law has not changed the unemployment trend.

The unemployment rate has fallen steadily since the end of the Great Recession.

THE GOP TAXSCAM HAS NOT CREATED JOBS FOR MILLIONS OF WORKERS

More jobs were created in President Obama's last two years in office than President Trump's first two years, a monthly average of 227,00 for Obama contrasted to an average of 191,000 for Trump.

Monthly non-farm job growth has slowed in the first 35 months of the Trump administration compared to the last 35 months of the Obama administration—36,000 fewer jobs per month under Trump.

The tax law also encourages companies to send factories and jobs overseas rather than protecting jobs at home.

THE GOP TAXSCAM IS NOT HELPING MIDDLE-CLASS FAMILIES KEEP MORE OF THEIR PAYCHECKS

There has been very little increase in private sector compensation or wages since the tax law passed.

Real wage growth continues to be disappointingly modest, and real bonuses increased by just 2 cents per hour between December 2017 and September 2018.

The law ignores the stagnation of working-class wages and worsens income and wealth inequality.

In fact, only 35 percent of the tax law's benefits in 2018 will go to the bottom 80 percent of households making less than approximately $150,000 per year.

EVEN THOUGH FEDERAL REVENUES HAVE RISEN, THE GOP TAXSCAM HAS CREATED A MAJOR REVENUE DEFICIENCY PROBLEM

Corporate tax receipts dropped an astounding 31 percent drop in 2018, with total receipts as a share of GDP falling to the lowest levels since the end of the Great Recession despite healthy economic growth and a tight labor market.

Revenue last year was 16.4 percent of the economy, almost two percentage points below the so-year average of 18.3 percent in years in which unemployment fell below 5 percent.

By contrast, spending as a share of GDP last year fell right at the historical average.

Predictably, the President and our Republican friends seeks to evade blame and responsibility for the fiscal mess and exploding debt they have created.

Instead of redressing the harm caused by the Trump TaxScam, Republicans resort again to their past practice of blaming the deficit on the entitlement programs such as Social Security, Medicare, SNAP, and veterans benefits and seek to slash these programs to the barebones.

For example the President sought to cut non-defense discretionary (NDD) programs by $1.4 trillion, including cuts to Medicare and Medicaid, reduce funding for SNAP by $220 billion or 22 percent, and deny infrastructure funding for cash-strapped state and local governments; and pile more hardships on struggling Americans with $327 billion in cuts to direct spending programs that safeguard basic living standards they need to get by.

The President is obsessed with dismantling and destabilizing health care for millions of Americans by making yet another attempt to "repeal and replace" the Affordable Care Act passed under the extraordinary leadership of President Barack Obama which provided health security to more than 20 million Americans.

Mr. Speaker, we are now entering Act III of the immorality play we predicted the President would write.

Act I was the cutting of taxes for the rich; Act II was the inevitable exploding of the deficit we predicted would result and our Republican friends denied would ever happen.

And now we have Act III, in which Republicans claim to have newly rediscovered their horror over the deficits created by their fiscal irresponsibility and insist that the mess they created but be cleaned up by slashing investments in the programs relied upon by the 90–95 percent of Americans who were made worse off by the GOP TaxScam.

The President should be embarrassed and ashamed of his economic stewardship and thankful every day to President Obama for tackling and solving the major economic challenges facing Americans.

OPPOSITION TO IMPEACHMENT TRIAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. MASSIE) for 5 minutes.

Mr. MASSIE. Mr. Speaker, I rise today in opposition to the marathon impeachment sham trial currently underway and occupying the Senate's valuable time.

Frankly, the American people tuned out a long time ago. They find the proceeding simply boring, and rightly so. In fact, a recent focus group of Democrats said they don't even care about this impeachment trial. They are not interested, and they are ready to move on.

The truth is that, despite all of the repetitive accusations of coverup, quid pro quo, he said, she said, et cetera, et cetera, this is nothing more than an attempt at a soft coup against President Trump by the people who still can't get over the fact that he beat Hillary Clinton fair and square at the ballot box.

Just listen to some of the recent rants made by the impeachment managers. As one manager says: ''The President's misconduct cannot be decided at the ballot box, for we cannot be assured that the vote will be fairly won.''

What an insult to American voters. If we can't trust the American voters, who can we trust? Does he think they are gullible? Does he think he is better than them?

Or take the comments of another impeachment manager, a Democrat. He said, referring to President Trump: ''He is a dictator. This must not stand, and that is another reason he must be removed from office.''

These are insulting to the American public who chose this President over Hillary Clinton.

But these are the types of comments you would expect in a Third World country in which military coups are a common occurrence, not in the United States of America where we honor the votes and choices of the American people.

President Zelensky and President Trump both said there was no pressure or coercion, and the call transcripts have been released to the public to prove this.

But even if there had been pressure, if withholding foreign aid is an impeachable offense, why did Joe Biden threaten to do it?

As I have stated repeatedly, if the bar of high crimes and misdemeanors has been brought down so low to include President Donald Trump's so-called abuse of power, then Joe Biden should be charged for his actions in Ukraine. Instead, he gets a pass.

This impeachment trial is simply a farce. But it is an expensive and time wasting one foisted on the American people by those who do not have our country's best interests at heart.

Even the Speaker of the House, who is a Democrat, said, if there is going to be an impeachment trial, if there is going to be impeachment proceedings, it should be bipartisan, it would have to be bipartisan.

Mr. Speaker, the only thing bipartisan about this sham is the opposition to it. Democrats joined every Republican to vote against it in the House. I expect we are going to see similar results in the Senate, a bipartisan opposition to this partisan sham.

I look forward to the Senate bringing this farce to a speedy conclusion.

END THE USE OF TOXIC MILITARY BURN PITS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. RUIZ) for 5 minutes.

Mr. RUIZ. Mr. Speaker, I rise today to address one of the most pressing health threats facing veterans across this Nation: exposure to burn pits.

Burn pits are literal pits, sometimes 10 acres large, used by the military to burn trash, medical waste, jet fuel, batteries, even human waste. As you might imagine, this creates large plumes of toxic black smoke, which can have terrible health effects for anyone exposed.

Our servicemembers and veterans who were exposed to burn pits are developing severe, debilitating pulmonary diseases like pulmonary fibrosis and constricted bronchiolitis, leaving them oxygen dependent. And young veterans are dying from rare cancers of the brain, pancreas, blood cells, and other organs.

This means that many of our servicemembers survived the battlefield but only become delayed casualties of war at home, dying due to lung and pulmonary illnesses, from cancers, from autoimmune diseases from their burn pit exposures.

If we don't act now, they will be resigned to the same fate as our Vietnam veterans exposed to Agent Orange, who waited up to 30 years to get the help they needed. For many, it was too late.

Our veterans cannot wait. It is my objective to end the use of toxic military burn pits once and for all and give servicemembers and veterans the care they need. That is why, today, I urge a vote on two bills that would go a long way to address this critically important issue:

H.R. 4574, the Veterans' Right to Breathe Act, which would establish presumption of service-connected exposure to burn pits for nine evidence-based pulmonary diseases, including chronic bronchiolitis and others; and

H.R. 4137, the Jennifer Kepner HOPE Act, which would make veterans exposed to burn pits eligible for low-cost healthcare through the Priority Group 6 under the Veterans Health Administration.

□ 1015

These bills are part of the comprehensive plan to end the use of burn pits, educate physicians and veterans on their health effects, get veterans and servicemembers exposed to burn pits the healthcare and benefits they need, and continue research to fully understand the health impacts posed by burn pits.

We cannot let burn pit exposure become this generation's Agent Orange. We must act now for veterans and for their families.

CBP DIRECTIVE FALLS SHORT

Mr. RUIZ. Mr. Speaker, I rise today because children and families in CBP custody continue to be without basic humanitarian standards of care.

Late last year, Customs and Border Protection put out a directive outlining its ''enhanced medical support efforts,'' with the objective of mitigating risks for people in CPB custody along the southwest border. But their directive for addressing medical needs falls short of even basic humane treatment to prevent the heartbreaking conditions I saw when I visited the southern border: people piled on top of each other in cold, windowless, concrete rooms, crowded with so many bodies you couldn't even see the floor; open toilets in crowded cells; and visibly sick children coughing on one another.

The conditions I witnessed were inhumane and inconsistent with our American values and our moral conscience, and the CBP directive does nothing to address them.

The directive does not include, for example, pregnant women, the elderly, or disabled individuals as vulnerable populations who need priority screening. The CBP medical directive does not address humanitarian standards for water, sanitation, hygiene, shelter, or food and nutrition, nor does it even set standards for private, safe, clean, and reliable toilets with proper waste disposal.

Last year, I wrote the House-passed H.R. 3239, the Humanitarian Standards for Individuals in CBP Custody Act. This bill sets basic public health standards for people in CBP's care, such as health screening priorities, nutrition, food standards, water, sanitation, hygiene, and reporting requirements. It makes sure individuals have essentials, such as toothbrushes, diapers, and baby formula.

Because this bipartisan bill was blocked from consideration in the Senate, these standards of care for children and families are not currently law, and the recent CBP medical directive falls short. It fails to outline proper humanitarian standards of care.

This is why the Senate must take up and pass the bipartisan bill, the Humanitarian Standards for Individuals in CBP Custody Act, to ensure CBP's treatment of children and families is consistent with our American values and the principles of basic human dignity and prevent children from dying under the custody and responsibility of CBP.

CELEBRATING HICKORY'S 150TH ANNIVERSARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX of North Carolina. Mr. Speaker, I rise to celebrate the 150th anniversary of Hickory, North Carolina.

In 1870, Adolphus Shuford founded Hickory Tavern, which would later become the city of Hickory. Originally, it

featured seven businesses, seven manufacturing plants, and had a population of 330 people.

In the 1800s, Hickory was a primary trading center along the Western North Carolina Railroad, and it grew into one of the largest hubs for business manufacturing and textiles in the Southeast United States.

Today, Hickory is home to more than 40,000 people. It holds data centers operated by the world's largest technology companies, and over 40 percent of the world's fiber optic cable is manufactured there.

Hickory's history goes even beyond its industrial roots. Some other noteworthy features are: the Hickory Motor Speedway, one of the most legendary short tracks in the history of American stock car racing; the local community college, Catawba Valley Community College, which is providing some of the most excellent education offered anywhere in the country to the citizens of the area; Lenoir-Rhyne University, one of North Carolina's premier schools, which was founded in 1891; a wonderful art center; and a Minor League Baseball team, the Hickory Crawdads, which was founded 25 years ago.

While the city continues to grow, its historical landmarks still stand as a testament to its rich history. From the Propst House to Maple Grove, Union Square to the Henry River Mill Village, Hickory's legacy as a leader in textiles manufacturing and trading is ever-present.

Hickory has played a pivotal role in North Carolina's history, and it continues to make a sizeable impact on North Carolina's economy.

Mr. Speaker, I am proud to represent Hickory, North Carolina, and I am certain it will continue to prosper and celebrate many more significant milestones in the future.

IMPEACHMENT TRIAL NEEDS WITNESSES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Ohio (Ms. KAPTUR) for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the impeachment of President Donald Trump has forced our Nation into a constitutional crisis.

On the one hand, Democrats have led a good faith effort to discover the truth and hold President Trump and his administration responsible for their destructive and corrupt actions in Ukraine. While on the other hand, Republicans have refused outright to meaningfully engage in the fact-finding process.

In our House, Republicans have ignored the fact that Russia has invaded Ukraine, a sovereign nation. Ukraine is a scrimmage line for liberty in Europe today, a continent whose liberty we restored and paid a deep price for it.

Despite overwhelming evidence in the Senate, Republicans have complained they have learned nothing new from the impeachment trial. Yet, they have voted over 10 times to block new evidence and witnesses.

For instance, it is clear that President Trump's former National Security Advisor John Bolton's testimony has relevance to the Senate's efforts to find the truth—the truth. Bolton has first-hand knowledge of the administration's duplicitous actions in Ukraine and President Trump's malintent. Yet, Republicans in the Senate have refused to subpoena Bolton, despite his statement that he is willing to testify.

Additionally, this week, The New York Times reported that President Trump told his former National Security Advisor John Bolton that he wanted the $391 million in security assistance to Ukraine frozen—a nation at war—until Ukrainian officials agreed to carry out investigations into Democrats and the Bidens.

According to a manuscript written by Bolton, such a claim is relevant and warrants immediate investigation by Congress. Yet, Politico reported today that Republican leadership in the Senate remains opposed to additional witnesses, including Bolton, though dissent is emerging in their ranks.

Mr. Speaker, I feel strongly that if the Senate fails to allow additional witnesses relevant to the impeachment trial and subsequently votes to acquit, such inaction will set a dangerous and perhaps even irreversible precedent, one that allows the executive branch to ignore congressional oversight with impunity.

Today, President Trump has refused to comply with any congressional subpoenas obstructing justice, even going a step further as to block any and intimidate executive branch officials from cooperating with the House investigation.

An executive branch unaccountable to Congress, the branch of government most connected with the American people, is a dangerous prospect. We cannot allow this to become the new norm.

Ours is a nation of laws, not men or women. Laws protect us. The balance of power between our three branches of government at the local, State, and Federal levels is the only protection we have from ourselves.

Our Founders wrote into our Constitution the means to hold a lawless President accountable and remove him from office. The rule of law is sacred, and that is why no one is above the law.

Regardless of anyone's opinions of President Trump, personal affections are not the issue. The issue at hand is independent of party or politics. The question is: Who among us will sit silent and allow the voice of the people to be trampled, and who will rise up to keep the Presidency accountable to our Republic?

Mr. Speaker, I have had the privilege to serve alongside public servants in both parties. While I have had disagreements with Republican colleagues on policy, I remain immensely thankful for their bipartisanship in so many ways and willingness to engage on issues to strengthen our Nation's national security and improve the lives of working people, calling many Republicans, actually, my friends.

But that is why, Mr. Speaker, I am so disappointed today. My Republican colleagues have so far failed to act in defense of our democracy. They seem to live in an alternate reality from our own.

The American people have made it clear they want additional witnesses to ensure a fair trial. They want to hear what Ambassador Bolton and other witnesses have to say. Senate Republicans should let them testify under oath.

Finally, I enter into the CONGRESSIONAL RECORD the words of Dr. Daniel Rapport, a constituent and a distinguished medical doctor at the University of Toledo Medical Center, urging the Senate to convict President Trump.

His words: ''The impeachment of President Trump has forced our Nation into a constitutional crisis. If the Senate fails to hold President Trump accountable, as is its constitutional duty, then a dangerous precedent will be set, one that empowers the executive branch to ignore congressional oversight with impunity.

''Combined with the increasing power of the executive in recent decades, in addition to the President's veto power, the capacity of the legislative branch to rein in the executive will be ever more limited, weakening the American's people will in their own government.

''This is an outcome that must be avoided at all costs. The Senate alone has the power to do what is right to preserve the balance of power between the legislative and executive branches. The Senate must vote to convict President Trump.''

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

PAIN IS THE PRICE OF AMERICA'S HEALTHCARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Louisiana (Mr. ABRAHAM) for 5 minutes.

Mr. ABRAHAM. Mr. Speaker, the $3 trillion healthcare industry continues to crush the middle class. Americans are paying more than ever and getting ever less as they struggle to access care. The cost of care for both workers and employers is outpacing wage growth.

What drives the cost of care in America today is lack of transparency, consolidation, and overregulation that is leading to administrative glut. The time is now to confront these cost drivers. President Trump has addressed these exact issues in recent months.

Obtaining coverage has allayed the fears as costs rise, yet coverage itself keeps costs hidden and high. Our opaque, third-party payment system has obscured the true cost of receiving care from patients and physicians alike.

Prices are rising with no end in sight. We see examples of it every day, people who believe they are covered because they have insurance only to find out that, in some cases, they are just as vulnerable as those who are uninsured. The current system allows people who have insurance to end up paying more for a CT, for example, than if they had just paid cash.

This process and complexity of billing can allow this to happen. This lack of transparency in our healthcare system is a culprit, and it harms patients, physicians, pharmacists, and others who rely on it.

Consolidated hospital systems, the completely unregulated pharmaceutical middlemen, PBMs, and the insurance companies that are tied to both hospitals and PBMs have been increasingly profiting. These corporate giants have no motivation to offer transparency and discounts.

Costs remain deliberately hidden until the patient receives a bill. The number of healthcare administrators has grown more than 4,000 percent between 1970 and 2020. Consequently, spending on healthcare has increased 3,200 percent.

Is there any other conclusion than to tie rising costs to administrative glut? No. Administrative glut is largely to manage the regulations that our government has put in place, regulations that make healthcare more complex than the tax code. It is past time to cut the glut.

Medicine's malignant mergers, both vertical and horizontal, are creating behemoth healthcare systems like CVS, where insurance companies, PBM, pharmacy, and drive-by clinics are all together. This leads to patients being forced to go somewhere to receive their drugs and, in some cases, are told that they have to purchase brand-name drugs even when the generic equivalent is available. It is not about what is a better deal for the patient but what is a better deal for the PBMs and their ilk.

Americans are paying more than ever for coverage that limits their choices and doesn't always provide them access to care. The bloated bureaucratic special interests must be unveiled and Americans must educate themselves on cost drivers to forge sustainable solutions.

We need to focus on returning to a patient-centered healthcare system. Some people are starting to do this with things like direct primary care, which provides the patient with an array of services for a fixed cost that is actually transparent.

□ 1030

We need a system that allows patients to choose and fosters competition. The only way we are going to get a system like that is by shining a light on the shadows of our healthcare system. The answer is not more government, not more regulation but, rather, a concerted effort by Congress to bring our healthcare system out into the sunshine and to allow our sunshine to shine on these hidden practices; these practices are actually causing our prices to go up. No longer can we allow patients to bear the brunt of this complicated and very, very complex system.

The time is now to follow healthcare's money trail, unwind existing laws, or enact new laws that demand cost transparency, cut administrative glut, stop consolidation, and bring regulatory relief. Your health depends on it.

CONGRATULATING THE CAMP HILL LIONS GIRLS SOCCER TEAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. PERRY) for 5 minutes.

Mr. PERRY. Mr. Speaker, I rise today to offer my heartfelt congratulations to the Camp Hill Lions Girls Soccer Team for their victory at the PIAA Class A State Soccer Championship, and for their excellence throughout their undefeated 2019 season.

Led by Coach Jared Latchford—who, to no one's surprise, was just named the Pennsylvania Soccer Coaches Association Girls Class A Coach of the Year—the Lions dominated the season, achieving a stunning overall record of 25 wins, zero ties, and zero losses.

This is the Lions' second appearance at the state championship in the last 3 years. They took an early lead in their contest against Shady Side Academy and held it throughout the game.

Aggressive and selfless offense, vigilant defense, and stellar goalkeeping earned the Lions a 2–0 victory and their first State championship trophy in school history.

These amazing athletes are the epitome of remarkable dedication and discipline, outstanding skill, exceptional sportsmanship, and an unyielding team spirit. Their dedication to excellence, to say the least, earned them this championship.

On behalf of Pennsylvania's 10th Congressional District, I congratulate the Camp Hill Lions for their incredible performance. We are proud of you.

HONORING THE LEADERSHIP AND CAREER OF SERGEANT JOHN AITON

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. NORMAN) for 5 minutes.

Mr. NORMAN. Mr. Speaker, it is my honor to recognize the exemplary leadership and career of Sergeant John Aiton, a native of the Palmetto State, born and raised in my hometown of Rock Hill, South Carolina.

Upon graduating from Rock Hill High School, John Aiton attended East Coast Bible College, where he received a bachelor of arts in pastoral ministries, later earning a master's degree in biblical interpretation from Pentecostal Theological Seminary.

After a brief teaching and coaching stint at the Heritage Academy in Fort Mill, Sergeant Aiton joined the Rock Hill Police Department. John always had a special place in his heart for helping the community, so after 2 years of patrol work, he left to join the juvenile division as a DARE instructor.

During his work early on, he was promoted to special investigator, and was selected to serve on the police force's first crisis negotiating team, forming the department's neighborhood watch program.

Because of his dedication to the local community, he began to serve as the department's chaplain and continued work with the Worthy Boys and Girls Camp. This ultimately led him to his best-known role, a school resource officer for 22 years; 11 years at Northwestern High School, followed by another 11 years at South Pointe High School.

Throughout his distinguished career, Sergeant Aiton went above and beyond his job to protect and serve the community. Due to his service, he was promoted to sergeant of the Community Service Division, but because of his commitment to student safety, he relieved himself of those duties.

John is a truly inspirational citizen and a community servant whose pride and joy is found in protecting students.

After a distinguished career, Sergeant John Aiton retired from the force in June of 2019. It is truly an honor to recognize and congratulate Sergeant John Aiton on his well-deserved retirement. Rock Hill could not have asked for a better, selfless role model for our community.

In the words of Winston Churchill, who made famous a quote when Great Britain was about to be under siege, he said:

> There will be a time when doing your best is not good enough. You must do what is required.

Sergeant Aiton did what was required to make a true difference.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 35 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. TRONE) at noon.

PRAYER

Rabbi Avraham Hakohen ''Romi'' Cohn, Congregation Ohr Yechezkel, Brooklyn, New York, offered the following prayer:

Almighty, open my lips. May the words of my mouth declare Your praise. With profound humility and deep appreciation, I stand before You.

As a young boy of 13 years, I was condemned to be dead, to be murdered along with my entire family, including my 3-year-old little sister, by one evil man, may his name be erased forever. But my life was spared. I was saved by my Father, by You, O Lord, the Father of the Universe, who brought me to the shores of this beautiful country, the United States of America, the land of the free, where I found a safe and new home.

As I stand before you on the 75th anniversary of the liberation of the Auschwitz death camp, I offer humble words of praise and gratitude to the Almighty. Blessed are You, King of the Universe, who has granted me life and sustenance to this day. Amen.

May You, Lord, accept with mercy our prayers for our country; for our President, Donald Trump; our Vice President, MICHAEL PENCE; my Congressman, MAX ROSE; and all his noble colleagues.

O Mighty King of the Universe, as Your humble servant, I bestow this blessing upon Your children. May the Lord bless you and protect you. Amen.

May the Lord deal kindly and graciously with you. Amen.

May the Lord bestow His favor upon you and grant you peace.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. LOUDERMILK) come forward and lead the House in the Pledge of Allegiance.

Mr. LOUDERMILK led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING RABBI AVRAHAM HAKOHEN ''ROMI'' COHN

The SPEAKER pro tempore. Without objection, the gentleman from New York (Mr. ROSE) is recognized for 1 minute.

There was no objection.

Mr. ROSE of New York. Mr. Speaker, I rise today to recognize Rabbi Romi Cohn, a leader on Staten Island and a dear, dear friend.

Rabbi Cohn has dedicated his life to Jewish culture and heritage and built a renowned career as a mohel in New York City for over 25 years. I am especially honored to welcome Rabbi Cohn this week as we remember the 75th anniversary of the liberation of Auschwitz.

Rabbi Cohn's career is merely a continuation of a lifetime of fighting for the Jewish faith. His early life was uprooted by the rise of the Nazi Party, their invasion of Czechoslovakia, and the outbreak of World War II. Under Nazi rule, he saw the Hitler Youth attack his father in the street.

When war broke out, he joined the partisans fighting Nazi tyranny. At 15 years old, Romi was the youngest member of the Czechoslovakian partisan forces. Among other feats, he helped save 56 Jewish families escape the horrors of the Holocaust.

He fought with the partisans until the end of the war and then went in search of his own family. Of his parents and six siblings, only his father and two sisters had survived.

Rabbi Cohn saw how a democracy can be corrupted into a fascist dictatorship and what happens when anti-Semitism is allowed to fester.

Sadly, across this country, we see an alarming rise in anti-Semitism and hatred. Rabbi Cohn's legacy reminds us never to accept bigotry, not when we see it in the street, not when we saw it in the Halls of Congress, not when we see it anywhere. Our freedoms are not free. We must fight for them or risk losing them.

Rabbi Cohn is a model and example for all of us to follow, and I thank him for his extraordinary life of service.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

SUPPORT COMPREHENSIVE CREDIT ACT

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of the Comprehensive CREDIT Act, which we will be considering very soon. It will help bring much-needed accountability to credit reporting agencies and protect consumers from fraud and abusive lending.

Far too often, I hear of Rhode Islanders who have suffered as a result of credit reports with inaccurate or adverse information. The impacts are serious. They can prevent an individual from getting a job, taking out a mortgage, or acquiring student loans that they need to go to college. Yet, when they need to dispute an error, credit reporting agencies make it near impossible.

Mr. Speaker, the system is broken, and the Comprehensive CREDIT Act will provide long-overdue reforms to address these systemic issues. This bill will ensure Americans have the information they need to protect themselves from fraud; opportunities and a mechanism to dispute any errors, and to get them fixed; and protection from predatory lenders.

Mr. Speaker, I am proud to support this bill, and I thank Congresswoman PRESSLEY and Chairwoman WATERS for bringing it to the floor later today.

RECOGNIZING STUART MACVEAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to recognize Stuart MacVean of Aiken, president and CEO of Savannah River Nuclear Solutions, for being honored as a 2020 CEO Who ''Gets It'' by the National Safety Council's Safety and Health magazine.

This award is presented to those who go the extra mile through risk reduction, performance measurement, safety management solutions, and employee engagement—safety first.

Stuart has made keeping his employees safe and healthy a top priority. His dedication has resulted in successful site mission operations for support of our Nation's nuclear complex.

Stuart has been recognized by his local community. This month, I was present when Stuart was named Man of the Year for his leadership, community impact and involvement, and integrity by the Aiken Chamber of Commerce, led by President David Jameson and Chair Julie Whitesell, succeeding Pastor Paul Bush.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism with the leadership of President Donald Trump.

PRAISING DONARI JOY MOSBY

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today to celebrate the kindness and generosity of a rising star in my district, Donari Joy Mosby. Ms. Mosby is a senior at County Prep High School in Jersey City, New Jersey.

Mr. Speaker, 7 years ago, she made it her goal to select socks to help the homeless residents stay warm during the winter. She started with a modest goal of 250 pairs of socks. When she exceeded that, she raised the number every single year.

This year, she donated more than 5,700 pairs of socks to a local community center on Dr. Martin Luther King Drive in Jersey City.

In 7 years, Ms. Mosby has donated 21,883 pairs of socks to help the homeless of my district. She called her campaign the Joy of Sox and wrote that socks are a simple and powerful way to show love to someone going through difficult times.

I agree, and I think her efforts and commitment to charity deserve to be praised.

RECOGNIZING NATIONAL SCHOOL CHOICE WEEK

(Mr. LOUDERMILK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LOUDERMILK. Mr. Speaker, I rise today in recognition of National School Choice Week and the powerful impact that putting education choice in the hands of families can have in the lives of students, both in Georgia and across America.

Every child is a special gift from God, unique in their learning styles and capabilities. When it comes to their education, the options available to students and their families should not be limited by mandates from Washington, D.C.

It is also an unfortunate reality that opportunities for a quality education are not the same in every ZIP Code. Parents should have flexibility when choosing the best school setting to fit the specific needs of their children.

Whether it be through traditional public schools, charter schools, private schools, homeschooling, or vouchers, the decision about where to go to school should be made as close to the student as possible.

When we empower families to choose the educational options best suited for their sons and daughters, we give them the opportunity to thrive and to become the next generation of leaders in their families, churches, and communities.

Mr. Speaker, I am proud to lend my voice in support of school choice, especially during National School Choice Week.

HONORING EULOGIO ACEVEDO

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise to honor Eulogio Acevedo, who passed away earlier this month.

Those of us who knew Mr. Acevedo will remember him as a dedicated family man, a leader in the business community, and a relentless champion for social justice. Born in the Dominican Republic, Mr. Acevedo made his home in Providence, Rhode Island, along with his beloved wife of 30 years, Maryelyn.

Mr. Acevedo lived the American Dream. An engineer by trade, he owned and operated his own construction company for more than two decades. He raised five children and lived to celebrate the births of four grandchildren.

Most important of all, Mr. Acevedo gave back to the country that gave him so much. He was an active community leader in Providence and a political legend, a gentle but strong man who helped anyone in need.

Mr. Speaker, I am thankful that I had the opportunity to know this great man. He was a dear friend to me. Our city and our State will miss him deeply. May he rest in peace.

MARKING ANNIVERSARY OF THE ''CHALLENGER'' TRAGEDY

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, yesterday marked the anniversary of the *Challenger* space shuttle explosion.

Mr. Speaker, 34 years ago, President Ronald Reagan addressed the Nation from the Oval Office, mourning with the entire country but paying special attention to the Nation's young people, telling them: ''The future doesn't belong to the fainthearted; it belongs to the brave.''

Today, those young people have become the men and women who have taken up the mantle of space exploration, who probe the outer limits of our solar system and even join NASA to explore space for themselves. President Reagan's words are as true for these men and women as they were for the *Challenger* crew.

As we look back on the tragedy of the *Challenger*, we must also look ahead. Let us recommit ourselves to space exploration by empowering the men and women who study it. We can honor our past by making space exploration a part of our future.

□ 1215

IT IS TIME TO END MIGRANT PROTECTION PROTOCOLS

(Ms. ESCOBAR asked and was given permission to address the House for 1 minute.)

Ms. ESCOBAR. Mr. Speaker, today marks the 1-year anniversary of the implementation of the abhorrent Migrant Protection Protocol program, or MPP, which forces vulnerable asylum seekers to remain in Mexico for their U.S. court dates.

MPP is currently implemented at seven ports of entry along the U.S.-Mexico border, including in my community, El Paso, Texas, where over 18,000 asylum seekers have been made to wait in Ciudad Juarez, Chihuahua.

During my time in Congress, I have brought a number of my colleagues to the border to see our Nation's immigration challenges firsthand. A number of them joined me last July, when we crossed the border to visit with some of the families impacted by the program. We heard about their journey to the U.S., the dangers they face if they return home, and what it takes to survive day-to-day in Mexico, a country that is not their own. We heard that obtaining legal counsel is nearly impossible, hindering due process.

This administration is making it as hard as possible for these families to obtain asylum in an effort to deter them from coming to the U.S. in the first place, because cruelty is the point.

I urge my colleagues to cosponsor H.R. 2662, the Asylum Seeker Protection Act, to defund this unlawful, abhorrent program.

TWO DEFINITIONS OF PRODUCTIVITY

(Mr. MEUSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MEUSER. Mr. Speaker, there are different definitions of productivity at the two ends of Pennsylvania Avenue at this point in time.

Here at the Capitol, Democrat leadership seems to confuse activity with accomplishment, spending years—years—trying to impeach and remove a duly-elected President.

At the White House, just this week, President Trump delivered two major accomplishments, a Middle East peace plan and the signing of the USMCA.

The President's two-State peace agreement with Israeli leadership protects Israel's security and ensures Palestine has a prosperous future as long as it too seeks peace. It is the product of compromise and is a promising solution for a long-unstable region.

The USMCA, just signed earlier today, opens new markets for American goods, levels the playing field for North American trade, and creates jobs nationwide. It is great for our country and it is great for Pennsylvania.

As was stated very well earlier this week: ''Imagine if all the energy from this impeachment was used to solve the problems of the American people.''

RECOGNIZING THE WINNER OF WASHINGTON'S SEVENTH DISTRICT CONGRESSIONAL APP CHALLENGE

(Ms. JAYAPAL asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JAYAPAL. Mr. Speaker, I rise today to recognize Franklin High School student and Burien resident, Abigail Batinga, as the winner of the Washington's Seventh District Congressional App Challenge.

My office this year received a record number of submissions, highlighting the incredible work of teachers across my district in advancing STEM education for all students.

Abigail's app, which is called Climate Now, is a collaborative platform that helps users create, facilitate, and participate in environmental projects in their communities.

Abigail recognized the need for a tool to increase the efficacy, organization, and participation in efforts to solve our climate crisis locally, due to her involvement in sustainability and environmental justice issues in Burien and South Seattle.

Abigail's focus on addressing a public goal serves as a model for all of us to use our creativity, skills, and knowledge to benefit the greater good.

I am so proud of Abigail, and I congratulate her.

BE LIKE AMERICA, DON'T BE LIKE SAUDI ARABIA

(Mr. TED LIEU of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TED LIEU of California. Mr. Speaker, this morning, Donald Trump wrote on Twitter: ''Remember Republicans, the Democrats already had 17 witnesses. We were given none. Witnesses are up to the House, not up to the Senate.''

Both of his statements are false. In the House, there were multiple Republican-requested witnesses that testified under oath, some of them on national TV, and they were cross-examined by both Democrat and Republican committee members.

In addition, under our Constitution, it is the Senate that runs trials. And Americans understand that in a trial you have witnesses and documents. In fact, a recent poll showed that 75 percent of Americans want the U.S. Senate to call in witnesses, witnesses like John Bolton.

You know who runs trials without witnesses? Saudi Arabia.

So my message to the U.S. Senate, controlled by Republicans, is very simple: Be like America. Don't be like Saudi Arabia.

RECOGNIZING 100TH ANNIVERSARY OF RATIFICATION OF 19TH AMENDMENT AND 200TH BIRTHDAY OF SUSAN B. ANTHONY

(Mr. MORELLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORELLE. Mr. Speaker, in addition to marking the 100th anniversary of the ratification of the 19th Amendment, this year also marks the 200th birthday of Susan B. Anthony, a pioneer of the women's rights movement who made her home in my district in Rochester, New York.

As a Nation, we have come so far in the fight for equality, but we continue to face new barriers that threaten to roll back the progress we have made. That is why at next week's State of the Union Address, I am so proud that I will be joined by Deborah Hughes, president and CEO of the National Susan B. Anthony House & Museum in Rochester, and a passionate advocate for women everywhere.

Deborah's work reminds us that the words of Susan B. Anthony still ring true today; we must ''organize, agitate, educate'' until every American has full equality.

I am so grateful that Deborah will be joining me next week, and I will continue to stand alongside her and work together to support and empower women everywhere.

IMPROVE AND STRENGTHEN SOCIAL SECURITY

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, 80 years ago this week, Americans began receiving Social Security benefits. Social Security is a highly popular and successful program with a trust fund exceeding $1.9 trillion.

With rising life expectancy since the program's inception, adjustments need to be made to improve and strengthen Social Security for future generations.

The Social Security 2100 Act, sponsored by Congressman JOHN LARSON of Connecticut, will increase benefits for all current and future beneficiaries; will improve cost-of-living-adjustments to keep up with real inflation; will cut taxes for millions of beneficiaries; and improve and strengthen Social Security through the 21st century and beyond.

I urge passage of the Social Security 2100 Act.

AMERICA'S DEEP ECONOMIC UNCERTAINTY

(Ms. SCANLON asked and was given permission to address the House for 1 minute.)

Ms. SCANLON. Mr. Speaker, I rise today in support of families in my district who are experiencing deep economic uncertainty.

A report issued late last year highlighted that hardworking families in my district, especially those with children, are struggling with rising costs and stagnant wages. The report is called ''Underwater'' because even as Wall Street rides high, American families are struggling to stay afloat. In fact, people and small businesses in my district are suffering as a result of this administration's economic policies, its trade wars, and corporate giveaways.

At year end, a typical working family earning $70,000 a year is likely to be over $2,000 in debt after paying for childcare, housing, and healthcare, and that is before they start saving for college or retirement.

Forty percent of the families in my district make less than that. For these families, the American Dream of providing a better life for their children slips further from their grasp every day.

Instead of corporate welfare, our economic policies must support working, middle-class families in order to create healthier and more prosperous communities for everyone.

RECOGNIZING THE SERVICE OF PETER VOLKMANN

(Mr. DELGADO asked and was given permission to address the House for 1 minute.)

Mr. DELGADO. Mr. Speaker, I rise today to recognize Chatham Police Chief Peter Volkmann, my guest for the State of the Union Address. Chief Volkmann has been a pioneer in addressing the opioid epidemic in upstate New York and founded the highly successful Chatham Cares 4 U program.

Chatham Cares 4 U encourages residents struggling with the disease that is addiction to walk into the police station, turn over their drugs, and ask for help. Instead of being charged, individuals are placed into a treatment program, regardless of financial means or their insurance coverage.

This highly-successful initiative has been modeled throughout our region, and I was proud to have Chief Volkmann share his success with our community at my opioid epidemic panel last year.

Our work to address this urgent priority is ongoing and will require both the attention and continued cooperation of all levels of government, law enforcement, and our first responders.

In that vein, I hope to hear from the President on Tuesday that he is committed to bipartisan, comprehensive solutions to address the opioid crisis in upstate New York and all across this country.

NATIONAL CATHOLIC SCHOOLS WEEK

(Mr. LIPINSKI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LIPINSKI. Mr. Speaker, this is National Catholic Schools Week. Every year, I introduce a resolution to recognize the outstanding contributions that Catholic schools make to our Nation.

My own education at Saint Symphorosa and Saint Ignatius provided the foundation that enabled me to earn 2 degrees in engineering, and a Ph.D. in political science before I began my career as a teacher. My experience, my wife's experience, and the experience of so many others across our Nation have made me a lifelong supporter of Catholic schools.

This year's Catholic Schools Week theme is ''Learn. Serve. Lead. Succeed.'' And that is exactly what Catholic schools teach students to do.

Earlier this week, I visited Saint Christina in Chicago and Saint Albert the Great in Burbank, and later this week I will be at Saints Cyril & Methodius in Lemont, as well as Saint Richard and Saint Daniel in Chicago.

Mr. Speaker, I urge my colleagues to take time this week to recognize the great work of the Catholic schools in their districts.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules if a recorded vote or the yeas and nays are ordered, or if the vote is objected to under clause 6 of rule XX.

The House will resume proceedings on the postponed question at a later time.

TEMPORARY REAUTHORIZATION AND STUDY OF THE EMERGENCY SCHEDULING OF FENTANYL ANALOGUES ACT

Ms. KUSTER of New Hampshire. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3201) to extend the temporary scheduling order for fentanyl-related substances, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3201

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 ''Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act''.

SEC. 2. EXTENSION OF TEMPORARY ORDER FOR FENTANYL-RELATED SUBSTANCES.

Notwithstanding any other provision of law, section 1308.11(h)(30) of title 21, Code of Federal Regulations, shall remain in effect until May 6, 2021.

SEC. 3. STUDY AND REPORT ON IMPACTS OF CLASSWIDE SCHEDULING.

(a) DEFINITION.—In this section, the term ''fentanyl-related substance'' has the meaning given the term in section 1308.11(h)(30)(i) of title 21, Code of Federal Regulations.

(b) GAO REPORT.—The Comptroller General of the United States shall—

(1) conduct a study of the classification of fentanyl-related substances as schedule I controlled substances under the Controlled Substances Act (21 U.S.C. 801 et seq.), research on fentanyl-related substances, and the importation of fentanyl-related substances into the United States; and

(2) not later than 1 year after the date of enactment of this Act, submit a report on the results of the study conducted under paragraph (1) to—

(A) the Committee on the Judiciary of the Senate;

(B) the Committee on Health, Education, Labor, and Pensions of the Senate;

(C) the Caucus on International Narcotics Control of the Senate;

(D) the Committee on the Judiciary of the House of Representatives; and

(E) the Committee on Energy and Commerce of the House of Representatives.

(c) REQUIREMENTS.—The Comptroller General, in conducting the study and developing the report required under subsection (b), shall—

(1) evaluate class control of fentanyl-related substances, including—

(A) the definition of the class of fentanyl-related substances in section 1308.11(h)(30)(i) of title 21, Code of Federal Regulations, including the process by which the definition was formulated;

(B) the potential for classifying fentanyl-related substances with no, or low, abuse potential, or potential accepted medical use, as schedule I controlled substances when scheduled as a class; and

(C) any known classification of fentanyl-related substances with no, or low, abuse potential, or potential accepted medical use, as schedule I controlled substances that has resulted from the scheduling action of the Drug Enforcement Administration that added paragraph (h)(30) to section 1308.11 of title 21, Code of Federal Regulations;

(2) review the impact or potential impact of controls on fentanyl-related substances on public health and safety, including on—

(A) diversion risks, overdose deaths, and law enforcement encounters with fentanyl-related substances; and

(B) Federal law enforcement investigations and prosecutions of offenses relating to fentanyl-related substances;

(3) review the impact of international regulatory controls on fentanyl-related substances on the supply of such substances to the United States, including by the Government of the People's Republic of China;

(4) review the impact or potential impact of screening and other interdiction efforts at points of entry into the United States on the importation of fentanyl-related substances into the United States;

(5) recommend best practices for accurate, swift, and permanent control of fentanyl-related substances, including—

(A) how to quickly remove from the schedules under the Controlled Substances Act substances that are determined, upon discovery, to have no abuse potential; and

(B) how to reschedule substances that are determined, upon discovery, to have a low abuse potential or potential accepted medical use;

(6) review the impact or potential impact of fentanyl-related controls by class on scientific and biomedical research; and

(7) evaluate the processes used to obtain or modify Federal authorization to conduct research with fentanyl-related substances, including by—

(A) identifying opportunities to reduce unnecessary burdens on persons seeking to research fentanyl-related substances;

(B) identifying opportunities to reduce any redundancies in the responsibilities of Federal agencies;

(C) identifying opportunities to reduce any inefficiencies related to the processes used to obtain or modify Federal authorization to conduct research with fentanyl-related substances;

(D) identifying opportunities to improve the protocol review and approval process conducted by Federal agencies; and

(E) evaluating the degree, if any, to which establishing processes to obtain or modify a Federal authorization to conduct research with a fentanyl-related substance that are separate from the applicable processes for other schedule I controlled substances could exacerbate burdens or lead to confusion among persons seeking to research fentanyl-related substances or other schedule I controlled substances.

(d) INPUT FROM CERTAIN FEDERAL AGENCIES.—In conducting the study and developing the report under subsection (b), the Comptroller General shall consider the views of the Department of Health and Human Services and the Department of Justice.

(e) INFORMATION FROM FEDERAL AGENCIES.—Each Federal department or agency shall, in accordance with applicable procedures for the appropriate handling of classified information, promptly provide reasonable access to documents, statistical data, and any other information that the Comptroller General determines is necessary to conduct the study and develop the report required under subsection (b).

(f) INPUT FROM CERTAIN NON-FEDERAL ENTITIES.—In conducting the study and developing the report under subsection (b), the Comptroller General shall consider the views of experts from certain non-Federal entities, including experts from—

(1) the scientific and medical research community;

(2) the State and local law enforcement community; and

(3) the civil rights and criminal justice reform communities.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Hampshire (Ms. KUSTER) and the gentleman from Oregon (Mr. WALDEN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

GENERAL LEAVE

Ms. KUSTER of New Hampshire. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on S. 3201.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Hampshire?

There was no objection.

Ms. KUSTER of New Hampshire. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we, as a Congress, have worked over the past several years to combat the opioid epidemic and support the millions of Americans with a substance use disorder. That work includes bipartisan passage of legislation like the 21st Century Cures Act, the Comprehensive Addiction and Recovery Act, and the SUPPORT for Patients and Communities Act.

In 2017 and 2018, we appropriated nearly $11 billion for a total of 57 Federal programs that fund efforts to curb this epidemic. These programs span the continuum of care, including prevention, treatment, and long-term recovery.

The funding also spans across agencies, directing investments toward research, public health surveillance, and supply reduction efforts. Most recently, in the fiscal year 2020 funding bill, we included over $4 billion in public health dollars to help with prevention and treatment.

In December, the House passed H.R. 3, the Elijah E. Cummings Lower Drug Costs Now Act, which included an additional $10 billion in funding to support public health efforts to combat the opioid epidemic.

On the Energy and Commerce Committee, we have had the chance to hear directly from States that our work at the Federal level has helped save lives. Last year, in my State of New Hampshire, a total of 284 deaths were attributed to drug overdoses, of which 82 percent, 234 deaths, involved the use of fentanyl. This is an alarming statistic and the frightening reality of opioid addiction in our communities.

It is crucial that we understand the significance of synthetic opioids. As we have seen in New Hampshire and around this country, though the most

recent data has indicated overdose deaths have plateaued, deaths from synthetic opioids continue to rise.

This is primarily fueled by illicit fentanyl and substances structurally related to fentanyl, which we commonly refer to as fentanyl analogues. These drugs are often far more powerful. Fentanyl, the most well-known of this class of drug, is approximately 50 times more powerful than heroin and 100 times more powerful than morphine.

□ 1230

Although it is used in legitimate medical settings, we have seen a proliferation of illicitly produced fentanyl, fentanyl analogue, and its precursor chemicals originating from China.

Because fentanyl is relatively easy to make and so potent, it is tragically leading to large increases in overdose deaths. One kilogram of fentanyl purchased in China for $3,000 to $5,000 can generate upwards of $1.5 million in revenue on the illicit market here in the United States. That is potentially enough to kill 500,000 Americans by overdose.

We have all heard the terrible numbers that tell this story. In 2017, there were over 47,000 opioid overdose deaths, and 28,000 of those deaths involved synthetic opioids such as fentanyl in the United States.

A more complicating factor is that we are now seeing fentanyl increasingly mixed into other drugs like cocaine, methamphetamine, and even counterfeit prescription drugs like oxycodone. This means that many unsuspecting Americans are dying at the hands of fentanyl when they didn't even realize they were taking it.

Mr. Speaker, the nature of our Nation's fentanyl problem is far more complex than drug epidemics of the past. In addition to traditional routes, users can purchase fentanyl analogues and fentanyl precursor chemicals online on the internet. These purchases, which typically include the most pure and potent fentanyl, are often packaged and shipped through the United States Postal Service or consignment carriers in small quantities, making detection a significant challenge.

These factors create a complex problem which requires a multifaceted solution. Part of that solution is finding a way to support both public health and public safety actions aimed at stemming the tide of overdose deaths.

In February 2018, the Drug Enforcement Agency used its authority in the Controlled Substances Act to temporarily place, for 2 years, all illicit fentanyl-like substances in schedule I. With this authority expiring in just 9 days, we must do more to understand the true impact of this temporary scheduling order, including its impact on public health, public safety, research, and Federal criminal prosecutions.

That is why, today, we are considering S. 3201, the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act. This bill, which passed unanimously out of the Senate, would extend DEA's temporary order for 15 months, while also tasking the Government Accountability Office with an evaluation of the temporary order.

Placing a whole class of fentanyl-like substances into schedule I does not come without implications for criminal justice and research. The National Institute on Drug Abuse notes that obtaining or modifying a schedule I registration involves significant administrative challenges, and researchers report that obtaining a new registration can take more than a year.

It is critical that our response balance the need for legitimate research access that holds potential for improved treatments for pain and addiction, while also prioritizing a more long-term solution to the dangerous trafficking of fentanyl analogues.

This temporary emergency scheduling order also has international implications. A year after the United States moved to schedule all fentanyl-related substances, China finally announced that it would act and do the same. This classwide control in China has slowed the rate of new fentanyl analogue encounters in the illicit market.

An expiration in 9 days would also put the DEA back in the position of playing whack-a-mole, scheduling fentanyl substances one by one while clandestine criminal chemists in China work to stay one molecule ahead of our efforts.

As founder and co-chair of the Bipartisan Opioid Task Force, I agree with many of my colleagues that we cannot arrest our way out of this epidemic, and that is why I have introduced the Humane Correctional Healthcare Act. This legislation would repeal the Medicaid Inmate Exclusion and allow justice-involved individuals to access quality healthcare, including mental health treatment and substance misuse services.

The complexity of the fentanyl crisis and creation of other synthetic drugs demand a thoughtful, balanced approach that protects the public health and public safety of all Americans.

This temporary extension, coupled with the GAO study, will give us the time to work on a longer term solution and will also give us the opportunity to better understand the full range of implications that come with classwide scheduling of these substances.

I urge my colleagues to support this measure, and I reserve the balance of my time.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, January 29, 2020.

Hon. FRANK PALLONE,
Chairman, Energy and Commerce Committee, Washington, DC.

DEAR CHAIRMAN PALLONE: In recognition of the desire to expedite consideration of S. 3201, the Temporary Reauthorization for the Study of Emergency Scheduling of Fentanyl Analogues Act, the Committee on Ways and Means agrees to waive formal consideration of the bill as to provisions that fall within the rule X jurisdiction of the Committee on Ways and Means.

The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letter on this matter be included in the Congressional Record during floor consideration of S. 3201.

Sincerely,

RICHARD E. NEAL,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, January 29, 2020.

Hon. RICHARD NEAL,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN NEAL: Thank you for consulting with the Committee on Energy and Commerce and agreeing to waive formal consideration of S. 3201, the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will ensure our letters on S. 3201 are entered into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

FRANK PALLONE, JR.,
Chairman.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong support of S. 3201, the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act. This is a commonsense, bipartisan extension of DEA's temporary scheduling of fentanyl-related substances.

Mr. Speaker, fentanyl is 50 times more potent than heroin. Fentanyl is 100 times more potent than morphine. There are also countless types of fentanyl analogues which are similar in chemical structure to fentanyl but can be even more potent.

In just a 1-year period, synthetic opioids like fentanyl claimed more than 32,000 American lives. I am reminded of the story of Amanda Gray, a beautiful young lady who was going to college, ended up being given 100 percent fentanyl, and died.

These are evil things going on in our society and our culture, and this legislation will help put a stop to it. To fight this epidemic, the Drug Enforcement Administration was able to put in place this powerful but temporary tool.

Previously, drug traffickers could create these new variations of fentanyl by changing as little as a molecule—just one. Then these new variations, or analogues, as they are known, were not any longer on the schedule of controlled drugs.

So what does that mean? They were outside of the control of law enforcement. They were legal.

Analogues allow drug traffickers in clandestine labs to use the legal system and their chemistry knowledge to their advantage. By simply tweaking the drug and calling it something else then, they can avoid prosecution.

The creation of analogues has outpaced the DEA's ability to schedule them, so the DEA used emergency authorities that we have given them to temporarily place all previously unscheduled fentanyl analogues in schedule I so the administration could combat all fentanyl-related substances instead of just going after one substance at a time.

Since the instatement of the scheduling order, the DEA has encountered over 20 fentanyl-related substances that would have been perfectly legal but for this law.

Because of the number of possible variations to the fentanyl molecule, there is the potential for these bad actors—these killers—to create 3,000 analogues. There is no way the DEA could keep up one by one. Many of these substances will be legal again if no action is taken.

The DEA's ability to schedule all fentanyl substances expires next week. That is why Congress must act, and it must act now.

This is what we were fighting about yesterday, as Republicans, to get this bill on the floor. It shouldn't have come to the last minute, but I am glad it is here. The Senate has passed this bill, unanimously, some time ago, and S. 3201 is before us today.

Last Congress, we were able to put partisanship aside to pass the SUPPORT Act, landmark legislation to combat the opioid crisis. Synthetic opioids like fentanyl and its analogues continue to ravage our communities and take lives, and I am pleased that, again, we put partisanship aside today to extend this critical emergency scheduling order. This way, law enforcement does not lose its important capability to combat trafficking of fentanyl-related substances.

I urge my colleagues on both sides of the aisle to join me in support of this important legislation and to preserve this tool for law enforcement and those on the front lines of our communities fighting this opioid crisis that is so deadly.

Mr. Speaker, I reserve the balance of my time.

Ms. KUSTER of New Hampshire. Mr. Speaker, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentlewoman for yielding to me.

I rise to agree with my colleagues that we are facing a crisis. The number of overdoses and deaths related to fentanyl has skyrocketed over the last few years; however, the emergency scheduling of fentanyl and its analogues or any other substance as a schedule I drug has serious criminal justice implications.

We should not forget our history and what happened to communities of color during the failed war on drugs. We can't forget that classifying a substance as a schedule I drug comes with harsh mandatory minimum sentences that even the lowest quantity can trigger.

We cannot forget that over 60 percent of people federally charged for drug possession and over 95 percent of people charged with drug trafficking receive a prison sentence. We should not forget that over 78 percent of people charged with a fentanyl trafficking offense are people of color.

We must work together to prioritize a public health solution, not just a criminal justice one, to the fentanyl epidemic. We must remember that a criminal justice approach disproportionately impacts people of color and does not necessarily reduce the crime.

I look forward to working with my colleagues to address the problems that this bill possibly could create.

Ms. KUSTER of New Hampshire. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentlewoman for those comments, and I echo the need to address mandatory minimum sentencing and comprehensive criminal justice reform.

The opioid epidemic is not a problem that we can jail our way out of, and it is imperative that we work together to fix our broken criminal justice system that unjustly incarcerates Black and brown Americans at alarming rates.

I agree that we cannot repeat the mistakes of the past in responding to drug epidemics, but the dramatic increases in fentanyl-related deaths require us to act. Ensuring that the DEA has the authority to ban new synthetic analogues, most of which are being manufactured by criminal chemists in China, is important to curb the influx of fentanyl.

I believe that a critical component of criminal justice reform is improving health access and coverage for incarcerated individuals, many of whom suffer from substance misuse disorder and mental health issues with a co-occurring mental health disorder.

I have introduced bipartisan legislation, the Humane Correctional Health Care Act, which aims to break the cycle of reincarceration and recidivism by repealing the Medicaid Inmate Exclusion, which blocks access to care. Healthcare is a fundamental human right that should never be stripped from any person for any reason.

The legislation that we are voting on today will give lawmakers additional time to craft a long-term plan for fentanyl while also considering comprehensive criminal justice reform, and I welcome the opportunity to work with the gentlewoman on this critically important issue.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. BURGESS), the ranking member of the Health Subcommittee.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

I am going speak in support of S. 3201, the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act. It is a critical reauthorization. It is imperative to maintaining our Nation's efforts to fix the opioid epidemic.

In February of 2018, the Drug Enforcement Administration used its authority—not legislative authority, but administrative authority—to place nonscheduled fentanyl-like substances temporarily into schedule I for a period of 2 years. We are now up against that deadline, and it is important that we do not let this authorization lapse, as fentanyl and its analogues are still an imminent threat to Americans.

□ 1245

The Drug Enforcement Administration testified before the Senate Judiciary Committee in June 2019 that: The positive impacts in the 15 months since this administrative scheduling change were significant. Prior to this action, DEA observed a rapid and continuing emergence of new fentanyl-like substances each time it scheduled a fentanyl-like substance into schedule I.

We really cannot return to that reality. Let me speak a little bit about what that reality is. Someone who is buying what they think is their standard fentanyl product from an illicit Chinese chemist and now buys a fentanyl analogue because it may not be illegal, those additional molecules change the potency of fentanyl so that some of these analogues are significantly more potent than the base molecule. In a country that has suffered with an unprecedented number of drug overdose deaths, that is a significant issue.

This Friday marks the anniversary of the United States Customs and Border Protection seizure of a record volume of fentanyl and methamphetamine worth almost $4.5 million at the border. These drugs were on their way to our American communities. They were on their way to hurt Americans.

You know, it is not lost on me the irony that the USMCA was signed today, a bill that could have been signed many, many months ago. Now we are doing this bill as a hurry-up, as

a suspension. It could have been done many months ago. Congress has been distracted with other activities, and that is incorrect.

Mr. Speaker, this is an important bill, and I urge its passage.

Ms. KUSTER of New Hampshire. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentlewoman for yielding. I appreciate her previous remarks, but I still have concerns about this bill because it is another so-called tough-on-crime bill that fails to address the true causes of the opioid crisis and will result in more incarceration of more drug users and street-level sellers.

Furthermore, there is nothing in the bill that targets the laboratories outside of the United States that are responsible for flooding our communities with fentanyl and fentanyl analogues.

Mr. Speaker, since President Nixon declared a war on drugs nearly 50 years ago, laws that ignore evidence and research in favor of harsh penalties and more mandatory minimums have succeeded in placing the United States as number one in the world in incarceration.

Mass incarceration has gotten so bad that some studies have shown that it actually adds to crime rather than reducing crime. For example, too many children are being raised by parents in prison, and too many people have felony records who can't find jobs because they are victims of bills like this.

Mr. Speaker, I have three main concerns regarding this legislation.

First, the bill abandons evidence and expertise in exchange for expediency. We have a process that works well for designating controlled substances under the Controlled Substances Act. This bill changes that process and allows DOJ to ignore the experts at the Department of Health and Human Services and the Federal Drug Administration.

Classwide scheduling would give the Drug Enforcement Administration the ability to classify any new alternative chemical version of fentanyl as a schedule I drug. That would encompass hundreds and possibly thousands of chemical compounds.

This bill also stifles research that could produce some of the best weapons against the opioid crisis. For example, lifesaving overdose treatments like Narcan could not have been developed under classwide scheduling because such scheduling creates enormous barriers for chemists studying opioid addiction by actually limiting access to the entire class of chemical compounds.

Second, the bill will add to mass incarceration. This bill will allow prosecution of street-level criminals, like we had in the 1980s and 1990s. And the bill will trigger the same mandatory minimums that have contributed to mass incarceration.

Possessing an analogue substance in a quantity equivalent to the weight of one paperclip would be enough to trigger a mandatory minimum of at least 5 years. A person does not even have to know the drug they are selling on the street or sharing with a friend contains that analogue substance. Classwide scheduling even allows prosecutors to seek longer sentences without a mens rea requirement.

Third, this bill includes unnecessary legislation. The Department of Justice already prosecutes cases involving drug analogues under existing law.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. KUSTER of New Hampshire. Mr. Speaker, I yield an additional 30 seconds to the gentleman.

Mr. SCOTT of Virginia. Mr. Speaker, the Federal Analogue Act allows prosecutors to prove that a substance is chemically similar to fentanyl and has the same psychoactive effects. The Federal Analogue Act protects due process rights and is an important check on overcriminalization.

Let's not enact another law that sends more people to prison while ignoring the root causes of the present crisis, which is substance abuse and which should be dealt with as a public health problem.

That is the approach we should take, and we can take that approach by rejecting this bill.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. JOYCE).

Mr. JOYCE of Pennsylvania. Mr. Speaker, I thank the gentleman from Oregon (Mr. WALDEN) for yielding and for his support for prompt consideration of this bill today.

Mr. Speaker, I rise today in strong support of S. 3201, the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act.

In just a few short days, the DEA temporary ban of deadly fentanyl will expire. While I am relieved that the House will vote on this extension of the fentanyl ban today, I remain deeply troubled that this lifesaving bill was delayed by the political distractions.

Mr. Speaker, in both your and my districts, we have seen the devastation of fentanyl and fentanyl analogues. As a doctor, I have witnessed this drug crisis firsthand. Substance abuse and addiction have devastated individuals in my district of Pennsylvania and in every one of my colleagues' districts across America.

Fentanyl and its analogues are uniquely dangerous and deadly and have caused way too many overdose deaths from opioids in the last 2 years. We must act to protect the people that we represent from these deadly substances.

Mr. Speaker, just a few days ago, you and I heard from ONDCP Director James Carroll about the importance of passing this specific piece of legislation.

It is shameful that we waited until now to act on this lifesaving legislation.

Mr. Speaker, I urge all of my colleagues on both sides of the aisle to renew this ban immediately. We cannot afford to wait.

Ms. KUSTER of New Hampshire. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, I thank the gentlewoman for yielding. Let me express my appreciation to Representative KUSTER for her unending fight on this terrible scourge of drug addiction and death across the Nation. I look forward to working with her on her the Humane Correctional Health Care Act, H.R. 4141, as well as the Judiciary Committee taking this up in the near future to begin to address some of the wide scope issues that have to be addressed.

I am reminded of the tenure here in the United States Congress, where the impact of the arrest of addicted persons to crack and cocaine resulted in mass incarceration and upward of 2 million people incarcerated in this Nation, higher than any nation around the world.

I am reminded of the 2010 enactment of legislation that I wrote and passed, along with my colleagues, that set to reduce, through the Fair Sentencing Act, the unjust disparity between crack and cocaine from 100-to-1 to 18-to-1.

President Obama granted clemency to almost 2,000 individuals serving lengthy sentences for drug offenses during his administration.

Now, I realize in my own community in Houston, Texas, there have been 149 deaths documented by the Harris County Institute of Forensic Sciences in 2017, up from 79 in 2015. I also realize that, according to the drug policy guidelines, accidental drug overdose is the leading cause of death in the United States for those under 50.

With that in mind, wouldn't it have been preferable, even with the legislation that is included that does, in fact, have a study that would include the civil rights and criminal justice community's input? I believe that input should have been in the forefront because here is the singular problem I want to emphasize: Classwide scheduling would facilitate broader prosecutions with harsher penalties and fewer constitutional due process protections, according to Mr. Kevin Butler, who appeared before the Judiciary Committee yesterday.

The Department has indicated that it will use classwide scheduling to pursue severe mandatory minimums for anyone trafficking in an undefined and potentially limitless set of substances without having to prove those substances are or were intended to harm the human body.

Now, we know what the analogues will do. Here is our point: Our point is when I asked the Justice Department about who they would prosecute, they did indicate that they would not be prosecuting addicted persons. But

there are low-level traffickers. There are people who are addicted who are trafficking. So all you are going to do is to build up, again, the residency of the Nation's jails. That burden will fall heavily on African Americans and Latinos and other vulnerable people.

I want the scourge to end. I want the DEA to be able to work within the confines of the law. I want to work with the Congresswoman in her hard work, but what I will say is that this bill needs to expire as soon as possible.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. KUSTER of New Hampshire. Mr. Speaker, I yield an additional 30 seconds to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Speaker, we need to move swiftly, as this bill may be passed today, in order to avoid expiration, so that we can work collectively together for what parents of the addicted and others want: treatment services, wraparound services.

We must be able to say that we are not going to take the average guy on the street with a dime or a dollar, trying to survive by selling it and adding that person to the prison population, and not trying to save lives.

Let's save lives with treatment. Let's save lives by getting rid of the cartels and the large sellers. But let's not build up our mass incarceration again.

Mr. Speaker, this is a very important hearing as we in the Congress continue to deal with the opioid crisis as a nation. According to the Drug Policy Alliance, ''accidental drug overdose is currently the leading cause of death in the United States for those under 50. Drug overdose deaths now exceed those attributable to firearms, car accidents, homicides, or HIV/AIDS. More Americans died from a drug overdose in 2017 alone than died in the entire Vietnam War.

Mr. Speaker, I strongly believe that we need to reduce drug overdose deaths by promoting sensible, evidence-based solutions at the federal level. The Houston region also saw an uptick in opioid overdose deaths during the last few years, according to data from the Harris County Institute of Forensic Sciences. There were 149 deaths documented by the office in 2017, up from the 79 recorded in 2015.

Nearly 64,000 people died of a drug overdose in 2016, a staggering 22 percent increase from the year prior.

Nearly two-thirds of 2016 deaths (66 percent) involved a prescription or illicit opioid.

Recent increases in death are driven by synthetic opioids like fentanyl—deaths from synthetic opioids more than doubled from 2015 to 2016 alone.

Overdose deaths are increasing across racial groups, but non-Hispanic whites have the highest rates of death.

It is important that we have a hearing to discuss whether or not the lethal opioid Fentanyl and its analogues to extend the temporary order to place it as a Schedule I drug. Factors such as poverty, lack of economic opportunity, and limited access to a social safety net meant that there was ready demand for those opioids. Once people become addicted, we have little infrastructure in place to ensure they receive the education, care, and treatment they need to prevent fatal overdoses.

The Drug Policy Alliance states that, ''Many states are reporting sharp increases in fentanyl-related overdose deaths. Fentanyl overdoses occur in seconds to minutes, often with the needle still inserted. Most users do not appear to be seeking fentanyl and are not aware that their illicit drugs may contain fentanyl. The heroin (particularly white powder heroin), methamphetamine, and cocaine supply is all at risk for fentanyl adulteration. There have also been cases of counterfeit Xanax and Oxycodone tablets that contain fentanyl. ''Most of the fentanyl on the black market is not from the medical supply; it is produced illegally. Though some fentanyl enters U.S. markets directly via the dark web, most fentanyl is being added to the drug supply before it enters the U.S., so domestic sellers may not know their drug products are contaminated with fentanyl. There are public health and harm reduction responses to fentanyl that are effective in reducing overdose deaths.''

I am interested in learning more as to whether extending Fentanyl as a Schedule I drug or even making it permanent as a Schedule I drug will increase penalties for fentanyl, that will simply end up increasing penalties for heroin and contribute to more incarceration. Lastly, I think we should all be concerned about the long-term effects of extending the temporary scheduling order would have on communities of color as well as low income communities in both urban and rural America.

Mr. Speaker, I thank the gentlewoman for yielding. I look forward to working with her, and I look forward to getting a better bill in the future.

Ms. KUSTER of New Hampshire. Mr. Speaker, I thank the gentlewoman for her comments, and I look forward to our work together going forward.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG), a very important member of the Energy and Commerce Committee.

Mr. WALBERG. Mr. Speaker, I thank Mr. WALDEN, my friend, for yielding.

Mr. Speaker, I rise today in support of S. 3201.

Opioids, heroin, fentanyl, and fentanyl-like substances have ravaged the communities of all of us, like mine, across this Nation. Synthetic opioids have claimed the lives of tens of thousands of Americans last year, and I have heard firsthand some of those devastating stories from friends, neighbors, and constituents in my district.

The DEA has been able to combat this part of the epidemic by changing the scheduling so that the administration could combat all fentanyl-related substances.

Passing S. 3201 will allow law enforcement the leeway to properly combat these fentanyl-like substances.

My support of this measure is strong, but I am admittedly frustrated. We need to make this scheduling classification permanent. We cannot let expiration dates approach while political games that we have seen for months and months now take the spotlight and consume precious legislative time that could have indeed helped to deal with some of the concerns my friends on the other side of the aisle expressed about minimum mandatories and criminal justice reform.

We have come dangerously close to the expiration of the temporary order making fentanyl-related substances schedule I.

Mr. Speaker, I urge my colleagues to support S. 3201, but I also encourage immediate action to be taken to make these changes permanent and to stop using political games to stand in the way of doing things like this. Pass this legislation today.

□ 1300

Ms. KUSTER of New Hampshire. Mr. Speaker, we do not have any more speakers, and I am prepared to close if my Republican colleagues don't have any more speakers.

Mr. Speaker, I reserve the balance of my time.

Mr. WALDEN. Mr. Speaker, we have several more people who would like to speak on this.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. CARTER), the lone pharmacist in the U.S. House of Representatives.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today to speak in support of S. 3201 to extend the emergency scheduling of fentanyl and its analogues.

Fentanyl is a synthetic, which means man-made, opioid. It is 50 times more potent than heroin, and 100 times more potent than morphine.

And while fentanyl is a schedule II drug, traffickers have been able to make small changes to the drug as a way around DEA enforcement. These fentanyl-like substances can be just as dangerous, if not more deadly, than traditional opioids. And the pain they have caused communities across the country is immeasurable.

To combat these drugs, DEA used its authority to temporarily ban these products, but that extension expires next week. The fact that we are just now addressing this issue with 1 week to go, has been flirting with disaster. That is why I am so thankful that we are here passing this bill to protect our communities from deadly fentanyl products.

This administration has put fighting back against the opioid crisis front and center from day one. And in the past several years under Republican leadership, the House passed a series of comprehensive, bipartisan legislative packages to help American communities combat addiction.

We must all keep up that fight. I urge my colleagues to support this bill.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the former chairman of the Judiciary Committee and the Science, Space, and Technology Committee.

Mr. SENSENBRENNER. Mr. Speaker, I rise today in support of S. 3201.

Without this 15-month extension, dangerous fentanyl analogues will fall through a legal loophole in just 8 days. If there ever was a must-pass bill, this it is.

Importantly though, the scourge of fentanyl analogues needs to be addressed permanently. Drug traffickers are increasingly savvy and sophisticated; they can alter the chemical composition of these drugs, creating analogues that don't fall under the drug-scheduling protocol.

DEA has taken emergency steps to combat these analogues which we will temporarily extend today, but we owe it to our constituents to permanently schedule these drugs. This is about saving lives.

I have legislation, the Stopping Overdoses of Fentanyl Analogues Act, or SOFA, to place these drugs on schedule I and to give the DEA the authority to combat new analogues that arise.

We need to pass SOFA to protect our communities, and we need to pass SOFA to save lives.

I want to highlight how dangerous these substances are. One teaspoon of fentanyl is enough to kill 2,000 people. This lethality puts fentanyl and its analogues in a class with chemical warfare agents like VX nerve gas and ricin.

Scheduling fentanyl analogues is a matter of life or death. We must choose life. The attorneys general of all 50 States and the Attorney General of the United States have all called for the passage of SOFA and the permanent scheduling of fentanyl analogues.

I urge my colleagues to do our part to protect the American people to save lives. Pass this bill, and then let's pass SOFA.

Mr. WALDEN. Mr. Speaker, we have one more speaker who is making her way here, and so I reserve the balance of my time.

Ms. KUSTER of New Hampshire. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to say that I appreciate my colleagues who have come to the floor to speak on this bill. I think everyone knows that this is a very personal issue for me, not just because of my own constituents, but because of my own family, and I appreciate the bipartisan support for this bill.

I do want to work with my colleagues in the Judiciary Committee and in the Congressional Black Caucus and others on reform of sentencing guidelines. I think we can make that kind of progress during the 15 months, and I hope that I will get bipartisan support for my legislation which would bring treatment for mental health issues and substance use disorder into the justice-served population, because my view is that we have created a system that is not functional and not serving the purposes of the American people or the American taxpayers.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to thank my colleague and friend from New Hampshire for her leadership on this and her deep caring about it. It is something we all share. We all have our stories, both personal and throughout our districts, that we have heard over the years about the tragedy of addiction.

When we worked on the opioid legislation the last Congress when I chaired the Energy and Commerce Committee, we heard from so many Members who came and made their case when we had Member Day from then-Democratic Leader PELOSI to everybody—right, left, center—and we took all of those ideas and did what this body does best: We converted them into legislation. We had over 50 bills and it became one in the SUPPORT Act which is now law.

We also continued our investigation through the end of 2018 looking at how this abuse got out of control from the prescribers, from the distributors, from the illegal traffickers, every bit of that, and I hope before this Congress is over, we go back, look at the recommendations from that report, and see what else we need to do.

There were Member ideas that did not make it all the way through the process last time that we should be focused on. Obviously, there is certainly interest in criminal justice reform, and I dare say—and I will be careful how I say this—but perhaps the Judiciary Committee could have used some of its time differently earlier in this Congress to address these pressing issues as opposed to some of the matters it decided to focus on.

We have more work to do in this space to get treatment, to get justice, and to stop these purveyors of death.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Mrs. RODGERS), a very important member of our Energy and Commerce Committee

Mrs. RODGERS of Washington. Mr. Speaker, I thank the gentleman for yielding. I appreciate his extraordinary leadership for us on the Energy and Commerce Committee.

Across America, drug abuse and addiction are leading to broken lives, broken families, and broken systems. It is leaving our communities trapped in a cycle of hopelessness and deaths of despair. People need help. People need hope.

I have heard these stories myself in eastern Washington. Last year, the SUPPORT Act marked the most comprehensive action we have taken on a single drug crisis, but the fight is not over.

In 2017, there were tens of thousands of drug overdose deaths. The sharpest increase occurred because of fentanyl from China. Fentanyl is 50 times more potent than heroin. Just a few milligrams that can fit on Lincoln's ear on a penny, are lethal.

Chinese chemical companies are the largest, single source of this. To crack down on China, the Drug Enforcement Administration created a temporary scheduling system for fentanyl. Previously, drug traffickers could slightly change the molecules in the drug so the formula was not considered prohibited. With this scheduling tool, the DEA changed the scheduling temporarily in order to combat all fentanyl-related substances.

This legislation would extend this emergency declaration through May 2021, and it will give law enforcement the tools they need to keep us safe.

We must keep fentanyl off our streets to save lives and to win the future. That means cracking down on Chinese fentanyl and stopping these deaths of despair which are not only threatening families, they are threatening America's leadership and prosperity.

Mr. Speaker, I urge support of this legislation.

Mr. WALDEN. Mr. Speaker, how much time does each side have remaining?

The SPEAKER pro tempore. The gentleman from Oregon has 3¾ minutes remaining. The time of the gentlewoman from New Hampshire has expired.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is one of those rare moments of bipartisanship on the floor. This is a killer issue in every respect. I am pleased we are finally getting this signed through this process and down to the President to be signed after the vote today, which I assume will go well.

There is much more work to be done in this space to help those who suffer from substance use disorder and help those in our communities who are confronted with mental health disease and no place to get assistance or the proper assistance.

It is true that our jails and our prisons are often where we house people with mental health disorders because we have no other place, and that is not the right course for treatment.

Today, we take a big and important step to try and stop these illegal and deadly analogues of fentanyl. We have all heard how potent they are and how deadly they are. It gets mixed in with the heroin and people take it, and that is why we see the circles of death in our communities when it is too strong for the human body to take.

Today, is an important day, Mr. Speaker. I wish it had been done much sooner so there wasn't this sort of craziness in the end: Are we going to get this done? Is it going to expire? It doesn't have to be that way, and obviously, there are more issues to be taken up.

Mr. Speaker, I urge my colleagues to support. S. 3201, and I yield back the balance of my time.

Mr. PALLONE. Mr. Speaker, we as a Congress have worked over the past several years to combat the opioid epidemic and support the millions of Americans with a substance use disorder. That work includes bipartisan efforts to pass legislation like the 21st Century Cures Act, the Comprehensive Addiction and Recovery Act (CARA), and the SUPPORT for Patients and Communities Act.

Just last month, in the Fiscal Year 2020 funding bill, we supported a public health response to this epidemic with over $4 billion to help with Federal substance abuse treatment and prevention efforts. Also last month, the House passed H.R. 3, the Elijah E. Cummings Lower Drug Costs Now Act, which included an additional $10 billion in funding to support public health efforts at the Department of Health and Human Services to combat the opioid epidemic.

Earlier this month, the Energy and Commerce Committee had a chance to hear directly from States on how our federal support through these legislative actions has helped save lives. Although we've witnessed an improvement in the number of year-to-year overdose deaths, the availability of synthetic opioids like fentanyl is hindering the progress we've made.

Fentanyl is a deadly synthetic drug that is 50 times more powerful than heroin, and 100 times more powerful than morphine. Although it is used in medical settings, we have seen a proliferation of illicitly produced fentanyl, fentanyl analogues, and its precursor chemicals originating from China. Because fentanyl is relatively easy to make and so potent, it is tragically leading to large increases in overdose deaths.

We have all heard the terrible numbers that tell this story. In 2017, there were over 47,000 opioid overdose deaths—and 28,000 of those deaths involved synthetic opioids such as fentanyl. My home State of New Jersey, for example, has seen a tenfold increase in deaths involving fentanyl in the last several years.

A more complicating factor is that we are now seeing fentanyl increasingly mixed into other drugs like cocaine, methamphetamine, and even counterfeit prescription drugs like oxycodone. This means that many unsuspecting people are dying at the hands of fentanyl when they didn't even realize they were taking it.

Mr. Speaker, the nature of our Nation's fentanyl problem is more complex than drug epidemics of the past. In addition to traditional routes, users can purchase fentanyl analogues and fentanyl precursor chemicals online. These purchases, which typically include the most pure and potent fentanyl, are often packaged and shipped through the United States postal system or consignment carriers in small quantities, making detection a significant challenge. All these factors combined make for complex problem, and requires a multifaceted solution. Part of that solution is finding a way to support both public health and public safety actions aimed at stemming the tide of overdose deaths.

In February 2018, the Drug Enforcement Agency (DEA) used its authority in the Controlled Substances Act to temporarily place for two years all illicit fentanyl-like substances in Schedule I. With this authority expiring next month, we must do more to understand the true impact of this temporary scheduling order, including its impact on public safety, public health, research, and federal criminal prosecutions.

That is why today we are considering S. 3201, the ''Temporary Reauthorization and Study of Emergency Scheduling of Fentanyl Analogues Act.'' The Senate bill would extend DEA's temporary order for 15 months while also tasking the Government Accountability Office (GAO) with an evaluation of the temporary order.

Placing a whole class of fentanyl-like substances into Schedule I does not come without implications for criminal justice and research. The National Institute on Drug Abuse within the National Institutes of Health, notes that ''obtaining or modifying a Schedule I registration involved significant administrative challenges, and researchers report that obtaining a new registration can take more than a year.'' It is critical that our response balance the need for legitimate research access that holds potential for improved treatments for pain and addiction, while also putting in place a more long-term solution to the dangerous trafficking of fentanyl analogues.

This temporary emergency scheduling order also has international implications. A year after the United States moved to schedule all fentanyl-related substances, China announced it would act and do the same. This class-wide control in China has slowed the rate of new fentanyl analogue encounters in the illicit market. An expiration would also put the DEA back in the position of playing whack a mole, and taking action to schedule fentanyl substances one by one while illicit traffickers continue to evade scheduling and find new ways to flood our markets with deadly synthetic substances.

I agree with many of my colleagues that we cannot arrest our way out of this epidemic. The complexity of the fentanyl crisis, and creation of other synthetic drugs, demands a thoughtful, balanced approach that protects the public health and public safety of all Americans. This temporary extension, coupled with GAO's study, will give the committees of jurisdiction time to work on a longer-term solution. It will also give us the opportunity to solicit feedback to help us to better understand the full range of implications that come with class-wide scheduling of these substances.

Ms. BLUNT ROCHESTER. Mr. Speaker, every 22 hours, a Delaware family loses a loved one to an overdose. Unfortunately, that figure may increase due to the proliferation of synthetic opioids like fentanyl. Fentanyl has made this national public health emergency increasingly deadly and increasingly difficult to address. My home state of Delaware continues to see an unacceptably high loss of life due to the increasing prevalence of synthetic opioids like fentanyl and despite the work Congress has done to address this crisis. With the passage of the bipartisan SUPPORT Act, we took significant steps forward to truly address the opioid epidemic. But it is clear that we must do more.

We need a comprehensive response to combat the opioid epidemic and the proliferation of fentanyl. I call on my colleagues to provide the funding needed to effectively treat substance use disorder, funding I proudly champion as a supporter of the Respond NOW Act, which would provide $5 billion dollars a year to treatment services. And I hope to work with my colleagues in the near future to advocate for the kind of policies we need to effectively respond to fentanyl and finally bring the relief our communities deserve.

We cannot arrest our way out of this crisis and this bill gives me serious concern. Sadly, our criminal justice system is not able to solve this problem. Too often the proposed solution has been to take away judicial discretion in favor of mandatory minimums, disproportionately affecting the poor and people of color. Worse, this drive to incarcerate coupled with the lack of effective treatment for substance use disorder behind the walls of our correctional institutions threatens to make a national crisis into a national disaster. While controlling the flow of illicit fentanyl can help mitigate this crisis, it can only do so temporarily. And that is why I support S. 3201 today because while it is far from perfect, we need to try and curb the increase of addiction and death by fentanyl because too often, these tragic deaths disproportionately impact people of color. This bill will only extend the DEA's scheduling order for 15 months and require an important study to give us the information we need to truly solve this calamity. It will give us time to create the long-term solution the country needs.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire (Ms. KUSTER) that the House suspend the rules and pass the bill, S. 3201.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. WALDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

STUDENT BORROWER CREDIT IMPROVEMENT ACT

GENERAL LEAVE

Ms. WATERS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous materials on H.R. 3621.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 811 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 3621.

The Chair appoints the gentleman from the Northern Mariana Islands (Mr. SABLAN) to preside over the Committee of the Whole.

□ 1314

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 3621) to amend the Fair Credit Reporting Act to remove adverse information for certain defaulted or delinquent private education loan borrowers who demonstrate a history of loan repayment, and for other purposes, with Mr. SABLAN in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

General debate shall be confined to the bill and amendments specified in

the first section of House Resolution 811 and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

The gentlewoman from California (Ms. WATERS) and the gentleman from North Carolina (Mr. MCHENRY) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of H.R. 3621, the Comprehensive Credit Reporting Enhancement, Disclosure, Innovation, and Transparency Act, legislation sponsored by Representative AYANNA PRESSLEY of Massachusetts. This package of bills builds upon reforms that members of the Financial Services Committee have been developing for several Congresses.

Mr. Chairman, credit reporting is unlike any other business. Consumers are not customers of credit reporting agencies; they are the product. Credit reporting agencies package up consumers' data to sell to lenders, employers, and other businesses.

Unfortunately, our system of consumer credit reporting is badly broken, and consumers have little recourse. It is typical for credit reports to be filled with unacceptable errors that are difficult for consumers to correct. A Federal Trade Commission study found that one in five consumers have verified errors in their credit reports, and 1 in 20 consumers have errors so serious that they would be denied credit or need to pay more for it. This means about 42 million consumers have errors in their credit reports and 10 million have reports that can be life-altering.

Consumers are frustrated with the current system. In 2018, the Consumer Financial Protection Bureau received 126,300 consumer complaints on credit reporting, which was more than one-third of all complaints submitted. The Consumer Financial Protection Bureau received more complaints about credit reporting than any other issue.

This legislative package makes critical reforms to help consumers by addressing problems with the credit reporting system.

The legislation includes H.R. 3642, the Improving Credit Reporting for All Consumers Act, a bill sponsored by Representative ALMA ADAMS, which would address burdens consumers experience when trying to remove errors from their consumer reports, including by providing a new right to appeal the results of initial reviews about the accuracy or completeness of disputed items on the report.

The package also includes H.R. 3622, the Restoring Unfairly Impaired Credit and Protecting Consumers Act, a bill sponsored by Representative RASHIDA TLAIB. This part of the bill would limit how long adverse credit information stays on consumer reports, and it would protect consumer victims by removing adverse information relating to predatory, discriminatory, or otherwise unlawful loans made by a financial institution. It would also prohibit reporting debt relating to medically necessary procedures and delay reporting by 1 year for other medical debt.

In addition, the package includes H.R. 3614, the Restricting Use of Credit Checks for Employment Decisions Act, a bill sponsored by Representative AL LAWSON. This part of the bill would prohibit employers from using credit reports for employment decisions, except when a credit report is otherwise required to conduct a background check by Federal, State, or local law or for a national security clearance.

Then there is H.R. 3621, the Student Borrower Credit Improvement Act, a bill sponsored by Representative PRESSLEY, which is also included in the legislation. This part of the bill would help student borrowers who may have been delinquent on paying their private student loans to repair their credit after they demonstrate a history of timely loan repayments for these loans, similar to how the credit reports of borrowers with Federal student loans can be rehabilitated.

Another key measure included in this package is H.R. 3629, the Clarity in Credit Score Formation Act, sponsored by Representative STEPHEN LYNCH. This legislation would direct the CFPB to provide oversight and set standards for validating the accuracy and predictive value of credit score models, and it would promote innovation by requiring a study on how the use of nontraditional data might impact the availability and affordability of credit for consumers with limited or no traditional credit histories.

Finally, the package includes H.R. 3618, the Free Credit Scores for Consumers Act, sponsored by Representative JOYCE BEATTY, which would direct the nationwide CRAs to give consumers free copies of their credit scores that are used by creditors in making credit decisions, as determined by the CFPB, whenever consumers obtain their free annual consumer reports.

I am pleased that this bill also includes a provision that I have worked on with a range of other Members that excludes from credit reports any adverse information about a Federal employee and others who are affected by a government shutdown.

Mr. Chairman, I urge all Members to support these commonsense reforms to improve the Nation's consumer reporting system and benefit hardworking American consumers.

Mr. Chairman, I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the bill before us. This is a Democrat bill under the guise of consumer protection that will destroy the accuracy and completeness of consumer credit files. This will lead to a weaker financial system, undermining a great deal of safety and soundness that we have built up over decades. This will, in essence, socialize credit scoring and, therefore, credit allocation.

Mr. Chairman, this is an election year. I see that, and I see that not just in the rhetoric here in the House but in the legislation that is before us today.

This bill will weaken underwriting standards. It will make extending credit a riskier and more expensive activity, ultimately impacting both the cost and accessibility of credit for all Americans.

Let me be clear. For more than 1 year now, I have made the same statement on the House floor when the House Financial Services Committee has a bill here on the floor. Committee Republicans stand ready to work with the Democrats on issues that are important to the American people, and this bill is a prime example of this. We support policies that create jobs, grow our economy, and make our Nation more secure.

Today is no different. Republicans want to work with Democrats to help all consumers, especially consumers who may be struggling to access the necessary credit to apply for a home loan or replace a broken washing machine or perhaps even start a small business.

We want to reach a bipartisan compromise to reform the Fair Credit Reporting Act, or FCRA. We want to find a compromise that meaningfully helps consumers and, at the same time, stands a chance of being signed into law.

This bill is not that. I fear my colleagues have thrown out bipartisanship in favor of satisfying political allies in an election year.

This bill socializes credit modeling giving, the CFPB, an unaccountable bureau within the government, the ability to develop, maintain, and regulate credit modeling and factors used in analysis.

You will have politicians making the decisions on how credit is scored, Mr. Chairman. That is a dangerous thing and something in the United States we should not stand for.

This bill prevents employers from knowing the creditworthiness of employees. This creates a situation in which employees who are in significant debt could be targets of bribes or extortion or perhaps take money that is owed to other people.

This bill creates a boon for the trial lawyers, creating new reinvestigation and appeals processes to be exploited by the trial bar.

This bill diminishes the value of a credit score as a determining factor in extending credit—I don't think that is a secondary fact; I think that is the primary goal of this bill—by removing past credit scores after 2 years from a report and prohibiting those scores within the 2-year period from being used as a factor.

This bill also arbitrarily changes the time period negative information, such as a missed payment, remain on a consumer's credit report.

This bill makes it more difficult for private lenders to compete in the student loan industry by allowing delinquent borrowers or a borrower who has defaulted on a loan to rehabilitate their credit outside of the contractual terms.

This bill imposes unfunded mandates on the private sector to really an unprecedented degree.

These provisions make clear what Democrats want to accomplish in this bill. They want to socialize credit and the models underlying credit allocation. This bill takes credit reporting out of the hands of the private sector and gives it to the government.

Let me be clear. I am no fan of the large credit reporting agencies, also known as CRAs. In fact, during our one hearing on this topic last February, nearly 1 year ago at this point—I use the term loosely—that we discussed this bill, because it was just a discussion draft and much different from what we have before us. But in that hearing, we didn't discuss the implications of this bill or the FCRA. I made it clear at that hearing that I share the chairwoman's concerns with the credit reporting agencies, their lack of competition, and their oligopoly. In fact, there were aspects of the original discussion draft of this bill that are not part of what we have today that I thought had merit and should be explored in greater detail.

For example, I have concerns that CRAs' operations are not as consumer-friendly as they could be or should be. Moreover, not once after that hearing did the committee consult with additional subject matter experts on the inefficiencies, ineffectiveness, or improvements needed to the Fair Credit Reporting Act. Not once after that February hearing did we discuss how to make CRAs work better for the consumer. Not once did we have real bipartisan discussions about what we could achieve and get signed into law.

This is something that both Republicans and Democrats actually agree on, the need to reform this process. I agree that we should be disclosing public record data sources. I agree we should exclude paid medically necessary medical debt from consumer credit reports. I agree we should prohibit certain adverse information resulting from financial abuse or predatory lending from being included in consumer credit reports.

In fact, the substitute amendment I filed with the Rules Committee that was not made in order this day includes the bipartisan reform I described and more.

Committee Republicans support reforms such as prohibiting the use of Social Security numbers to verify consumers. Now, this is a primary source and a primary ingredient for identity fraud. We should take action there, and I think we can.

Committee Republicans also support facilitating online credit freezes and the removal of credit files for minors and children. We also support studying the use of nontraditional data in credit scoring as well as codifying the Consumer Financial Protection Bureau's, or the CFPB's, credit reporting registry.

I think there are things that we can do. Bipartisanship is within our grasp. All my colleagues have to do is reach out and grab it.

As I said, Republicans stand ready to work with Democrats to help consumers. But this bill is about socializing credit and credit allocation, and this bill is not the answer to the consumers' challenge. In fact, the Democrats' bill will only hurt the very consumers we are trying to help.

Mr. Chairman, I urge my colleagues to oppose this socialization of credit reporting and vote ''no'' on this bill. I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, this really should be a bipartisan bill, but my friends on the opposite side of the aisle have not been willing to really work in a bipartisan way. His bill was rejected in the Rules Committee because it was not germane. If he agrees with us on all of the items he identified, he should be supporting this bill.

Mr. Chairman, I yield 5 minutes to the gentlewoman from Massachusetts (Ms. PRESSLEY), who is a sponsor of this important legislation.

□ 1330

Ms. PRESSLEY. Mr. Chair, in this country, our credit reports are our reputations, determining where you can live, where you can work, and how much it will cost you to finance everything from a car to a college degree. But our credit reporting system is fundamentally flawed, rife with inequities and disparities that stifle the upward mobility of millions of hardworking Americans.

I am proud to rise in support of my Comprehensive Credit Reporting Enhancement, Disclosure, Innovation, and Transparency, or Comprehensive CREDIT, Act, a critical package of reforms that will improve our fundamentally flawed credit reporting system.

How and what information is shared with credit reporting agencies is especially important as Americans take on ever-increasing debt simply for trying to afford basic needs: housing, healthcare, and higher education.

Trailing only mortgages, student loan debt is now the second highest form of consumer debt, impacting nearly one-fifth of U.S. households and totaling over $1.6 trillion. That is trillion with a T. In my home State of Massachusetts, alone, over 855,000 borrowers owe a total of $33.3 billion in student loan debt.

That is why I am especially proud the Comprehensive CREDIT Act includes reforms originally introduced in my Student Borrower Credit Improvement Act, reforms that would establish a credit rehabilitation process for private student loan borrowers facing hardship, making students eligible to have all associated derogatory remarks removed from their credit reports, which can otherwise stay on for 7 years.

Even if we wipe out all student debt tomorrow, the devastating impact on consumers' credit would remain for years to come. For that very reason, we must give folks a real chance at recovery and repair.

It is estimated that one in five Americans has a potential error on their credit report; but, for too long, credit reporting agencies have kept consumers in the dark and made it difficult to correct errors that do come to light. The Comprehensive CREDIT Act will ensure that consumers can quickly and easily rectify those errors.

At a time when wages are stagnant but the cost of housing, childcare, and education continue to rise, we should be working to provide our constituents pathways to financial stability and success. It is why this bill would restrict the use of credit scores for most hiring decisions, limit the amount of time that adverse information can remain on a person's credit profile, and ban the reporting of any debt as a result of medically necessary procedures.

I urge my colleagues to support the Comprehensive CREDIT Act and ensure a more equitable and transparent credit reporting system for all.

Mr. MCHENRY. Mr. Chair, I yield 2½ minutes to the gentleman from Missouri (Mr. LUETKEMEYER), who is the ranking member of the Consumer Protection and Financial Institutions Subcommittee.

Mr. LUETKEMEYER. Mr. Chair, the bill we are considering today is made of six extremely partisan pieces of legislation. This package will not receive substantial bipartisan support and is dead on arrival in the Senate.

Unfortunately, instead of working in a bipartisan manner to improve credit reporting for consumers, the majority has chosen to advance legislation that simply attacks an industry, to the consumers' detriment.

I think the ranking member made a number of points a while ago with regard to the willingness of the minority to advance a lot of different solutions to some of the concerns that we all have, yet they were not heard.

Each piece of legislation in this package has one of two goals—the first goal is to expand the authority of the CFPB over credit modeling; the second is to eliminate as much information from the credit report as possible—both of which will increase the cost of credit and make it even more difficult for low- and moderate-income families to receive a loan.

If the financial institution is unable to analyze a risk, it has to increase the cost to be able to cover the additional risk. It is just that simple.

In this Congress, we have had witness after witness come before our committee and praise and support the use of alternative credit modeling. Using alternative data can increase access to

credit, particularly for low-income consumers and the underbanked.

Instead of supporting efforts to modernize and increase credit access, the majority seems inclined to stifle innovation by requiring the CFPB, an unaccountable government agency, to determine what factors can be used in credit scoring. Putting the government in charge of establishing credit scores for consumers is a dangerous notion that strikes at the heart of economic freedom in this country.

By eliminating the information that appears on the credit report, my colleagues on the other side of the aisle are weakening one of the most objective and accurate ways to determine creditworthiness of borrowers.

If lenders can no longer rely on a credit report to reflect the actual risk of a borrower, the lender will be forced to increase their rates to ensure they are pricing the additional risk they are taking. This increased cost of credit will directly affect the individuals who are on the margins, notably low- and moderate-income borrowers.

While I think the majority may have good intentions with this legislation, government control of credit modeling and decreased access to credit for low-income families sounds like a disastrous recipe for our economy. That is why I am opposing the legislation, Mr. Chair, and I urge my colleagues to do so as well.

Ms. WATERS. Mr. Chair, I yield 3 minutes to the gentlewoman from Ohio (Mrs. BEATTY), who is the chairwoman of the Subcommittee on Diversity and Inclusion and a sponsor of legislation that is a part of this bill, H.R. 3621.

Mrs. BEATTY. Mr. Chair, I want to start by thanking Chairwoman WATERS and the House Democratic Caucus for bringing this package of bills to the House Floor, the Comprehensive CREDIT Act, which includes my bill, the Free Credit Scores for Consumers Act. This bill would require the three national consumer reporting agencies to include a free credit score with a consumer's free annual credit report.

Under the current law, Mr. Chair, every consumer is entitled to a free annual credit report from the three national credit reporting agencies but not a credit score.

It is important for consumers to have free access to the three-digit number that affects so much of their financial lives; yet too many Americans do not actually even know what their credit score is, how it is calculated, or where to find it. This bill would help remedy that problem.

Critics may say that consumers can already receive a free credit score online, but what they don't tell them is that these products use your credit data to sell to third parties so they can, in turn, market financial products back to you.

This bill allows consumers a one-stop shop to get their credit scores directly from the credit reporting agencies who hold the information that makes up those scores, no strings attached. Moreover, my bill would require more financial literacy information about credit scores and credit reports to be sent to consumers along with these reports.

I urge my colleagues on the other side to stand up for this bill, to stand up for their constituents, and to allow consumers to take greater control of their own financial data.

And do you know why they can do this? Because their constituents are our constituents, and they have asked for this. So we are asking them to vote ''yes'' on this piece of legislation.

Mr. MCHENRY. Mr. Chair, I yield 3½ minutes to the gentleman from Kentucky (Mr. BARR), the Republican ranking member of the Oversight and Investigations Subcommittee.

Mr. BARR. Mr. Chair, I rise today in strong opposition to H.R. 3621, a bill that has been misnamed as the Comprehensive CREDIT Act of 2020. A more appropriate title of the bill would be the ''Incomplete and Inaccurate Credit Act,'' because the bill's core purpose is to remove critically important predictive data from credit reports.

Even worse, the bill would give unprecedented authority to the Consumer Financial Protection Bureau to control, micromanage, and politicize the development of credit scoring models.

This bill and its authors trust in the abilities of unelected Washington bureaucrats to price risk for millions of Americans, which will result in higher cost and fewer choices for consumers and will harm low- and middle-income borrowers who are trying to build a credit profile.

The accurate pricing of risk is an essential element of a functioning economy. Pricing a loan, underwriting an insurance policy, or tailoring a line of credit for a borrower all require a reliance on risk-based metrics. Credit scores allow for a holistic view of a consumer's history with financial products and allow an institution to understand that consumer's ability to honor his or her obligations.

This bill would upend our current system of pricing risk by turning over the private sector's creditworthiness models to the government and placing a wildly unrealistic confidence in central planning rather than free enterprise.

My Democrat colleagues continue to believe that a centralized bureaucratic agency is the best and only option to fully protect consumers. The irony is that this bill would result in much less accurate credit scoring and would harm the very people my colleagues purport to help.

If you think that private credit scoring is flawed and disadvantages the borrowing public, just wait until the government is in charge. We continue to see the CFPB's incompetence on full display, and credit scoring will not be any different.

We need a credit reporting system that relies on accurate, risk-based, predictive metrics. Our goal should be to allow people with good credit to have access to financial products at a reasonable price and to provide means for people with lower scores to rebuild their credit on a path to a more prosperous future.

Putting credit reporting metrics in the hands of unelected bureaucrats and boxing out the private sector will make financial products more expensive and less available for all citizens and have detrimental downstream effects on our credit-based economy. Worse, it risks politicizing credit scores instead of assigning scores based on an accurate and fulsome credit history.

We should not replace the accountability of market forces and free enterprise with the unaccountability of government bureaucracy. This bill will politicize credit reporting by empowering an inherently political agency.

The question is not whether the CFPB will fail our constituents; it is how badly it will fail them.

Mr. Chair, I urge my colleagues to oppose this bill.

Ms. WATERS. Mr. Chair, I yield 3 minutes to the gentlewoman from North Carolina (Ms. ADAMS), who is a sponsor of one of the bills in this comprehensive legislative package, H.R. 3621.

Ms. ADAMS. Mr. Chair, I rise today to join my colleagues in support of H.R. 3621, the Comprehensive CREDIT Act.

I commend Chairwoman WATERS, Congresswoman PRESSLEY, and my colleagues for their leadership and dedication to ensuring that the credit reporting system works for everyone.

Our Nation's credit reporting system has an impact on hundreds of millions of Americans. Credit scores and credit reports are increasingly relied on for key decisionmaking by creditors, employers, insurers, and even law enforcement. However, it has been more than 15 years since Congress has enacted comprehensive reform of the credit reporting system.

In particular, I would like to focus on the consumers who have experienced financial distress due to inaccurate information on their credit reports.

When there is an error on a consumer report, the burden falls on the consumer. It can take months and even, in some cases, years to remove an error on a consumer's report, all the while the consumer's credit continues to suffer, potentially preventing them from receiving a much-needed loan or financing.

□ 1345

My bill, the Improving Credit Reporting for All Consumers Act, which is part of this larger package, would help consumers by making it easier for incorrect information to be removed swiftly and painlessly.

It would make much-needed improvements to the dispute process for consumers by providing a new right to appeal the results of initial disputes.

It would also require furnishers to retain better records of negative information and that consumers be provided copies of any documents used during the dispute process. All furnishers who regularly report negative information would also be required to notify customers about this practice and alert customers when they first send derogatory information.

The second portion of my bill prohibits credit reporting agencies from providing consumers with misleading and unfair information about the various credit monitoring services they offer.

Credit reporting agencies would also be prohibited from misleading consumers by describing certain products and services as free that are, in truth, provided at no charge only for a limited trial period before automatically converting into a paid subscription service.

The naysayers will say that my bill is well-meaning but significantly flawed because the dispute process would make things more complicated and difficult, but they would be wrong. The status quo is difficult and cumbersome, and too many consumers' lives, credit, and opportunities for healthy financial records hang in the balance.

Credit scores have a significant bearing on your ability to secure access to loans and other opportunities for upward economic mobility. This is an issue far too important, life-altering, and impactful. We must do all that we can to ensure that consumers are fully knowledgeable about their options and that they have the necessary protections available to them.

Mr. Chairman, I urge my colleagues to support this bold package.

Mr. MCHENRY. Mr. Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. WILLIAMS), my colleague from Weatherford.

Mr. WILLIAMS. Mr. Chairman, I rise today in opposition to H.R. 3621.

As a business owner and lender, I know firsthand the value that complete and accurate credit reports have in making sound business decisions.

For any business that relies on financing, risk-based pricing is essential in order to offer each customer the lowest rate possible. Every time a deal is broken, the cost gets passed along to the next customer.

Your handshake is worth something. When you are trying to get a loan, people need to know that your signature is worth something as well.

In Texas, a deal is a deal, and you must always live up to your end of the bargain. For those customers who have been financially responsible and always paid their debts on time, they are rewarded with lower rates. For those borrowers who have not paid their debts on time, financial institutions are forced to price in this inherent risk.

Whether a person is buying a car, a private jet, or a cow, the lender needs to be paid back in order to be able to continue offering lines of credit to responsible people in their community.

Mr. Chair, I am concerned that this bill would take us down a path where lenders are receiving incomplete credit reports that have been scrubbed of all negative information. In other words, hiding information results in greater risk for the lender. This would make borrowing money more expensive for all customers since financial institutions will have a worse picture about who will be able to repay their debts and who will not.

Again, I remind you we say and always should remember: A deal is a deal.

Mr. Chair, I urge my colleagues to vote ''no'' on this bill.

Ms. WATERS. Mr. Chair, our next speaker is a sponsor of one of the bills in H.R. 3621. She will have an opportunity to correct the ranking member, who indicated the bill would remove negative credit after 2 years. It does not. She will clear that up and make sure that he understands the facts of our bill.

Mr. Chair, I yield 3 minutes to the gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Chair, I thank Chairwoman WATERS and her intelligent, hardworking staff for their leadership on this bill.

I also thank my sister-in-service, Congresswoman AYANNA PRESSLEY, for spearheading this package of bills, the Comprehensive CREDIT Act of 2020. A new decade, a new way, as our chairwoman would say.

I am also proud that our package of bills before us today includes H.R. 3622, the Restoring Unfairly Impaired Credit and Protecting Consumers Act. We are all aware of how expensive medical bills are and how easily one sickness or accident can bring families to financial ruin. According to the Urban Institute, regardless of age, income, insurance status, or ethnicity, one in four individuals are at risk of losing their health, homes, credit standing, and financial security annually because of the harms of medical debt.

The bill prohibits the reporting of medically necessary debt often incurred for seeking lifesaving treatment and protects the credit profile of those struggling with medical debt by stopping the credit reporting agency from reporting this debt for 1 year, twice the current practice.

This bill also protects the survivors of financial abuse. A study by the Federal Trade Commission shows that 21 percent of consumers had verified errors in their credit report; 13 percent had errors that affected their credit scores; and 5 percent had errors serious enough to cause them to be denied or pay more for credit.

Our bill would make sure that fellow Americans suffering from circumstances beyond their control are not punished or left out of future opportunities to responsibly build and rebuild credit because of risk factors beyond their control.

By passing this bill, we will make it easier for our neighbors struggling to recover from predatory loans and fraudulent activity by requiring that credit reporting agencies remove negative information from credit reports relating to loans that are unfair, deceptive, abusive, and otherwise illegal.

Lastly, and probably the most transformative provision, this bill shortens the length of time that bad marks stay on your credit report from 7 years to 4 years.

This package will open up doors for economic opportunities for millions of people across our country. No one should be stopped from becoming a homeowner or bettering their life because of bad debt.

Mr. Chair, that is why I urge my colleagues to support this bill.

Mr. MCHENRY. Mr. Chairman, I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts (Mr. LYNCH), who is chairman of the Task Force on Financial Technology, and a sponsor of H.R. 3629, one of the bills that is making up this package.

Mr. LYNCH. Mr. Chairman, I thank the gentlewoman from California for her longtime leadership on this issue. I also thank my colleague, Ms. PRESSLEY from Massachusetts, for her work as well.

I am extremely grateful that the text of my bill, H.R. 3629, the Clarity in Credit Score Formation Act, which would require the Consumer Financial Protection Bureau to periodically evaluate the models and underlying algorithms used to measure consumer creditworthiness, has been made part of this measure.

I also appreciate the opportunity to speak in favor of my colleague's work, which is embodied in H.R. 3621, the Comprehensive CREDIT Act, which is before us today.

Mr. Chair, as we have heard throughout debate, credit reports and credit scores are an important part of American consumers' financial lives. Yet, despite that importance, we continue to see serious problems with the way creditworthiness is measured and with the credit models that the credit agencies use.

We know that consumers have consistently faced errors in their credit reports and that, oftentimes, those errors are serious enough to impact important opportunities in obtaining housing and other major financial decisions. These errors can lead directly to consumers being denied credit or paying substantially more for the credit that they do receive.

Despite complaints from my Republican colleagues, by expanding the pool of information used to make credit decisions, applicants and lenders actually won't have to rely solely on often-flawed data in credit reports, and consumers can get the credit they deserve for regularly paying their rent on time and their bills on time and more, without raising the cost to the system of doing so.

While these new uses of data can allow expanded access to credit, sometimes that same data can be misconstrued and result in unfair discrimination. We have seen this most clearly in the credit scores of our sons and daughters in uniform and military personnel in the Armed Forces.

It is customary that service to our Nation requires military families to move around fairly frequently as deployments and unit assignments change. Taken by itself and out of context, frequently moving your residence year to year can give the false impression to a credit agency that an applicant is not in a stable situation and can adversely impact their ability to access credit.

Other uses of data can be closely related to factors such as race or gender, or become a proxy for a protected class.

We have already seen examples of this. The Department of Housing and Urban Development has sued Facebook over its use of data-targeting, which violates the Fair Housing Act by adversely stereotyping families who live in public housing projects. Even Housing Secretary Carson has openly stated: ''Facebook is discriminating against people based upon who they are and where they live.''

The CHAIR. The time of the gentleman has expired.

Ms. WATERS. Mr. Chairman, I yield an additional 1 minute to the gentleman from Massachusetts.

Mr. LYNCH. These charges followed on the heels of charges that Facebook entered into a financial settlement after accusations that landlords, lenders, and employers improperly used that platform to unfairly discriminate against families seeking housing opportunities.

That is why we need clarity in credit score formation. That is why we need this bill.

Importantly, with the expansion of mobile banking, it requires a study on the impact of using nontraditional data on consumer reports and the use of alternative data in credit scoring models.

Much to Chairwoman WATERS' and Ms. PRESSLEY's credit, this is a very good bill that will help us harness the power of mobile technology and alternative data to improve outcomes for consumers.

Mr. Chair, in closing, I thank my colleagues, Mr. LAWSON of Florida, Mrs. BEATTY of Ohio, Ms. PRESSLEY of Massachusetts, Ms. TLAIB of Michigan, and Ms. ADAMS of North Carolina for their great contribution, along with Chairwoman WATERS, in making this successful legislation.

Mr. Chair, I urge a ''yes'' vote.

Mr. MCHENRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I submit for the RECORD page 114 of the bill, and I would highlight these sections, line 4, ''Maintenance of Credit Scores.''

''Subsection A: In General. All consumer credit reporting agencies shall maintain the consumer's file credit scores relating to the consumer for a period of 2 years from the date on which such information is generated.

''Subsection B: Disclosure Only to Consumers. A past credit score maintained in a consumer's file pursuant to subparagraph A may only be provided to the consumer to which the credit score relates and may not be included in a consumer report or used as a factor in generating a credit score or educational credit score.

''Subsection C: Removal of the Past Credit Scores. A past credit score maintained in a consumer's file pursuant to subparagraph A shall be removed from the consumer's file after the end of the 2-year period described under subparagraph A.''

This is the section of the bill that says that your consumer credit report can only be 2 years old—your score. Now, the data can be longer, but your score can only use 2 years of past data.

That is deeply problematic because, as we know, these things are more long-run occurrences. Creditworthiness doesn't happen overnight, nor do somebody's riskier habits happen overnight.

So for a 2-year period, we have not seen any testimony why 2 years is sufficient. The current industry standard is much longer than that, but each different user of this credit information can determine for themselves what that appropriate time is, and that is not mandated by current law.

□ 1400

So I find this troublesome, and problematic, and riskier than what we currently have in the law; and that is one of the components of this bill that I oppose. There are numerous other examples, but I know we will have more debate and I will be able to bring up those exact details as those on the other side tout the so-called benefits.

Mr. Chairman, I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I yield 3 minutes to the gentleman from Florida (Mr. LAWSON), who is the sponsor of H.R. 3614, one of the bills in this comprehensive package.

Mr. LAWSON of Florida. Mr. Chairman, I rise to support H.R. 3621, a bill that provides strong consumer protection for our Nation's borrowers.

Often, we talk about access to capital and how many communities across this country are either underbanked or shut out of the credit market altogether. This bill goes further than any other piece of legislation we have seen in protecting our Nation's student loan borrowers, potential hires from biased credit reporting, and guaranteeing that consumers have the necessary information to make informed financial decisions.

I am particularly thankful that this legislation includes my bill, H.R. 3614, that will limit the use of credit reports and credit scores to make hiring decisions.

As with access to capital, there are many barriers in accessing employment opportunities, particularly for communities of color and other marginalized groups based on several factors. One of these factors includes an individual's credit history.

Many people have fallen on hard times, had their identities stolen, or have become ill, which have negatively impacted their credit reports. But I ask, should that also impact their ability to become employed?

Should an arbitrary number based on obscure algorithms that make up a credit score shut someone out of being employed? The answer is no.

That is why this bill prohibits certain employers from using credit history to determine someone's eligibility to be employed. This bill is a much-needed solution in removing employment barriers.

As we move forward, I will continue to work with stakeholders to protect job applicants while also guaranteeing that organizations and companies can vet potential applicants adequately.

Mr. Chairman, I thank Congresswoman PRESSLEY, Chairwoman WATERS, and the committee staff who have worked tirelessly into the night to help draft this bill. I thank them for their advocacy on behalf of the Nation's consumers.

It is about time we help people gain greater access to the job market.

Mr. MCHENRY. Mr. Chairman, I reserve the balance of my time.

Ms. WATERS. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY), who is the chairwoman of the Committee on Oversight and Reform.

Mrs. CAROLYN B. MALONEY of New York. Mr. Chair, I thank the chairwoman for yielding and for being such a leader on this issue and so many others.

I rise in strong support of H.R. 3621, and I want to thank my colleague, Ms. PRESSLEY, for her hard work on this bill.

Our credit reporting system is deeply flawed, and it affects millions of consumers every day. When there is an error on a consumer's credit report, it can harm their credit for years. Maybe their credit report says that they didn't pay a bill when they did, or maybe they confused them with another person.

These kinds of basic errors should be easy to fix, but unfortunately, they often take years to sort out. And in the meantime, consumers are being wrongfully denied credit or paying higher rates than they should.

This bill will solve these problems by reforming the dispute process in order to give consumers more rights and more opportunities to challenge bad information on their credit reports.

It also helps consumers who have burdensome student loans by removing negative credit information as soon as they can demonstrate that they have a history of timely repayment. This is incredibly important.

Finally, I want to thank Chairwoman WATERS for her tireless efforts on this

issue. She has focused on credit reporting for years, and I am very proud she was able to shepherd so many bills to the floor.

I urge a ''yes'' vote on this bill.

Ms. WATERS. Mr. Chairman, I would like to inquire, through the Chair, if my colleague has any remaining speakers on his side.

I have no further speakers and I am prepared to close.

Mr. MCHENRY. Mr. Chair, I yield myself such time as I may consume.

I include in the RECORD three documents in opposition to this bill. The first is a letter to Chairwoman WATERS and to me from the Consumer Data Industry Association expressing their opposition to this bill.

CONSUMER DATA INDUSTRY ASSOCIATION,
Washington, DC, January 23, 2020.

Hon. MAXINE WATERS, Chairwoman,
Hon. PATRICK MCHENRY, Ranking Member,
Committee on Financial Services,
House of Representatives, Washington, DC.

DEAR CHAIRWOMAN WATERS AND RANKING MEMBER MCHENRY: On behalf of the Consumer Data Industry Association (CDIA), I want to share our opposition to H.R. 3621, the ''Comprehensive CREDIT Act of 2020.'' This approximately 200-page bill would impose new costs to consumers and the economy and negatively impact credit underwriting standards. We request that House Members vote no when the bill is considered.

As the trade association representing companies who provide consumer reporting services, we and our members strive to ensure that consumer credit reports are accurate, the information within them is protected and consumers are empowered to correct inaccurate information in a timely and straightforward fashion. Our member companies work constantly to improve the consumer reporting system by making technology and process improvements to enhance accuracy and improve the consumer experience.

OVERVIEW

The negative outcomes of H.R. 3621 would strike consumers, community banks, credit unions, automobile dealers, mortgage lenders, other non-bank lenders, data furnishers, employees and employers, insurers, property owners and consumer reporting agencies (CRAs). This legislation makes extensive and complicated changes to the consumer reporting industry and the rights and obligations established under the Fair Credit Reporting Act (FCRA), and will affect the entire credit allocation and risk management ecosystem; the bill is not solely targeted at CRAs.

In previous instances when Congress considered major FCRA changes, extensive hearings were held in the House and Senate, featuring consumers, regulators, the consumer reporting industry, data contributors and end users of credit reports, such as banks and retailers. In the past, this has resulted in legislation that was supported by most stakeholders and bi-partisan Congressional majorities. The legislation in this Congress was taken up by Committee after only a single hearing last February, which was not focused on specific legislative issues. We believe proceeding without additional scrutiny is a mistake, given the bill's complexity and its impact.

Consumer reports are a critical driver of economic growth and opportunity. Our economy relies on the ability of CRAs to interact with lenders, employers, insurers and others to enable consumers to access low-cost credit, employment opportunities and housing. The Federal Reserve noted, for example, that ''[a]vailable evidence indicates that [credit report] data and the credit-scoring models derived from them have substantially improved the overall quality of credit decisions and have reduced the costs of such decision-making. Almost certainly, consumers would receive less credit and the price of the credit they received would be higher, if not for the information provided by credit reporting companies.'' Current law provides consumers with a robust set of protections and rights. Ongoing debates regarding consumer privacy have shown that many, including consumer advocates, identify the FCRA as an example of effective consumer protection legislation and a model for other segments of the economy.

In 2010, Congress passed the Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), which established the Consumer Financial Protection Bureau (CFPB). That law gave CFPB authority over much of the consumer reporting system, and since then, oversight by the Bureau has resulted in significant improvements within the consumer reporting system; CRAs, furnishers and users of credit reports have adopted multiple changes increasing consumer report accuracy and improving the consumer dispute process.

If H.R. 3621 were to become law, consumers who pay their bills on time and manage their debts responsibly will pay more for credit than they do today. Consumers who have faced challenges with their credit will be worse off as well, as banks will lose the ability to accurately judge their credit history because key information will no longer appear on reports. The economy will suffer, as credit decisions will be based on fewer facts, and lenders will be forced to increase prices or reduce the amount of consumer credit available.

The legislation to be considered was passed by the Committee on Financial Services as six bills, now embodied in H.R. 3621. We communicated our concerns in a letter on July 6, 2019. Those concerns continue to be valid; the following highlights some of the concerns we raised then.

Mr. MCHENRY. The second document is a letter to Members of the House of Representatives expressing opposition to each of the bills that was included in this overarching bill, including opposition to: H.R. 3621, H.R. 3614, H.R. 3618, H.R. 3622, H.R. 3642, from the United States Chamber of Commerce.

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
January 27, 2020.

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES: The U.S. Chamber of Commerce strongly opposes H.R. 3621, the ''Comprehensive Credit Act of 2020,'' which is composed of a number of bills regarding credit reporting that were reported out of the House Financial Services Committee in 2019.

The Chamber has previously expressed opposition to each of the bills below which are now included as part of this comprehensive package:

H.R. 3621, the ''Student Borrower Credit Improvement Act,'' would arbitrarily remove repayment information regarding student loans issued by private lenders. Reducing the quality of information in credit reports would in the aggregate reduce their utility, making it more difficult for consumers to access credit or other services.

H.R. 3614, the ''Restricting Use of Credit Checks for Employment Decisions Act,'' would restrict an employer from initiating a credit check of an employee despite the fact that the Fair Credit Reporting Act requires an employee to first provide consent. This legislation would make it more difficult for employers to review the backgrounds of prospective employees, which would make it more difficult to hire for sensitive positions or would otherwise delay the hiring process.

H.R. 3618, the ''Free Credit Scores for Consumers Act,'' would require credit bureaus to pay for and disclose for free a credit scoring model that is owned by a third party. Credit bureaus already provide ample information to consumers at no charge to assist them with understanding their credit standing. The legislation would make it more difficult for credit bureaus to provide for the accurate flow of useful information between consumers, furnishers, and entities that need to make informed decisions.

H.R. 3622, the ''Restoring Unfairly Impaired Credit and Protecting Consumers Act,'' would reduce the quality of credit reports by arbitrarily reducing the term of adverse information and instituting redundant remediation mechanisms. Disrupting the utility of information in credit reports would make it more difficult for credit providers, and nonfinancial entities such as telecommunications companies and utilities to efficiently provide their services to consumers.

H.R. 3642, the ''Improving Credit Reporting for All Consumers Act,'' would create dispute resolution requirements that are redundant to services voluntarily provided by credit bureaus and existing requirements under both the Fair Credit Reporting Act and a recent agreement among 38 State Attorneys General. Additionally, the legislation would frustrate the ability of credit bureaus to provide information to consumers by imposing new restrictions on the marketing of products intended to improve credit standing.

H.R. 3629, the ''Clarity in Credit Score Formation Act of 2019,'' would make the CFPB, not lenders, the de facto underwriter of consumer loans and is redundant to existing supervisory and regulatory authority. The CFPB currently supervises larger participants in consumer reporting under its authority in the Dodd-Frank Act and has broad regulatory authority via enforcement of the Fair Credit Reporting Act. Interference in the proprietary models developed by credit bureaus and used by lenders would increase lenders' risk and decrease their ability to provide objective information.

The Chamber urges you to oppose the Comprehensive Credit Act.

Sincerely,

NEIL L. BRADLEY.

Mr. MCHENRY. And finally, I include in the RECORD Statement of Administration Policy that says that the President would veto this bill.

STATEMENT OF ADMINISTRATION POLICY

H.R. 3621—COMPREHENSIVE CREDIT ACT OF 2020—REP. PRESSLEY, D–MA, AND REP. OCASIO-CORTEZ, D–NY

The Administration opposes passage of H.R. 3621, the Comprehensive CREDIT Act of 2020. The Administration supports measures to increase access to affordable consumer credit, but H.R. 3621 would do the opposite by reducing the efficiency of consumer lending markets and raising the cost of consumer credit.

H.R. 3621 would preclude credit reporting agencies from incorporating a range of relevant data into consumer reports, which would reduce their predictive value and raise borrowing costs for responsible borrowers. This legislation would also prevent the Federal Government from reporting information regarding debts arising out of criminal monetary penalties. Additionally, H.R. 3621

would empower the Bureau of Consumer Financial Protection to control the development of credit-scoring models, which would hinder market competition that drives innovation and improves modeling. Finally, this legislation would interfere with the ability of employers, including executive branch agencies, to make reasonable background investigation determinations with respect to candidates for sensitive positions.

If H.R. 3621 were presented to the President, his senior advisors would recommend that he veto it.

Mr. MCHENRY. Mr. Chairman, I might offer to the chair of the committee at some point to frame the Statement of Administration Policy on vetoes of some of her bills this Congress. That may be a badge of honor. I say that in a lighthearted manner, not in an aggressive way, for sure.

Mr. Chairman, in closing, this is a partisan bill under the guise of consumer protection that will destroy the accuracy and completeness of consumer credit files.

Moreover, this bill continues the Democrats' trend of failing to address the underlying causes of the student loan crisis; the underlying causes of medical debt; the underlying causes of homelessness.

Instead, this bill will jeopardize credit for low and middle-income Americans disproportionately; Americans who fight to pay their bills each month; make good on their obligations; and have taken the time to improve their financial situations over time and become eligible for credit.

What my colleagues fail to understand is this: This bill will weaken underwriting standards. That strikes at safety and soundness. It will make extending credit riskier and more expensive for consumers, ultimately impacting both the costs and accessibility of credit for all Americans.

This bill alters the very foundation for extending credit in our financial system which is the ability to assess risk.

This bill will drive us to a riskier financial situation and financial system. It is a bad bill.

This bill that we are considering today will fundamentally alter the way credit is extended in this country, and not for the better.

So let's be clear on what this bill does. It socializes credit modeling and reporting.

This bill gives the CFPB the ability to develop, maintain, and regulate credit modeling and factors used in analysis.

This bill prevents employers from knowing the creditworthiness of employees.

This bill is a giveaway to trial attorneys, creating four new re-investigation and appeals processes to be exploited by the trial bar.

This bill will make it more difficult for private lenders to compete in the student loan industry dominated by the Federal Government by allowing delinquent borrowers or borrowers who have defaulted on a loan to make changes to their credit outside of the contractual obligations and contractual terms they have agreed to.

As I said earlier, bipartisan compromise was within reach. All my colleagues had to do was reach out and grab it. Instead, they chose to push through another partisan bill that is going nowhere in the Senate and will be vetoed—if it were to even make it through the United States Senate—vetoed by the President.

And this has been a tremendous waste of time for the American people, a tremendous waste of time, when we have very important issues to wrestle with as a Congress and as a country.

So I urge my colleagues to vote ''no'' on socializing credit reporting.

Mr. Chairman, I yield back the balance of my time.

Ms. WATERS. Mr. Chairman, I yield myself the balance of my time.

Mr. Chair, I include in the RECORD a letter from the Americans for Financial Reform and the 85 undersigned consumer, civil rights, labor, and community organizations who wrote to express their support for H.R. 3621, and a letter from the National Association of Realtors.

AMERICANS FOR FINANCIAL REFORM,
January 27, 2020.

DEAR REPRESENTATIVE: The 85 undersigned consumer, civil rights, labor, and community organizations write to express our support for HR 3621, the Comprehensive Credit Reporting Enhancement, Disclosure, Innovation, and Transparency Act of 2020 (Comprehensive CREDIT Act of 2020).

Credit reports and credit scores play a critical role in the economic lives of Americans. They are the gatekeeper for affordable credit, insurance, rental housing, and sometimes unfortunately even a job. Yet they suffer from unacceptable rates of inaccuracy. This bill would enact a sea change that would make the American credit reporting system more accurate and fairer to consumers.

The Federal Trade Commission's definitive study showed that 21% of consumers had verified errors in their credit reports, 13% had errors that affected their credit scores, and 5% had errors serious enough to cause them to be denied or pay more for credit. Trying to fix these errors can be a Kafkaesque nightmare in which the Big Three nationwide consumer report agencies (CRAs)—Equifax, Experian and TransUnion—consistently favor the side of the creditor or debt collector (''the furnisher'') over the consumer.

The American credit reporting systems suffers from a number of other flaws and defects. Consumers are unfairly penalized by negative credit reporting when they have been the victim of abusive practices, such as predatory mortgages or student loans resulting from for-profit school fraud, or due to circumstances out of their control, such as temporary job loss, illness, or financial abuse by a family member. Healthcare bills contribute greatly to credit reporting harms, with over 50% of debt collection items resulting from medical debt.

Consumers also lack the right to a free annual credit score. Furthermore, many consumers who attempt to obtain a free annual credit report or to obtain their scores are misled into purchasing high-priced credit monitoring or other subscription services. These services are also marketed to prevent identify theft, yet they are far less effective in doing so than a security freeze. This legislation comprehensively addresses all of these abuses, and more. This bill would:

Fix the broken system for credit reporting disputes by (1) giving consumers a new right to appeal the results of initial disputes; (2) requiring CRAs and furnishers of information to dedicate sufficient resources and provide well-trained personnel to handle disputes; (3) requiring CRAs to conduct an independent analysis of disputes, separate from that of the furnisher; and (4) requiring furnishers to retain records for the same time period that negative information remains on reports.

Improve credit reporting accuracy by directing the Consumer Financial Protection Bureau (CFPB) to establish accuracy regulations, including requiring CRAs to better monitor furnishers for high error rates and to use stricter criteria to match information from a lender to a consumer's file, preventing the worst type of credit reporting error, the ''mixed file.''

Restrict the use of credit information for employment by limiting it to two narrow instances—when required by local, state or federal law or for national security clearances. This will severely limit a practice that discriminates against the long-term unemployed, has a disparate impact on communities of color, and has very little evidence demonstrating its effectiveness in predicting job performance.

Help victims of abusive lending and overly punitive negative reporting practices by (1) reducing the current overlong retention periods that adverse credit information remains on reports to four years (seven years for bankruptcies); (2) allowing borrowers victimized by the unfair, deceptive or abusive practices of mortgage lenders or servicers to have adverse mortgage-related information removed; and (3) requiring the removal of negative information about private education loans that were obtained to attend for-profit colleges found to have engaged in unfair or deceptive practices.

Protect consumers from the unfair impact of medical debt by prohibiting CRAs from including medical collections on reports until 365 days from the date of first delinquency and prohibiting the reporting of any debt for medically necessary procedures. This will ensure that consumers have time to resolve their complex, confusing medical bills. The bill also mandates that all paid or settled debt, including medical collections, be removed within 45 days from reports.

Help consumers understand their creditworthiness by giving consumers the right to a free credit score at the same time that they obtain their free annual consumer report. The bill also creates several new instances in which consumers are entitled to receive both free reports and scores, including requiring auto, private education and mortgage lenders to provide prospective loan borrowers the same free reports and scores that the lenders used in their decision-making before consumers sign those loan agreements.

Address misleading marketing of credit monitoring subscriptions and increase access for security freezes to prevent identity theft by (1) prohibiting the misleading practice of automatically converting free trial periods into paid, monthly subscription services by requiring CRAs to provide explicit opt-ins at the end of the promotions and (2) providing free credit freezes for security breach victims and vulnerable consumers, and capping the cost for all other consumers.

Give a second chance to struggling private education loan borrowers by allowing them to rehabilitate impaired credit records through requiring removal of adverse information about delinquent or defaulted loans if they are able to make nine out of ten on-time, monthly payments.

Correct provisions in last year's deregulatory law, S2155, that unwisely preempted states from further improvements to the credit freeze laws and provided servicemembers with a credit monitoring right without a remedy.

These credit reporting reforms are urgently needed in order to ensure that consumers are treated fairly and that the credit reporting system that underlies so many daily transactions works better for the public.

We look forward to working with you to swiftly pass this bill to better protect consumers.

Thank you for your attention.

Sincerely,

Americans for Financial Reform; A2Z Real Estate Consultants; African American Health Alliance; Alaska Public Interest Research Group; Allied Progress; Arkansas Community Organizations; BREAD Organization; CAFE Montgomery MD; Center for Digital Democracy; Cleveland Jobs with Justice; Community Action Human Resources Agency (CAHRA); Congregation of Our Lady of the Good Shepherd, US Provinces; Connecticut Fair Housing Center; Consumer Action; Consumer Federation of America; Consumer Federation of California; Consumer Reports.

CWA Local 1081; Delaware Community Reinvestment Action Council, Inc.; Demos; Denver Area Labor Federation; East Bay Community Law Center; FAITH IN TEXAS; Famicos Foundation; FLARA; Florida Alliance for Consumer Protection; Greater Longview United Way; Groundcover News; Habitat for Humanity of Camp Co, TX; Hawaiian Community Assets; Housing Action Illinois; Housing and Family Services of Greater New York, Inc.

Mary House, Inc.; Maryland Consumer Rights Coalition; Miami Valley Fair Housing Center, Inc.; Mobilization for Justice Inc.; Montana Organizing Project; Multi-Cultural Real Estate Alliance For Urban Change; National Advocacy Center of the Sisters of the Good Shepherd; National Association of Consumer Advocates; National Association of Social Workers; National Association of Social Workers West Virginia Chapter; National Center for Law and Economic Justice; National Consumer Law Center (on behalf of its low-income clients); National Consumers League; National Fair Housing Alliance; National Housing Law Project; National Housing Resource Center.

National Rural Social Work Caucus; New Economics for Women; New Jersey Citizen Action; New Jersey Tenants Organization; New York Legal Assistance Group; North Carolina Council of Churches; Partners In Community Building, Inc.; PathWays PA; Pennsylvania Council of Churches; People Demanding Action; Progressive Leadership Alliance of Nevada; Project IRENE; Prosperity Now; Public Citizen; Public Justice Center; Public Law Center; Public Utility Law Project of New York.

Rocky Mountain Peace and Justice Center; SC Appleseed Legal Justice Center; Sisters of Mercy South Central Community; Society of St. Vincent de Paul; St. Paul UMC; Tennessee Citizen Action; The Center for Survivor Agency and Justice; The Disaster Law Project; The Greenlining Institute; The Leadership Conference on Civil and Human Rights; THE ONE LESS FOUNDATION; Tzedek DC; U.S. PIRG; Urban Asset Builders, Inc.; Virginia Citizens Consumer Council; Virginia Poverty Law Center; West Virginia Center on Budget and Policy; Wildfire; Woodstock Institute; WV Citizen Action Group.

JANUARY 27, 2020.

Hon. MAXINE WATERS,

Chairwoman, House Committee on Financial Services, Washington, DC.

DEAR CHAIRWOMAN WATERS AND RANKING MEMBER MCHENRY: On behalf of the 1.4 million members of the National Association of REALTORS® (NAR), NAR is pleased to support H.R. 3621, the ''Comprehensive Credit Act of 2020.''

Nearly 70 percent of home sales are financed and a borrower's credit report and credit score form a critical gateway to obtaining a mortgage. Unfortunately, inaccurate credit reports and unfair credit reporting methods raise the cost and/or limit access to mortgage credit for many prospective borrowers. To this end, NAR applauds H.R. 3621, the ''Comprehensive Credit Act of 2020,'' which include the following bills.

H.R. 3618, the ''Free Credit Scores for Consumers Act of 2019''

H.R. 3621, the ''Student Borrower Credit Improvement Act''

H.R. 3622, the ''Restoring Unfairly Impaired Credit and Protecting Consumers Act''

H.R. 3642, the ''Improving Credit Reporting for All Consumers Act''

H.R. 3629, the ''Clarity in Credit Score Formation Act of 2019''

REALTORS® believe that balanced financial regulation and appropriate consumer protection will result in a more vibrant housing market and overall economy. Furthermore, creditor and consumer confidence is critical in the home financing process. REALTORS® thank you for your diligent work to improve the accuracy, consistency, and availability of quality credit scoring and appraisal information.

Sincerely,

VINCE MALTA,

2020 President, National Association of REALTORS®.

Ms. WATERS. Mr. Chair, first, I would like to thank all of the participants in this comprehensive package. I would like to thank Ms. PRESSLEY, as the sponsor of this comprehensive piece of legislation, Mr. LAWSON, Ms. ADAMS, Mrs. BEATTY, Mr. LYNCH, and Ms. TLAIB, for all of the work that they put in to ensure that we were covering the years of complaints that we have gotten about our credit bureaus and the mishandling of our consumers and a lack of protection for consumers who have suffered at the hands of our credit bureaus who did not take into consideration these very serious complaints.

So, Mr. Chairman, the Comprehensive Credit Reporting Enhancement, Disclosure, Innovation, and Transparency, this act, makes much-needed and overdue reforms to improve the credit reporting system. The issues addressed by this bill are important for the economic well-being of millions of Americans and our economy.

As we have discussed, the bill is supported by, again, Americans for Financial Reform, the National Association of Consumer Advocates, and the National Association of Realtors. So, with all of this support, and with consumers who have been waiting for years for their Representatives to do something about the fact that their data is all in the hands of these credit bureaus who are determining whether or not they can acquire credit; whether or not they are going to be able to get a loan; whether or not they are going to be able to have a decent quality of life because they have done everything that they could do to have good credit; and that when they have said to the credit bureaus, there is an error, they have got me mixed up with someone else, and they cannot get this straightened out for them, and they suffer.

So the time has come, and I am so very pleased that my committee is answering all of the requests from our constituents and your constituents and all of the constituents of Representatives in this body, to do something. The time is now, and we are doing that. This comprehensive piece of legislation will absolutely deal with these concerns that have been identified for so long.

I urge all Members who care about their constituency, who have been hearing these issues for so many years, I urge them to vote ''yes'' on this bill.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. PAYNE). All time for general debate has expired.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–47, modified by the amendment printed in part A of House Report 116–383, shall be considered as adopted. The bill, as amended, shall be considered as an original bill for purpose of further amendment under the 5-minute rule, and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 3621

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 ''Comprehensive Credit Reporting Enhancement, Disclosure, Innovation, and Transparency Act of 2020'' or the ''Comprehensive CREDIT Act of 2020''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. Findings.
Sec. 4. Effective date.
Sec. 5. Discretionary surplus fund.
TITLE I—IMPROVEMENTS TO THE DISPUTE PROCESS
Sec. 101. Dispute procedures and disclosures relating to reinvestigations.
Sec. 102. Consumer awareness of dispute rights.
Sec. 103. Maintenance of records by furnishers.
Sec. 104. Duties of furnishers relating to dispute procedures, notices, and disclosures.
Sec. 105. Right to appeal disputes relating to reinvestigations and investigations.
Sec. 106. Revised consumer reports.
Sec. 107. Indication of dispute by consumers and use of disputed information.
Sec. 108. Accuracy and completeness report duties for consumer reporting agencies and furnishers.
Sec. 109. Inclusion of public record data sources in consumer reports.
Sec. 110. Injunctive relief for victims.
TITLE II—FREE CREDIT SCORES FOR CONSUMERS
Sec. 201. Definitions.

Sec. 202. Consumer information on calculation of scores.
Sec. 203. Disclosures relating to credit scores and educational credit scores.
Sec. 204. Free credit score disclosures and consumer reports.
Sec. 205. Provision of consumer reports and credit scores by private educational lenders.
Sec. 206. Provision of consumer reports and credit scores by motor vehicle lenders or indirect auto lenders.
Sec. 207. Provision of consumer reports and credit scores by residential mortgage lenders.
TITLE III—STUDENT BORROWER CREDIT IMPROVEMENT ACT
Sec. 301. Removal of adverse information for certain private education loan borrowers.
Sec. 302. Private education loan definitions.
TITLE IV—CREDIT RESTORATION FOR VICTIMS OF PREDATORY ACTIVITIES AND UNFAIR CONSUMER REPORTING PRACTICES
Sec. 401. Adverse credit information.
Sec. 402. Expedited removal of fully paid or settled debt from consumer reports.
Sec. 403. Medical debt collections.
Sec. 404. Credit restoration for victims of predatory mortgage lending and servicing.
Sec. 405. Credit restoration for certain private education loans borrowers.
Sec. 406. Financial abuse prevention.
Sec. 407. Prohibition of certain factors related to Federal credit restoration or rehabilitation.
TITLE V—CLARITY IN CREDIT SCORE FORMATION
Sec. 501. Consumer Bureau study and report to Congress on the impact of nontraditional data.
Sec. 502. Consumer Bureau oversight of credit scoring models.
TITLE VI—RESTRICTIONS ON CREDIT CHECKS FOR EMPLOYMENT DECISIONS
Sec. 601. Prohibition on the use of credit information for most employment decisions.
TITLE VII—PROHIBITION ON MISLEADING AND UNFAIR CONSUMER REPORTING PRACTICES
Sec. 701. Prohibition on automatic renewals for promotional consumer reporting and credit scoring products and services.
Sec. 702. Prohibition on misleading and deceptive marketing related to the provision of consumer reporting and credit scoring products and services.
Sec. 703. Prohibition on excessive direct-to-consumer sales.
Sec. 704. Fair access to consumer reporting and credit scoring disclosures for nonnative English speakers and the visually and hearing impaired.
Sec. 705. Comparison shopping for loans without harm to credit standing.
Sec. 706. Nationwide consumer reporting agencies registry.
Sec. 707. Protection for certain consumers affected by a shutdown
TITLE VIII—PROTECTIONS AGAINST IDENTITY THEFT, FRAUD, OR A RELATED CRIME
Sec. 801. Identity theft report definition.
Sec. 802. Amendment to protection for files and credit records of protected consumers.
Sec. 803. Enhancement to fraud alert protections.
Sec. 804. Amendment to security freezes for consumer reports.
Sec. 805. Clarification of information to be included with agency disclosures.
Sec. 806. Provides access to fraud records for victims.
Sec. 807. Required Bureau to set procedures for reporting identity theft, fraud, and other related crime.
Sec. 808. Establishes the right to free credit monitoring and identity theft protection services for certain consumers.
Sec. 809. Ensures removal of inquiries resulting from identity theft, fraud, or other related crime from consumer reports.
TITLE IX—MISCELLANEOUS
Sec. 901. Definitions.
Sec. 902. Technical correction related to risk-based pricing notices.
Sec. 903. FCRA findings and purpose; voids certain contracts not in the public interest.

SEC. 3. FINDINGS.

Congress finds the following:

(1) GENERAL FINDINGS ON CREDIT REPORTING.—

(A) Consumer reporting agencies (''CRAs'') are companies that collect, compile, and provide information about consumers in the form of consumer reports for certain permissible statutory purposes under the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) (''FCRA''). The three largest CRAs in this country are Equifax, TransUnion, and Experian. These CRAs are referred to as nationwide CRAs and the reports that they prepare are commonly referred to as credit reports. Furnishers, such as creditors, lenders, and debt collection agencies, voluntarily submit information to CRAs about their accounts such as the total amount for each loan or credit limit for each credit card and the consumer's payment history on these products. Reports also include identifying information about a consumer, such as their birthdate, previous mailing addresses, and current and previous employers.

(B) In a December 2012 paper, ''Key Dimensions and Processes in the U.S. Credit Reporting System: A review for how the nation's largest credit bureaus manage consumer data'', the Bureau of Consumer Financial Protection (''Consumer Bureau'') noted that the three nationwide CRAs maintain credit files on approximately 200 million adults and receive information from about 10,000 furnishers. On a monthly basis, these furnishers provide information on over 1.3 billion consumer credit accounts or other trade lines.

(C) The 10 largest institutions furnishing credit information to each of the nationwide CRAs account for more than half of all accounts reflected in consumers' credit files.

(D) Consumer reports play an increasingly important role in the lives of American consumers. Most creditors, for example, review these reports to make decisions about whether to extend credit to consumers and what terms and conditions to offer them. As such, information contained in these reports affects whether a person is able to get a private education loan to pay for college costs, to secure a mortgage loan to buy a home, or to obtain a credit card, as well as the terms and conditions under which consumer credit products or services are offered to them.

(E) Credit reports are also increasingly used for many noncredit decisions, including by landlords to determine whether to rent an apartment to a prospective tenant and by employers to decide whether to hire potential job applicants or to offer a promotion to existing employees.

(F) CRAs have a statutory obligation to verify independently the accuracy and completeness of information included on the reports that they provide.

(G) The nationwide CRAs have failed to establish and follow reasonable procedures, as required by existing law, to establish the maximum level of accuracy of information contained on consumer reports. Given the repeated failures of these CRAs to comply with accuracy requirements on their own, legislation is intended to provide them with detailed guidance improving the accuracy and completeness of information contained in consumer reports, including procedures, policies, and practices that these CRAs should already be following to ensure full compliance with their existing obligations.

(H) The presence of inaccurate or incomplete information on these reports can result in substantial financial and emotional harm to consumers. Credit reporting errors can lead to the loss of a new employment opportunity or a denial of a promotion in an existing job, stop someone from being able to access credit on favorable terms, prevent a person from obtaining rental housing, or even trigger mental distress.

(I) Current industry practices impose an unfair burden of proof on consumers trying to fix errors on their reports.

(J) Consumer reports containing inaccurate or incomplete credit information also undermine the ability of creditors and lenders to effectively and accurately underwrite and price credit.

(K) Recognizing that credit reporting affects the lives of almost all consumers in this country and that the consequences of errors on a consumer report can be catastrophic for a consumer, the Consumer Bureau began accepting consumer complaints about credit reporting in October 2012.

(L) As of early December 2019, the Consumer Bureau has handled approximately 391,560 credit reporting complaints about the top three CRAs, making credit reporting consistently in the top third most-complained-about subject matter on which the Consumer Bureau accepts consumer complaints. Incorrect information in reports and frustrations about burdensome and time-consuming process to disputing items is are consistently top reported concerns from consumers.

(M) Other common types of credit reporting complaints submitted to the Consumer Bureau related to the improper use of a report, trouble obtaining a report or credit score, CRAs' investigations, and credit monitoring or identity protection.

(N) In the fall 2019 ''Supervisory Highlights'', the Consumer Bureau noted that one or more of the largest CRAs continue to struggle to adequately oversee furnishers to ensure that they were adhering to the CRA's vetting policies and to establish proper procedures to verify public record information.

(O) According to the fall 2016 ''Supervisory Highlights'', Consumer Bureau examiners determined that one or more debt collectors never investigated indirect disputes that lacked detail or were not accompanied by attachments with relevant information from the consumer. Examiners also found that notifications sent to consumers about disputes considered frivolous failed to identify for the consumers the type of material that they could provide in order for the debt collector to complete the investigation of the disputed item.

(P) A February 2014 Consumer Bureau report titled ''Credit Reporting Complaint Snapshot'' found that consumers are confused about the extent to which the nationwide CRAs are required to provide them with validation and documentation of a debt that appears on their credit report.

(Q) As evidence that the current system lacks sufficient market incentives for CRAs to develop more robust procedures to increase the accuracy and completeness of information on credit reports, litigation discovery documented by the National Consumer Law Center (''NCLC''), as part of a February 2019 report titled ''Automated Injustice Redux: Ten Years after a Key Report, Consumers Are Still Frustrated Trying to Fix Credit Reporting Errors'', showed that at least two of the three largest CRAs use quota systems to force employees to process disputes

hastily and without the opportunity for conducting meaningful investigations. At least one nationwide CRA only allowed dispute resolution staff five minutes to handle a consumer's call. Furthermore, these CRAs were found to have awarded bonuses for meeting quotas and punished those who didn't meet production numbers with probation.

(R) Unlike most other business relationships, where consumers can register their satisfaction or unhappiness with a particular credit product or service simply by taking their business elsewhere, consumers have no say in whether their information is included in the CRAs databases and limited legal remedies to hold the CRAs accountable for inaccuracies or poor service.

(S) Accordingly, despite the existing statutory mandate for CRAs to follow reasonable procedures to assure the maximum possible accuracy of the information whenever they prepare consumer reports, numerous studies, the high volume of consumer complaints submitted to the Consumer Bureau about incorrect information on consumer reports, and supervisory activities by the Consumer Bureau demonstrate that CRAs continue to skirt their obligations under the law.

(2) INCORRECT INFORMATION ON CONSUMER REPORTS.—

(A) Consumers are entitled to dispute errors on their consumer reports with either the CRA, who issued the report, or directly with furnishers, who supplied the account information to the CRA, and request that mistakes be deleted or removed. Consumers, who believe an investigation has not correctly resolved their dispute, however, have few options, other than requesting that a statement about the dispute be included with their future reports.

(B) CRAs have a statutory obligation under the FCRA to perform a reasonable investigation by conducting a substantive and searching inquiry when a consumer disputes an item on their report. In doing so, CRAs must conduct an independent review about the accuracy of any disputed item and cannot merely rely on a furnisher's ''rubber-stamp'' verification of the integrity of the information they have provided to CRAs.

(C) In ''Report to Congress Under Section 319 of the Fair and Accurate Credit Transactions Act of 2003'' released by the Federal Government in December 2012, found that 26 percent of survey participants identified at least one potentially material error on their consumer reports, and 13 percent experienced a change in their credit score once the error was fixed.

(D) Consumer Bureau examiners have identified repeated deficiencies with the nationwide CRAs' information collection. In the fall 2019 ''Supervisory Highlights'', the Consumer Bureau noted continued weaknesses with CRAs' methods and processes for assuring maximum possible accuracy in their reports. Examiners also found, with certain exceptions, no quality control policies and procedures in place to test consumer reports for accuracy.

(E) In its ''Credit Reporting Complaint Snapshot'' released in February 2014, the Consumer Bureau found that consumers were uncertain about the depth and validity of the investigations performed about a disputed item. Consumers also expressed frustration that, even though they provided supporting materials that they believed demonstrated the inaccuracy of the information provided by furnishers, errors continued to remain on their reports.

(F) In the winter 2015 ''Supervisory Highlights'' released in March 2015, the Consumer Bureau reported that one or more nationwide CRAs failed to adequately fulfill their dispute-handling obligations, including by not forwarding to furnishers all relevant information found in letters and supporting documents supplied by consumers when they submitted disputes failing to notify consumers that they had completed investigations, and not providing consumers with the results of the CRAs' reviews about their disputes.

(G) Consumer Bureau examiners also noted in the fall 2016 ''Supervisory Highlights'' released in October 2016 that one or more entities failed to provide adequate guidance and training to staff about how to differentiate FCRA disputes from general customer inquiries, complaints, or debt validation requests. Consumer Bureau supervisors also directed one or more entities to develop and implement reasonable procedures to ensure that direct and indirect disputes are appropriately logged, categorized, and resolved.

(H) Consumers' increasing frustration about the difficulties of trying to fix credit reporting errors, evidenced through the volume of consumer complaints related to errors submitted to the Consumer Bureau, are also echoed in another Federal Government study issued in January 2015. In the ''Report to Congress under Section 319 for the Fair and Accurate Credit Transactions Act of 2003'', the study found that nearly 70 percent (84 people) of participants from a previous survey that had filed disputes with CRAs continued to believe that at least some of the disputed information remained inaccurate at the time of the follow-up survey. Despite these views, 50 percent (42 people) of the survey participants decided to just give up trying to fix the errors, with only 45 percent (38 people) of them planning to continue to try to resolve their disputes.

(I) The consistently high volume of consumer complaints submitted to the Consumer Bureau about credit reporting errors, coupled with the largest CRAs' repeated quality control weaknesses found by Consumer Bureau examiners, show that the nationwide CRAs have failed to establish and follow reasonable procedures to assure maximum accuracy of information and to conduct independent investigations of consumers' disputes. These ongoing problems demonstrate the need for legislation to—

(i) enhance obligations on furnishers to substantiate information and require furnishers to keep records for the same amount of time that adverse information about these accounts may appear on a person's consumer report;

(ii) eliminate CRAs' discretion to determine the relevancy of materials provided by consumers to support their dispute claims by instead requiring them to pass all material onto furnishers and eliminating CRA's discretion to deem some disputes frivolous or irrelevant when a consumer resubmits a claim that they believe has been inadequately resolved;

(iii) enhance educational content on CRAs' websites to improve consumers' understanding of the dispute process and to make it easier for all consumers to initiate claims, including by providing these disclosures in other languages besides English; and

(iv) create a new consumer right to appeal reviews by CRAs and furnishers of the initial disputes.

(3) INJUNCTIVE RELIEF.—

(A) Despite the fact that the FCRA currently provides implicit authority for injunctive relief, consumers have been prevented from exercising this right against CRAs. Legislation explicitly clarifying this right is intended to underscore congressional intent that injunctive relief should be viewed as a remedy available to consumers.

(B) Myriad findings by the courts, regulators, consumers, and consumer advocates make clear that CRAs have failed to establish adequate standards for the accuracy and completeness of consumer reports, yet the nationwide CRAs have demonstrated little willingness to voluntarily retool their policies and procedures to fix the problems.

(C) Providing courts with explicit authority to issue injunctive relief, by telling the CRAs to remedy unlawful practices and procedures, would further CRAs' mandate under the FCRA to assure the maximum possible accuracy and completeness of information contained on credit reports.

(D) Absent explicit authority to issue injunctions, history suggests that the nationwide CRAs are likely to continue conducting business as usual in treating any monetary settlements with individual consumers and fines imposed by State attorneys general and Federal regulators, simply as the ''cost of doing business''.

(4) CREDIT SCORES.—

(A) While nationwide CRAs are required by law to supply consumers with a free copy of their credit report annually, they can charge consumers to obtain a credit score disclosure.

(B) Many consumers do not realize that they have more than just ''one'' credit score. Because the submission of credit information to CRAs is voluntary and not all furnishers submit information to every CRA, the information contained in a report also varies among CRAs. As a result, the credit score generated by each CRA is also likely to vary, resulting in potentially different credit decisions based on an evaluation of different credit reports obtained from different CRAs.

(C) A February 2015 Consumer Bureau report titled ''Consumer Voices on Credit Reports and Scores'' found that consumers had questions about what actions to take to improve their scores once they had seen them, suggesting that additional disclosures and educational content would be helpful to consumers. The Consumer Bureau found that consumers were confused by conflicting advice on how to improve their scores.

(D) That report also noted that consumers found the process for obtaining consumer reports and credit scores confusing. Consumers also were uncertain about whether, and under what circumstances, they could obtain a consumer report for free.

(5) PRIVATE EDUCATION LOANS.—

(A) The Consumer Bureau's October 2014 report titled ''Annual Report of the CFPB Student Loan Ombudsman'' noted many private education loan borrowers, who sought to negotiate a modified repayment plan when they were experiencing a period of financial distress, were unable to get assistance from their loan holders, which often resulting in them defaulting on their loans. This pattern resembles the difficulty that a significant number of mortgage loan borrowers experienced when they sought to take responsible steps to work with their mortgage loan servicer to avoid foreclosure during the Great Recession.

(B) Although private student loan holders may allow a borrower to postpone payments while enrolled in school full-time, many limit this option to a certain time period, usually 48 to 66 months. This limited time period may not be sufficient for those who need additional time to obtain their degree or who want to continue their education by pursing a graduate or professional degree. The Consumer Bureau found that borrowers who were unable to make payments often defaulted or had their accounts sent to collections before they were even able to graduate.

(6) DECEPTIVE PRACTICES AT CERTAIN PROPRIETARY EDUCATION INSTITUTIONS AND CAREER EDUCATION PROGRAMS.—

(A) NCLC cited the proliferation of law enforcement actions against many for-profit schools in its June 2014 report, titled ''Ensuring Educational Integrity: 10 Steps to Improve State Oversight of For-profit Schools'', to demonstrate the pervasive problem in this sector of targeting low-income students with deceptive high-pressure sales techniques involving inflated job placement rates and misleading data on graduate wages, and false representations about the transferability of credits and the employability of graduates in occupations that require licensure. Student loan borrowers at these schools may be left with nothing but worthless credentials and large debt. Those who default on their student loans face years with damaged credit that will adversely impact their ability to rent or buy homes, purchase cars, and find employment.

(B) The closure and bankruptcy of Corinthian Colleges, which was found to have deceived students by steering them into high-interest student loans based on misleading graduation rates and employment data, is a good example of the problem. Even after its closure, many Corinthian students remained saddled with student loan debt, worthless degrees, and few prospects for employment.

(C) Attending a two-year, for-profit college costs, on average, four times as much as attending a community college. Students at for-profit colleges represent only about 11 percent of the total higher education population but a startling 44 percent of all Federal student loan defaults, according to the United States Department of Education (''DOE'').

(D) According to NCLC, a disproportionate number of for-profit students are low-income and people of color. These schools target veterans, working parents, first-generation students, and non-English speaking students, who may be more likely than their public or private nonprofit school counterparts to drop out, incur enormous student debt, and default on this debt. In the 2011–2012 school year, 28 percent of African Americans and 15 percent of Latinos attending four-year institutions were enrolled in a for-profit school, compared to 10 percent of Whites.

(E) As highlighted in a press release titled ''Obama Administration Announces Final Rules to Protect Students from Poor-Performing Career College Programs'', that was issued by the DOE on October 30, 2014, ''[t]oo often, students at career colleges—including thousands of veterans—are charged excessive costs, but don't get the education they paid for. Instead, students in such programs are provided with poor quality training, often for low-wage jobs or in occupations where there are simply no job opportunities. They find themselves with large amounts of debt and, too often, end up in default. In many cases, students are drawn into these programs with confusing or misleading information.''.

(7) MEDICAL DEBT.—

(A) Research by the Consumer Bureau has found that the inclusion of medical collections on consumer reports has unfairly reduced consumers' credit scores.

(B) The Consumer Bureau's review of 5 million anonymized credit files from September 2011 to September 2013, for example, found that credit scores may underestimate a person's creditworthiness by up to 10 points for those who owe medical debt, and may underestimate a person's creditworthiness by up to 22 points after the medical debt has been paid. For consumers with lower credit scores, especially those on the brink of what is considered subprime, a 10 to 22 point decrease in their credit scores can have a significant impact on their lives, including by affecting whether they are able to qualify for credit and, if so, the terms and conditions under which it is extended to them.

(C) The Consumer Bureau found that half of all collections trade lines that appear on consumer reports are related to medical bills claimed to be owed to hospitals and other medical providers. These trade lines affect the reports of nearly 1/5 of all consumers in the credit reporting system.

(D) The Consumer Bureau has found that there are no objective or enforceable standards that determine when a debt can or should be reported as a collection trade line. Because debt buyers and collectors determine whether, when, and for how long to report a collection account, there is only a limited relationship between the time period reported, the severity of a delinquency, and when or whether a collection trade line appears on a consumer's credit report.

(E) Medical bills can be complex and confusing for many consumers, which results in consumers' uncertainty about what they owe, to whom, when, or for what, that may cause some people, who ordinarily pay their bills on time, to delay or withhold payments on their medical debts. This uncertainty can also result in medical collections appearing on consumer reports. In a December 2014 report titled ''Consumer Credit Reports: A Study of Medical and Non-Medical Collections'', the Consumer Bureau found that a large portion of consumers with medical collections show no other evidence of financial distress and are consumers who ordinarily pay their other financial obligations on time. Unlike with most credit products or services, such as credit cards, installment loans, utilities, or wireless or cable services that have contractual account disclosures describing the terms and conditions of use, most consumers are not told what their out-of-pocket medical costs will be in advance. Consumers needing urgent or emergency care rarely know, or are provided, the cost of a medical treatment or procedure before the service is rendered.

(F) The Consumer Bureau concluded that the presence of medical collections is less predictive of future defaults or serious delinquencies than the presence of a nonmedical collection in a study titled ''Data Point: Medical Debt and Credit Scores'', issued in May 2014.

(G) FICO's latest credit scoring model, ''FICO 9'', changes the treatment of paid collections to disregard any collection matters that the consumer has paid in full. FICO 9, however, is not yet widely used by lenders.

(H) VantageScore's latest credit scoring model, ''VantageScore 4.0'', will be available in the fall of 2017. This model will penalize medical collections less than non-medical ones.

(I) The three nationwide CRAs entered into a settlement agreement with the New York State attorney general in 2015 to address deficiencies in their dispute resolution process and enhance the accuracy of items on reports. These policy changes will be implemented in a three-phrased rollout, culminating by June 2018. Subsequently, these CRAs entered into a cooperative agreement with 31 State Attorneys General, which was the basis of the creation of the National Consumer Assistance Plan (''NCAP'') to change some of their business practices.

(J) While the CRAs appear to be voluntarily adopting policy changes on a nationwide basis, they are not obligated to do so for consumers who reside in States that are not party to any of the consent orders.

(K) As a result of the settlement agreements, the three nationwide CRAs will set a 180-day waiting period before including medical collections on a report and will remove a medical collection from a report once it is paid by an insurance company. While this change will benefit many, once a medical collection appears on a report, it will only be deleted or suppressed if it is found to have been the insurance company's obligation to pay and the insurer pays it. Given the research showing there is little predictive value in medical debt information, medical collections that are paid or settled should quickly be removed from a report, regardless of who pays or settles this debt.

(8) FINANCIAL ABUSE BY KNOWN PERSONS.—

(A) Financial abuse and exploitation are frequently associated with domestic violence. This type of abuse may result in fraudulent charges to a credit card or having fraudulent accounts created by the abuser in the survivor's name that could affect ratings by CRAs. Financial abuse may also result in the survivor's inability to make timely payments on their valid obligations due to loss or changes in income that can occur when their abuser steals from or coerces the survivor to relinquish their paychecks or savings that could affect ratings by CRAs.

(B) By racking up substantial debts in the survivor's name, abusers are able to exercise financial control over their survivors to make it economically difficult for the survivor, whose credit is often destroyed, to escape the situation.

(C) Domestic abuse survivors with poor credit are likely to face significant obstacles in establishing financial independence from their abusers. This can be due, in part, because consumer reports may be used when a person attempts to obtain a checking account, housing, insurance, utilities, employment, and even a security clearance as required for certain jobs.

(D) Providing documentation of identity (''ID'') theft in order to dispute information on one's consumer report can be particularly challenging for those who know their financial abuser.

(E) While it is easier for consumers who obtain a police report to remove fraudulent information from their consumer report and prevent it from reappearing in the future, according to the Empire Justice Center, safety and other non-credit concerns may impact the capacity of a survivor of financial abuse committed by a known person to turn to law enforcement to get a police report.

(F) According to the Legal Aid Society in New York, domestic abuse survivors, seeking to remove adverse information stemming from financial abuse by contacting their furnishers directly, are likely to face skepticism about claims of ID theft perpetrated by a partner because of an assumption that they are aware of, and may have been complicit in, the activity which the survivor alleges stems from financial abuse.

(9) DECEPTIVE AND MISLEADING MARKETING PRACTICES.—

(A) The Consumer Bureau's February 2015 report titled ''Consumer Voices on Credit Reports and Scores'' found that some consumers did not obtain a copy of their consumer report due to concerns about security or of being trapped into purchasing unwanted products like an additional report or a credit monitoring service.

(B) In January 2017, the Consumer Bureau fined TransUnion and Equifax for deceptively marketing credit scores for purchase by consumers as the same credit scores typically used by lenders to determine creditworthiness and for luring consumers into costly subscription services that were advertised as ''free'' or ''$1'' that automatically charged recurring fees unless cancelled by consumers. The Consumer Bureau also found that Equifax was illegally advertising its products on webpages that consumers accessed through AnnualCreditReport.com before consumers obtained their free disclosures. Because of these troubling practices, TransUnion was ordered to pay $13.9 million in restitution to harmed consumers and a civil penalty of $3 million to the Consumer Bureau. Equifax was ordered to pay more than $3.7 million to affected consumers as well as a civil money penalty of $2.5 million to the Consumer Bureau. As part of the consent orders, the CRAs are also supposed to change the way that they sell their products to consumers. The CRAs must also obtain consumers' express consent before enrolling them into subscription services as well as make it easer for consumers to cancel these programs.

(C) The Consumer Bureau fined the other nationwide CRA—Experian—in March 2017 for deceiving consumers about the use of credit scores that it marketed and sold to consumers as credit scores that were used by lenders and for illegally advertising its products on web pages that consumers accessed through AnnualCreditReport.com before they obtained their free annual disclosures. Experian was ordered to pay more than $3.7 million in restitution to harmed consumers and a civil monetary penalty of $2.5 million to the Consumer Bureau.

(D) The Consumer Bureau's January and March 2017 consent orders with the three nationwide CRAs show that these CRAs have enticed consumers into purchasing products and services that they may not want or need, in some instances by advertising products or services ''free'' that automatically converted into an ongoing subscription service at the regular price unless cancelled by the consumer. Although these CRAs must now change their deceptive marketing practices, codifying these duties is an appropriate way to ensure that these companies never revert back to such misleading tactics.

(E) Given the ubiquitous use of consumer reports in consumers' lives and the fact that consumers' participation in the credit reporting system is involuntary, CRAs should also prioritize providing consumers with the effective means to safeguard their personal and financial information and improve their credit standing, rather than seeking to exploit consumers' concerns and confusion about credit reporting and scoring, to boost their companies' profits.

(F) Vulnerable consumers, who have legitimate concerns about the security of their personal and financial information, deserve clear, accurate, and transparent information about the credit reporting tools that may be available to them, such as fraud alerts and freezes.

(10) CLARITY IN CREDIT SCORING.—

(A) The February 2015 report of the Bureau of Consumer Financial Protection titled ''Consumer Voices on Credit Reports and Scores'' found that some consumers are reluctant to comparison shop for loans and other types of consumer credit products out of fear that they will lower their credit scores by doing so.

(B) The Consumer Bureau found that one of the most common barriers for people in reviewing their own credit reports and shopping for the best credit terms was a lack of understanding of the differences between ''soft'' and ''hard'' inquiries and whether requesting a copy of their own report would adversely impact their credit standing.

(C) The Bureau of Consumer Financial Protection revealed that consumers with accurate perceptions of their creditworthiness may be better equipped to shop for favorable credit terms.

(11) CREDIT CHECKS AND EMPLOYMENT DECISIONS.—

(A) The use of consumer reports as a factor in making hiring decisions has been found to be prevalent in a diverse array of occupations, and is not limited to certain high-level management or executive positions.

(B) According to the California Labor Federation, only 25 percent of employers researched the credit history of job applicants in 1998. However, this practice had increased to 43 percent by 2006 and to 60 percent by 2011.

(C) A study titled ''Do Job Applicant Credit Histories Predict Job Performance Appraisal Ratings or Termination Decisions?'', published in 2012, found that, while credit history might conceptually measure a person's level of responsibility, ability to meet deadlines, dependability, or integrity, it does not, in practice, actually predict an employee's performance or likelihood to quit. Credit reports contain many inaccuracies and credit history can be contaminated by events that are sometimes outside a person's control, such as a sudden medical expense after an accident or the loss of a job during an economic downturn. The study found that there is no benefit from using credit history to predict job performance or turnover.

(D) Despite the absence of data showing a correlation between job performance and creditworthiness, employers continue to use credit checks as a proxy for assessing character and integrity. According to a 2012 Society for Human Resource Management survey, organizations indicated that they used credit checks on job candidates primarily to reduce or prevent theft and embezzlement and to minimize legal liability for negligent hiring.

(E) The use of credit checks for employment purposes creates a true ''catch-22'' for unemployed people with impaired credit. For example, the financial hardship caused by losing a job may cause some unemployed individuals to make late or partial payments on their bills, but their poor credit standing caused by this negative information on their consumer report can also impede their chances of obtaining a new job to end their financial distress.

(F) A September 2014 report by the New York City Council's Committee on Civil Rights noted that, for those who have been unemployed for an extended period of time and whose credit has suffered as they fell behind on bills, the use of credit reports in the hiring process can exacerbate and perpetuate an already precarious situation.

(G) In a March 2013 Demos report titled ''Discredited: How Employment Credit Checks Keep Out Qualified Workers Out of a Job'', one in four survey participants who were unemployed said that a potential employer had requested to check their credit report as part of a job application. Among job applicants with blemished credit histories in the survey, one in seven had been told that they were not being hired because of their credit history.

(H) While job applicants must give prior approval for a prospective employer to pull their credit reports under the FCRA, this authorization, as a practical matter, does not constitute an effective consumer protection because an employer may reject any job applicant who refuses a credit check.

(I) Some negative information on a report may stem from uncontrollable circumstances, or significant life events in a consumer's life, such as a medical crisis or a divorce. Demos found that poor credit is associated with household unemployment, lack of health coverage, and medical debt, which are factors that reflect economic conditions in the country and personal misfortune that have little relationship with how well a job applicant would perform at work.

(J) In October 2011, FICO noted that from 2008 to 2009 approximately 50 million people experienced a 20-point drop in their credit scores and about 21 million saw their scores decline by more than 50 points. While the Great Recession reduced many consumers' credit scores due to foreclosures and other financial hardships, the financial crisis had a particularly harsh impact on African Americans and Latinos, as racial and ethnic minorities and communities of color were frequently targeted by predatory mortgage lenders who steered borrowers into high-cost subprime loans, even when these borrowers would have qualified for less costly prime credit.

(K) A May 2006 Brookings Institution report titled ''Credit Scores, Reports, and Getting Ahead in America'' found that counties with a relatively higher proportion of racial and ethnic minorities in the United States tended to have lower credit scores compared with counties that had a lower concentration of communities of color.

(L) Studies have consistently found that African American and Latino households tend, on average, to have lower credit scores than White households. The growing use of credit checks, therefore, may disproportionately screen otherwise qualified racial and ethnic minorities out of jobs, leading to discriminatory hiring practices, and further exacerbating the trend where unemployment for African American and Latino communities is elevated well above the rate of Whites.

(M) A 2012 Demos survey found that 65 percent of White respondents reported having good or excellent credit scores while over half of African American households reported only having fair or bad credit.

(12) DECEPTIVE AND MISLEADING MARKETING PRACTICES.—

(A) The Consumer Bureau's February 2015 report titled ''Consumer Voices on Credit Reports and Scores'' found that some consumers did not obtain a copy of their consumer report due to concerns about security or of being trapped into purchasing unwanted products like an additional report or a credit monitoring service.

(B) In January 2017, the Consumer Bureau fined TransUnion and Equifax for deceptively marketing credit scores for purchase by consumers as the same credit scores typically used by lenders to determine creditworthiness and for luring consumers into costly subscription services that were advertised as ''free'' or ''$1'' that automatically charged recurring fees unless cancelled by consumers. The Consumer Bureau also found that Equifax was illegally advertising its products on webpages that consumers accessed through AnnualCreditReport.com before consumers obtained their free disclosures. Because of these troubling practices, TransUnion was ordered to pay $13.9 million in restitution to harmed consumers and a civil penalty of $3 million to the Consumer Bureau. Equifax was ordered to pay more than $3.7 million to affected consumers as well as a civil money penalty of $2.5 million to the Consumer Bureau. As part of the consent orders, the CRAs are also supposed to change the way that they sell their products to consumers. The CRAs must also obtain consumers' express consent before enrolling them into subscription services as well as make it easer for consumers to cancel these programs.

(C) The Consumer Bureau fined the other nationwide CRA—Experian—in March 2017 for deceiving consumers about the use of credit scores that it marketed and sold to consumers as credit scores that were used by lenders and for illegally advertising its products on web pages that consumers accessed through AnnualCreditReport.com before they obtained their free annual disclosures. Experian was ordered to pay more than $3.7 million in restitution to harmed consumers and a civil monetary penalty of $2.5 million to the Consumer Bureau.

(D) The Consumer Bureau's January and March 2017 consent orders with the three nationwide CRAs show that these CRAs have enticed consumers into purchasing products and services that they may not want or need, in some instances by advertising products or services ''free'' that automatically converted into an ongoing subscription service at the regular price unless cancelled by the consumer. Although these CRAs must now change their deceptive marketing practices, codifying these duties is an appropriate way to ensure that these companies never revert back to such misleading tactics.

(E) Given the ubiquitous use of consumer reports in consumers' lives and the fact that consumers' participation in the credit reporting system is involuntary, CRAs should also prioritize providing consumers with the effective means to safeguard their personal and financial information and improve their credit standing, rather than seeking to exploit consumers' concerns and confusion about credit reporting and scoring, to boost their companies' profits.

(F) Vulnerable consumers, who have legitimate concerns about the security of their personal and financial information, deserve clear, accurate, and transparent information about the credit reporting tools that may be available to them, such as fraud alerts and freezes.

(13) PROTECTIONS FOR CONSUMERS' CREDIT INFORMATION.—

(A) Despite heightened awareness, incidents of ID theft continue to rise. In February 2015, the Federal Government reported that ID theft was the top consumer complaint that it received for the 15th consecutive year. As these incidents increase, consumers experience significant financial loss and emotional distress from the inability to safeguard effectively and inexpensively their credit information from bad actors.

(B) According to a Carnegie Mellon study, children are 50 times more likely than adults to have their identities stolen. Child identities are valuable to thieves because most children do not have existing files, and their parents may not notice fraudulent activity until their child applies for a student loan, a job, or a credit card. As a result, the fraudulent activity of the bad actors may go undetected for years.

(C) Despite the increasing incidents of children's ID theft, parents who want to proactively prevent their children from having their identity stolen, may not be able to do so. Only one of the three nationwide CRAs currently allows parents from any State to set up a freeze for a minor child. At the other two nationwide CRAs, parents can only obtain a freeze after a child has become an ID theft victim because, it is only at this point, that these CRAs have an existing

credit file for the child. While many States have enacted laws to address this problem, there is no existing Federal law.

(D) According to Javelin Strategy & Research's 2015 Identity Fraud study, $16 billion was stolen by fraudsters from 12.7 million American consumers in 2014. Similarly, the United States Department of Justice found an estimated 7 percent of all residents age 16 or older (about 17.6 million persons) in this country were victims of one or more incidents of ID theft in 2014, and the number of elderly victims age 65 or older (about 86 percent) increased from 2.1 million in 2012 to 2.6 million in 2014.

(E) Consumers frequently express concern about the security of their financial information. According to a 2015 MasterCard survey, a majority of consumers (77 percent) have anxiety about the possibility that their financial information and Social Security numbers may be stolen or compromised, with about 55 percent of consumers indicating that they would rather have naked pictures of themselves leaked online than have their financial information stolen.

(F) That survey also revealed that consumers' fears about the online security of their financial information even outweighed consumers' worries about other physical security dangers such as having their houses robbed (59 percent) or being pickpocketed (46 percent).

(G) According to Consumer Reports, roughly 50 million American consumers spent about $3.5 billion in 2010 to purchase products aimed at protecting their identity, with the annual cost of these services ranging from $120 to $300. As risks to consumers' personal and financial information continue to grow, consumers need additional protections to ensure that they have fair and reasonable access to the full suite of ID theft and fraud prevention measures that may be right for them.

SEC. 4. EFFECTIVE DATE.

Except as otherwise specified, the amendments made by this Act shall take effect 2 years after the date of the enactment of this Act.

SEC. 5. DISCRETIONARY SURPLUS FUND.

(a) IN GENERAL.—The dollar amount specified under section 7(a)(3)(A) of the Federal Reserve Act (12 U.S.C. 289(a)(3)(A)) is reduced by $26,000,000.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on September 30, 2029.

TITLE I—IMPROVEMENTS TO THE DISPUTE PROCESS

SEC. 101. DISPUTE PROCEDURES AND DISCLOSURES RELATING TO REINVESTIGATIONS.

(a) IN GENERAL.—Section 611(a) of the Fair Credit Reporting Act (15 U.S.C. 1681i(a)) is amended to read as follows:

''(a) REINVESTIGATIONS OF DISPUTED INFORMATION BY A CONSUMER REPORTING AGENCY.—

''(1) REINVESTIGATIONS REQUIRED.—

''(A) IN GENERAL.—Subject to subsection (f), if the completeness or accuracy of any item of information contained in a consumer's file at a consumer reporting agency is disputed by the consumer and the consumer notifies the agency (either directly or indirectly through a reseller or an authorized third party) of such dispute, the agency shall, free of charge—

''(i) conduct a reasonable reinvestigation using the process described in paragraph (3) to determine whether the disputed information is inaccurate, incomplete, or cannot be verified;

''(ii) notify the consumer that a notation described in section 605(e) will be added to the consumer's file until the reinvestigation has been completed and that such notation can be removed at the request of the consumer; and

''(iii) before the end of the 30-day period beginning on the date on which the consumer reporting agency receives the notice of the dispute from the consumer or the reseller—

''(I) record the current status of the disputed information; or

''(II) delete or modify the item in accordance with paragraph (3)(D).

''(B) EXTENSION OF PERIOD TO REINVESTIGATE.—Except as provided in subparagraph (C), the 30-day period described in subparagraph (A) may be extended for period not to exceed 15 days if the consumer reporting agency receives additional information from the consumer or the reseller regarding the dispute after the date on which the consumer reporting agency notified any person who provided any item of information in dispute under paragraph (2)(A).

''(C) LIMITATIONS ON EXTENSION OF PERIOD TO REINVESTIGATE.—Subparagraph (B) shall not apply to any reinvestigation in which, during the 30-day period described in subparagraph (A), the disputed information is found to be inaccurate or incomplete, or the consumer reporting agency determines that the disputed information cannot be verified.

''(2) PROMPT NOTICE OF DISPUTE TO FURNISHER OF INFORMATION; PROVISION OF INFORMATION REGARDING DISPUTE PROVIDED BY THE CONSUMER OR RESELLER.—

''(A) IN GENERAL.—Before the end of the period of 5 business days beginning on the date on which a consumer reporting agency receives notice of a dispute from any consumer or reseller under paragraph (1)(A), the consumer reporting agency shall provide notification of the dispute to any person who provided any item of information in dispute, at the address and in the manner established with such person. The notice shall include all information, including substantiating documents, regarding the dispute that was submitted to the consumer reporting agency.

''(B) PROVISION OF ADDITIONAL INFORMATION REGARDING DISPUTE AFTER NOTIFICATION TO THE FURNISHER OF INFORMATION.—If a consumer reporting agency receives additional information regarding the dispute from the consumer or reseller after the agency provides the notification described under subparagraph (A) and before the end of the 30-day period described in paragraph (1)(A), the consumer reporting agency shall, not later than 3 business days after receiving such information, provide such information to the person who provided the information in dispute.

''(3) REASONABLE STANDARDS FOR CONSUMER REPORTING AGENCIES FOR CONDUCTING REINVESTIGATIONS AND RESOLVING DISPUTES SUBMITTED BY CONSUMERS.—

''(A) IN GENERAL.—In conducting a reinvestigation of disputed information, a consumer reporting agency shall, at a minimum—

''(i) maintain sufficient resources and trained staff, commensurate with the volume and complexity of disputes received or reasonably anticipated to be received, to determine whether the disputed information is accurate, complete, or can be verified by the person who provided the information;

''(ii) ensure that all staff involved at any level of the reinvestigation process, including any individual with ultimate authority over determining whether the disputed information is inaccurate, incomplete, or cannot be verified, are located within the United States;

''(iii) verify that the personally identifiable information of the consumer submitting the dispute matches the personally identifiable information contained in the consumer's file, and that such information is accurate and complete;

''(iv) verify that the consumer reporting agency has a record of the information being disputed; and

''(v) conduct a reasonable review that considers all information, including substantiating documents, provided by the consumer or reseller.

''(B) CONSUMER REPORTING.—The consumer reporting agency shall not impose any limitation or otherwise impede the ability of a consumer to submit information about the disputed item.

''(C) INDEPENDENT ANALYSIS.—The reinvestigation conducted under subparagraph (A) shall be an independent analysis, separate from any investigation by a reseller or a person who provided the disputed information.

''(D) DELETION OR MODIFICATION OF INFORMATION CONTAINED IN A CONSUMER FILE.—If the disputed information is found to be inaccurate, incomplete, or cannot be verified, the dispute resolution staff of the consumer reporting agency shall have the direct authority to delete or modify such information in the consumer's file, as appropriate, during the 30-day period described in paragraph (1)(A), shall promptly notify the consumer of the results of the reinvestigation as described in paragraph (4), and shall promptly notify any person who provided such information to the consumer reporting agency of the modification or deletion made to the consumer's file.

''(4) NOTICE TO CONSUMER OF RESULTS OF REINVESTIGATION.—

''(A) IN GENERAL.—Not later than 5 business days after the conclusion of a reinvestigation conducted under this subsection, the consumer reporting agency shall provide written notice to the consumer of the results of the reinvestigation by postal mail or, if authorized by the consumer for that purpose, by other means available to the agency.

''(B) CONTENTS OF NOTICE TO CONSUMER OF RESULTS OF REINVESTIGATION.—The notice described in subparagraph (A) shall include—

''(i) a statement that the reinvestigation of the disputed information has been completed;

''(ii) a statement informing the consumer as to whether the disputed information was determined to be inaccurate, incomplete, or unverifiable, including a statement of the specific reasons supporting the determination;

''(iii) if information in the consumer's file has been deleted or modified as a result of the reinvestigation—

''(I) a copy of the consumer report and credit score or educational score (if applicable) that is based upon the consumer's revised file;

''(II) a statement identifying the specific information from the consumer's file that was deleted or modified because such information was determined to be inaccurate, incomplete, or unverifiable by the consumer reporting agency;

''(III) a statement that the consumer has the right, free of charge, to obtain an additional consumer report and credit score or educational credit score (if applicable) within the 12-month period following the date of the conclusion of the reinvestigation, regardless of whether the consumer obtained or will obtain a free annual consumer report and credit score or educational score (if applicable) under section 612; and

''(IV) a statement that the consumer has the right, free of charge, to request under subsection (d) that the consumer reporting agency furnish notifications of the consumer's revised report;

''(iv) a description of the procedure used by the dispute resolution staff of the consumer reporting agency to determine the accuracy or completeness of the information, including the business name, mailing address, telephone number, and Internet website address (if available) of any person who provided information who was contacted by the staff in connection with the determination;

''(v) a statement that the consumer has the right, free of charge, to add a narrative statement to the consumer's file disputing the accuracy or completeness of the information, regardless of the results of the reinvestigation by the agency, and the process for submitting such a narrative pursuant to subsection (b);

''(vi) a copy of all information relating to the consumer that was used by the consumer reporting agency in carrying out the reinvestigation and relied upon as the basis for the determination about the accuracy and completeness of the disputed information;

''(vii) a statement that a consumer may, free of charge, challenge the results of the reinvestigation by appeal within 120 days after the date the notice of the results of the reinvestigation was provided to the consumer and the process for submitting an appeal;

''(viii) a statement informing the consumer that a notation described in section 605(e) will be added to the file of the consumer during the period in which the consumer appeals the results of a reinvestigation and that such notation can be removed at the request of the consumer; and

''(ix) any other information, as determined by the Bureau.

''(5) REQUIREMENTS RELATING TO REINSERTION OF PREVIOUSLY DELETED OR MODIFIED MATERIAL.—

''(A) CERTIFICATION OF NEW DETERMINATION THAT ITEM IS ACCURATE OR COMPLETE.—A consumer reporting agency may not reinsert into a consumer's file any information that was previously deleted or modified pursuant to paragraph (3)(D), unless the person who provided the information—

''(i) requests that the consumer reporting agency reinsert such information;

''(ii) submits a written certification that the information is accurate and complete; and

''(iii) provides a statement describing the specific reasons why the information should be inserted.

''(B) NOTICE TO CONSUMER BEFORE REINSERTION CAN OCCUR.—Upon receipt of a request for reinsertion of disputed information under subparagraph (A), the consumer reporting agency shall, not later than 5 business days before the consumer reporting agency reinserts the information into the consumer's file, notify the consumer in writing of such request for reinsertion. Such notice shall include—

''(i) the business name, mailing address, telephone number, and Internet website address (if available) of any person who provided information to or contacted the consumer reporting agency in connection with the reinsertion;

''(ii) a copy of the information relating to the consumer, the certification that the information is accurate or complete, and the statement of the reasons supporting reinsertion provided by the person who provided the information to the consumer reporting agency under subparagraph (A);

''(iii) a statement that the consumer may obtain, free of charge and within the 12-month period following the date the notice under this subparagraph was issued, a consumer report and credit score or educational score (if applicable) from the consumer reporting agency that includes the reinserted information, regardless of whether the consumer obtained or will obtain a free annual consumer report and credit score or educational credit score (if applicable) under section 612;

''(iv) a statement that the consumer may appeal the determination that the previously deleted or modified information is accurate or complete and a description of the procedure for the consumer to make such an appeal pursuant to subsection (i); and

''(v) a statement that the consumer has the right to add a narrative statement, free of charge, to the consumer's file disputing the accuracy or completeness of the disputed information and a description of the process to add such a narrative statement pursuant to subsection (b).

''(6) EXPEDITED DISPUTE RESOLUTION.—If a consumer reporting agency determines that the information provided by the consumer is sufficient to substantiate that the item of information is inaccurate, incomplete, or cannot be verified by the person who furnished such information, and the consumer reporting agency deletes or modifies such information within 3 business days of receiving notice of the dispute, the consumer reporting agency shall be exempt from the requirements of paragraph (4), if the consumer reporting agency provides to the consumer—

''(A) prompt notice confirming the deletion or modification of the information from the consumer's file in writing or by other means, if agreed to by the consumer when the information is disputed;

''(B) a statement of the consumer's right to request that the consumer reporting agency furnish notifications of a revised consumer report pursuant to subsection (d);

''(C) not later than 5 business days after deleting or modifying the information, a copy of the consumer report and credit score or educational score (if applicable) that is based upon the consumer's revised file; and

''(D) a statement that the consumer may obtain, free of charge and within the 12-month period following the date the notice under this paragraph was sent to the consumer, a consumer report and credit score or educational score (if applicable) from the consumer reporting agency, regardless of whether the consumer obtained or will obtain their free annual consumer report and credit score or educational score (if applicable) under section 612.

''(7) NO EXCUSE FOR FAILURE TO CONDUCT REINVESTIGATION.—A consumer reporting agency may not refuse to conduct a reinvestigation under this subsection because the agency determines that the dispute was submitted by an authorized third party, unless the agency has clear and convincing evidence that the third party is not authorized to submit the dispute on the consumer's behalf. If the consumer reporting agency refuses to reinvestigate a dispute for these reasons, it shall provide a clear and conspicuous notice to the consumer explaining the reasons for the refusal and describing the specific information the consumer is required to provide for the agency to conduct the reinvestigation.''.

(b) ENSURING CONSUMER REPORTING AGENCIES FURNISH CERTAIN NOTIFICATIONS WITHOUT CHARGE.—Section 611(d) of the Fair Credit Reporting Act (15 U.S.C. 1681i(d)) is amended by inserting ''and without charge'' after ''request of the consumer''.

(c) INCLUDING SPECIALTY CONSUMER REPORTING AGENCIES IN REPORTS.—

(1) IN GENERAL.—Section 611(e) of the Fair Credit Reporting Act (15 U.S.C. 1681i(e)) is amended by inserting ''or 603(x)'' after ''section 603(p)''.

(2) TECHNICAL AMENDMENT.—Section 611(e)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681i(e)(1)) is amended by striking ''The Commission'' and inserting ''The Bureau''.

(d) CONFORMING AMENDMENTS.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is further amended—

(1) in section 605B(c)(2), by striking ''section 611(a)(5)(B)'' and inserting ''section 611(a)(5)'';

(2) in section 611—

(A) in subsection (c), by striking ''unless there is reasonable grounds to believe that it is frivolous or irrevelant,''; and

(B) in subsection (f)(3)—

(i) in subparagraph (A), by striking ''paragraph (6), (7), or (8) of subsection (a)'' and inserting ''paragraph (4) or (5) of subsection (a)''; and

(ii) in subparagraph (B), by striking ''in the manner required under paragraph (8)(A)''; and

(3) in section 623(b)(1)(B), by striking ''relevant'' before ''information''.

(e) GLOBAL TECHNICAL CORRECTIONS TO REFERENCES TO NATIONWIDE SPECIALTY CONSUMER REPORTING AGENCY.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is further amended—

(1) by striking ''section 603(w)'' and inserting ''section 603(x)'' each place such term appears; and

(2) in section 612(a)(1)(A), by striking ''(w)'' and inserting ''(x)''.

SEC. 102. CONSUMER AWARENESS OF DISPUTE RIGHTS.

Section 611 of the Fair Credit Reporting Act (15 U.S.C. 1681i) is amended by adding at the end the following new subsection:

''(h) INCREASED CONSUMER AWARENESS OF DISPUTE RIGHTS.—

''(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, each consumer reporting agency described under subsection (p) or (x) of section 603 shall—

''(A) establish an Internet website accessible to consumers; and

''(B) post on the home page of such website a hyperlink to a separate webpage established and maintained solely for the purpose of providing information to a consumer about how to dispute an item of information in the consumer report of the consumer.

''(2) DISPUTE WEBPAGE REQUIREMENTS.—For a consumer reporting agency described under subsection (p) or (x) of section 603, the separate dispute webpage described in paragraph (1)(B)—

''(A) may not include any type or form of marketing, advertising, information, or material associated with any products or services offered or sold to consumers;

''(B) shall clearly and conspicuously disclose a concise statement regarding how to file a dispute through the agency, free of charge, in the manner and format prescribed by the Bureau;

''(C) shall describe the types of documents that will be used by the agency in resolving the dispute, including the business name and mailing address to which a consumer may send such documents;

''(D) shall include a clear and concise explanation of and the process for using electronic or other means to submit such documents, free of charge, and without any character or data limitation imposed by the agency;

''(E) shall include a statement that the consumer may submit information, free of charge, that the consumer believes will assist the consumer reporting agency in determining the results of the reinvestigation of the dispute;

''(F) shall clearly and conspicuously disclose a statement describing the procedure likely to be used by the consumer reporting agency in carrying out a reinvestigation to determine the accuracy or completeness of the disputed item of information, including the time period in which the consumer will be notified of the results of the reinvestigation, and a statement that the agency may extend the reinvestigation period by an additional 15 days if the consumer submits additional information after a certain date; and

''(G) shall provide translations of all information on the webpage in each of the 10 most commonly spoken languages, other than English, in the United States, as determined by the Bureau of the Census on an ongoing basis, and in formats accessible to individuals with hearing or vision impairments.''.

SEC. 103. MAINTENANCE OF RECORDS BY FURNISHERS.

Section 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s–2) is amended by adding at the end the following new subsection:

''(f) DUTY OF FURNISHERS TO MAINTAIN RECORDS OF CONSUMERS.—

''(1) IN GENERAL.—A person who furnishes information to a consumer reporting agency relating to a consumer who has an account with that person shall maintain all information necessary to substantiate the accuracy and completeness of the information furnished, including any records establishing the liability and terms and conditions under which credit was extended to a consumer and any payment history with respect to such credit.

''(2) RETENTION PERIOD.—Records described under paragraph (1) shall be maintained until the information with respect to which the records relate may no longer be included in a consumer report pursuant to section 605.

''(3) TRANSFER OF OWNERSHIP.—If a person providing information to a consumer reporting agency is acquired by another person, or if another person acquires the right to repayment connected to such information, the acquiring person shall be subject to the requirements of this subsection with respect to such information to the same extent as the person who initially provided such information to the consumer reporting agency. The person selling or transferring the right to repayment shall provide the information described in paragraph (1) to the transferee or the acquirer.''.

SEC. 104. DUTIES OF FURNISHERS RELATING TO DISPUTE PROCEDURES, NOTICES, AND DISCLOSURES.

(a) DUTY TO PROVIDE ACCURATE AND COMPLETE INFORMATION.—Section 623(a) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)) is amended—

(1) in the subsection heading, by inserting ''AND COMPLETE'' after ''ACCURATE'';

(2) in paragraph (1)—

(A) by inserting ''or incomplete'' after ''inaccurate'' each place that term appears; and

(B) in subparagraph (D), by inserting ''or completeness'' after ''accuracy''; and

(3) in paragraph (8)—

(A) in subparagraph (A), by inserting ''and completeness'' after ''accuracy''; and

(B) in subparagraph (D), by inserting ''or completeness'' after ''accuracy''.

(b) NEGATIVE INFORMATION NOTICES TO CONSUMERS.—Section 623(a)(7) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)(7)) is amended to read as follows:

''(7) DUTY OF FURNISHERS TO INFORM CONSUMERS ABOUT REPORTING NEGATIVE INFORMATION.—

''(A) GENERAL NEGATIVE INFORMATION WARNING NOTICE TO ALL CONSUMERS PRIOR TO FURNISHING SUCH INFORMATION.—

''(i) IN GENERAL.—Any person that regularly furnishes negative information to a consumer reporting agency described in subsection (p) or (x) of section 603 about activity on any accounts of a consumer held by such person or transactions associated with credit extended to a consumer by such person shall provide a written general negative information warning notice to each such consumer before such person may furnish any negative information relating to such a consumer.

''(ii) CONTENT.—Such notice shall—

''(I) be clear and conspicuous;

''(II) describe the types of activities that constitute negative information;

''(III) inform the consumer that the person may report negative information relating to any such accounts or transactions to a consumer reporting agency described in subsection (p) or (x) of section 603;

''(IV) state that the negative information may appear on a consumer report of the consumer for the periods described in section 605 and that during such periods, the negative information may adversely impact the consumer's credit score;

''(V) state that in some limited circumstances, the negative information may result in other adverse actions, including a denial of a new job or a promotion from existing employment; and

''(VI) state that the consumer has right to—

''(aa) obtain a copy of their consumer report and credit score or educational score (if applicable), which in some instances can be obtained free of charge, from any consumer reporting agency to which negative information may be been sent; and

''(bb) dispute, free of charge, any errors on a consumer report relating to the consumer.

''(iii) TIMING OF NOTICE.—Such person shall provide such notice to a consumer not later than 90 days before the date on which the person furnishes negative information relating to such consumer.

''(B) SPECIFIC NEGATIVE INFORMATION NOTICE TO A CONSUMER.—

''(i) IN GENERAL.—Any person described in subparagraph (A) that has furnished negative information relating to activity on any accounts of a consumer held by such person or transactions associated with credit extended to a consumer by such person to a consumer reporting agency described in subsection (p) or (x) of section 603 shall send a written notice to each such consumer.

''(ii) CONTENT.—Such notice shall—

''(I) be clear and conspicuous;

''(II) inform the consumer that the person has furnished negative information relating to such accounts or transactions to a consumer reporting agency described in subsection (p) or (x) of section 603;

''(III) identify any consumer reporting agency to which the negative information was furnished, including the name of the agency, mailing address, Internet website address, and toll-free telephone number; and

''(IV) include the statements described in subclauses (IV), (V), and (VI) of subparagraph (A)(ii).

''(iii) TIME OF NOTICE.—Such person shall provide such notice to a consumer not later than 5 business days after the date on which the person furnished negative information relating to such consumer.

''(C) NOTICE EFFECTIVE FOR SUBSEQUENT SUBMISSIONS.—After providing the notice described in subparagraph (B), the person may submit additional negative information to a consumer reporting agency described in subsection (p) or (x) of section 603 without providing additional notice to the consumer, unless another person acquires the right to repayment connected to the additional negative information. The acquiring person shall be subject to the requirements of this paragraph and shall be required to send consumers the written notices described in this paragraph, if applicable.

''(D) NON-TRADITIONAL DATA FURNISHERS.—Any person that furnishes negative information to a consumer reporting agency described in subsection (p) or (x) of section 603 relating to any accounts of, or transactions associated with, a consumer by such person involving non-traditional data shall be subject to the requirements described in subparagraphs (A), (B), and (C).

''(E) MODEL NOTICES.—

''(i) DUTY OF BUREAU.—Not later than 6 months after date of the enactment of this paragraph, the Bureau shall issue model forms for the notices described in subparagraphs (A) and (B) that a person may use to comply with the requirements of this paragraph.

''(ii) USE OF MODEL NOTICE NOT REQUIRED.—No provision of this paragraph may be construed to require a person to use the model notices prescribed by the Bureau.

''(iii) COMPLIANCE USING MODEL NOTICES.—A person shall be deemed to be in compliance with the requirements of subparagraph (A)(ii) or (B)(ii) (as applicable) if the person uses the model notice prescribed by the Bureau.

''(F) ISSUANCE OF GENERAL NEGATIVE WARNING NOTICE WITHOUT SUBMITTING NEGATIVE INFORMATION.—No provision of this paragraph may be construed to require a person described in subparagraph (A) or (D) to furnish negative information about a consumer to a consumer reporting agency described in subsection (p) or (x) of section 603.

''(G) SAFE HARBOR.—A person shall not be liable for failure to perform the duties required by this paragraph if the person reasonably believes that the person is prohibited, by law, from contacting the consumer.

''(H) EFFECTIVE DATE.—The requirements of subparagraphs (A), (B), (C), and (D) shall not take effect until the date that is 6 months after the date of the issuance of model forms for notices under subparagraph (E).

''(I) DEFINITIONS.—In this paragraph, the following definitions shall apply:

''(i) NEGATIVE INFORMATION.—The term 'negative information' means information concerning a consumer's delinquencies, late payments, insolvency, or any form of default.

''(ii) NON-TRADITIONAL DATA.—The term 'non-traditional data' relates to telecommunications payments, utility payments, rent payments, remittances, wire transfers, and such other items as determined by the Bureau.''.

(c) DUTIES OF FURNISHERS AFTER RECEIVING NOTICE OF DISPUTE FROM A CONSUMER.—Section 623(a)(8)(E) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)(8)(E)) is amended to read as follows:

''(E) DUTIES OF FURNISHERS AFTER RECEIVING NOTICE OF DISPUTE FROM A CONSUMER.—After receiving a notice of dispute from a consumer pursuant to subparagraph (D), the person that provided the information in dispute to a consumer reporting agency shall—

''(i) promptly provide to each consumer reporting agency to which the person furnished the disputed information the notice of dispute;

''(ii) review all information, including any substantiating documents, provided by the consumer about the disputed information and conduct an investigation, separate from any reinvestigation by a consumer reporting agency or a reseller conducted with respect to the disputed information;

''(iii) before the expiration of the period under section 611(a)(1) within which a consumer reporting agency would be required to complete its action if the consumer had elected to dispute the information under that section, complete an investigation of the disputed information pursuant to the standards described in subparagraph (G);

''(iv) notify the consumer, in writing, of the receipt of the dispute that includes—

''(I) a statement about any information additional to the information that the person is required to maintain under subsection (f) that would support the person's ability to carry out an investigation to resolve the consumer's dispute; and

''(II) a statement that the consumer reporting agency to which the disputed information was provided will include a notation described in section 605(e) in the consumer's file until the investigation has been completed, and information about how a consumer may request that such notation is removed by the agency;

''(v) if the investigation determines the disputed information is inaccurate, incomplete, or unverifiable, promptly notify each consumer reporting agency to which the person furnished such information in accordance with paragraph (2); and

''(vi) notify the consumer of the results of the investigation, in writing, in accordance with subparagraph (H).''.

(d) ELIMINATING FURNISHERS' AUTHORITY TO DISMISS DISPUTES AS FRIVOLOUS OR IRRELEVANT.—Section 623(a)(8) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)(8)) is amended by striking subparagraph (F) and redesignating subparagraph (G) as subparagraph (F).

(e) ADDITIONAL DUTIES.—Section 623(a)(8) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)(8)), as amended by subsection (d), is further amended by adding at the end the following new subparagraphs:

''(G) REASONABLE STANDARDS FOR FURNISHERS FOR CONDUCTING INVESTIGATIONS AND RESOLVING DISPUTES SUBMITTED BY CONSUMERS.—In any investigation conducted by a person who furnishes information to a consumer reporting agency of an item of information being disputed by a consumer, the person, at a minimum—

''(i) shall maintain sufficient resources and trained staff, commensurate with the volume and complexity of disputes received or reasonably anticipated to be received, to conduct investigations;

''(ii) shall verify that the person has a record of the particular information being disputed, consistent with the requirements of subsection (f);

''(iii) shall verify that the personally identifiable information of the consumer submitting the dispute matches the personally identifiable information contained on such records;

''(iv) shall conduct a reasonable review to determine whether the disputed information is accurate, complete, and can be verified that considers all the information, including any substantiating documents, provided by the consumer about the disputed information;

''(v) shall ensure that the investigation is an independent analysis that is separate from any reinvestigation by a consumer reporting agency

or a reseller conducted with respect to the disputed information; and

''(vi) may not impose any limitations or otherwise impede the ability of a consumer to submit information, including any substantiating documents, about the disputed information.

''(H) CONTENTS OF THE NOTICE TO THE CONSUMER ABOUT THE RESULTS OF THE INVESTIGATION BY THE FURNISHER.—The notice of the results of the investigation described in subparagraph (E) shall include—

''(i) a statement informing the consumer as to whether the disputed information was determined to be inaccurate, incomplete, or unverifiable;

''(ii) a statement of the specific reasons supporting the results of the investigation;

''(iii) a description of the procedure used by the dispute resolution staff of the person who furnishes information to a consumer reporting agency to determine the accuracy or completeness of the information, including the business name, mailing address, telephone number, and Internet website address (if available) of any person who was contacted by the staff in connection with the determination;

''(iv) a copy of all information relating to the consumer that was used in carrying out the investigation and was the basis for any determination about the accuracy or completeness of the disputed information;

''(v) a statement that consumer will receive, free of charge, a copy of their consumer report and credit score or educational credit score (if applicable), from any consumer reporting agency to which the disputed information had been provided, regardless of whether the consumer obtained or will obtain a free consumer report and credit score or educational credit score (if applicable) in the 12-month period preceding receipt of the notice described in this subparagraph pursuant to section 612(a)(1);

''(vi) if the disputed information was found to be inaccurate, incomplete, or unverifiable, a statement that the consumer report of the consumer shall be revised to reflect the change to the consumer's file as a result of the investigation;

''(vii) a statement that the consumer has the right to appeal the results of the investigation under paragraph (10), free of charge, within 120 days after the date of the notice of the results of the investigation was provided to the consumer and the process for submitting an appeal;

''(viii) a statement that the consumer may add a narrative statement, free of charge, to the consumer's file held by the consumer reporting agency to which the information has been furnished disputing the accuracy or completeness of the information, regardless of the results of the investigation by the person, and the process for contacting any agency that received the consumer's information from the person to submit a narrative statement;

''(ix) a statement informing the consumer that a notation described in section 605(e) will be added to the consumer's file during the period in which the consumer appeals the results of an investigation and that such notation can be removed at the request of the consumer; and

''(x) a statement that the consumer has the right to request a copy of their consumer report and credit score or educational credit score (if applicable), free of charge, within the 12-month period following the date of the conclusion of the investigation from any consumer reporting agency in which the disputed information had been provided, regardless of whether the consumer obtained or will obtain a free annual consumer report and credit score or educational credit score (if applicable) under this subparagraph or section 612(a)(1).''.

(f) CONFORMING AMENDMENT.—Section 615(a)(4)(B) is amended—

(1) by striking '', under section 611, with a consumer reporting agency''; and

(2) by striking ''furnished by the agency'' and inserting ''to a consumer reporting agency under section 611 or to a person who furnished information to an agency under section 623''.

SEC. 105. RIGHT TO APPEAL DISPUTES RELATING TO REINVESTIGATIONS AND INVESTIGATIONS.

(a) APPEALS OF REINVESTIGATIONS CONDUCTED BY A CONSUMER REPORTING AGENCY.—Section 611 of the Fair Credit Reporting Act (15 U.S.C. 1681i) is amended—

(1) in subsection (b), by inserting ''or if the consumer is unsatisfied with the results of an appeal conducted under subsection (i),'' after ''resolve the dispute,''; and

(2) by inserting after subsection (h) (as added by section 102) the following new subsection:

''(i) CONSUMER RIGHT TO APPEAL RESULTS OF A CONSUMER REPORTING AGENCY REINVESTIGATION.—

''(1) IN GENERAL.—Within 120 days after the date of receipt of the results of a reinvestigation conducted under subsection (a), a consumer (or authorized third party) may, free of charge, appeal the results of such reinvestigation by submitting a notice of appeal to the consumer reporting agency.

''(2) NOTICE OF APPEAL.—

''(A) REQUIREMENTS.—A notice of appeal described in paragraph (1) may be submitted in writing, or through a toll-free telephone number or other electronic means established by the consumer reporting agency (including on the Internet website described in subsection (h)), and—

''(i) shall identify the information contained in the consumer's file that is the subject of the appeal;

''(ii) shall describe the specific reasons for submitting the notice of appeal; and

''(iii) may provide any information the consumer believes is relevant to substantiate the validity of the dispute.

''(B) CONSUMER REPORTING AGENCY NOTICE TO CONSUMER.—Upon receipt of such notice of appeal, the consumer reporting agency shall promptly provide to the consumer a statement confirming the receipt of the consumer's notice of appeal that shall include—

''(i) an approximate date on which the consumer's appeal review will be completed;

''(ii) the process and procedures by which such review will be conducted; and

''(iii) an employee reference number or other employee identifier for each of the specific individuals designated by the consumer reporting agency who, upon the request of the consumer, may discuss the substance and status of the appeal.

''(3) CONSUMER REPORTING AGENCY REQUIREMENTS UPON RECEIPT OF NOTICE OF APPEAL.—

''(A) IN GENERAL.—Not later than 20 days after receiving a notice of appeal, the consumer reporting agency shall review the appeal. If the consumer reporting agency determines the information is inaccurate, incomplete, or cannot be verified, the consumer reporting agency shall delete or modify the item of information being disputed by the consumer from the file of the consumer before the end of the 20-day period beginning on the date on which the consumer reporting agency receives a notice of an appeal from the consumer.

''(B) NOTICE OF APPEAL TO FURNISHER; INFORMATION REGARDING DISPUTE PROVIDED BY THE CONSUMER.—

''(i) IN GENERAL.—Before the end of the period of 3 business days beginning on the date on which a consumer reporting agency receives a notice of appeal, the consumer reporting agency shall provide notice of the appeal, including all information relating to the specific appeal that the consumer reporting agency has received from the consumer, to any person who provided any information in dispute.

''(ii) PROVISION OF ADDITIONAL INFORMATION REGARDING THE DISPUTE.—If the consumer reporting agency receives additional information from the consumer after the agency provides the notice required under clause (i) and before the end of the 20-day period described in subparagraph (A), the consumer reporting agency shall, not later than 3 business days after receiving such information, provide such information to any person who provided the information in dispute and shall have an additional 10 business days to complete the appeal review.

''(C) MINIMUM STANDARDS FOR APPEALS EMPLOYEES.—

''(i) DESIGNATION.—Upon receipt of a notice of appeal under paragraph (1), a consumer reporting agency shall designate one or more specific employees who—

''(I) shall be assigned an employee reference number or other employee identifier that can be used by the consumer to discuss the appeal with the specific individuals handling the appeal;

''(II) shall have direct authority to resolve the dispute that is the subject of the notice of appeal from the review stage to its completion;

''(III) shall meet minimum training and ongoing certification requirements at regular intervals, as established by the Bureau;

''(IV) shall be located within the United States;

''(V) may not have been involved in the reinvestigation conducted or terminated pursuant to subsection (a); and

''(VI) may not be subject to any requirements linking incentives, including promotion, to the number of appeals processed within a certain time period.

''(ii) REQUIREMENTS.—Such employees shall conduct a robust review of the appeal and make a determination regarding the accuracy and completeness of the disputed information by—

''(I) conducting an independent analysis, separate from any investigation by a reseller or person who provided the disputed information, and separate from any prior reinvestigation conducted by the consumer reporting agency of the disputed information;

''(II) verifying that the personally identifiable information of the consumer submitting the dispute matches the personally identifiable information contained on the consumer's file;

''(III) analyzing the notice of appeal and all information, including any substantiating documents, provided by the consumer with the notice of appeal;

''(IV) evaluating the validity of any information submitted by any person that was used by the consumer reporting agency in the reinvestigation of the initial dispute;

''(V) verifying that the consumer reporting agency has a record of the information being disputed; and

''(VI) applying any additional factors or investigative processes, as specified by the Bureau.

''(D) NOTICE OF APPEAL RESULTS.—Not later than 5 days after the end of the 20-day period described under subparagraph (A) (or the 10-day extension period, as applicable) the consumer reporting agency shall provide the consumer with written notice of the results of the appeal by postal mail or, if requested by the consumer, by other means. The contents of such notice shall include—

''(i) a statement that the appeal is completed and the date on which it was completed, the results of the appeal, and the specific reasons supporting the results of the appeal;

''(ii) a copy of all information relating to the consumer that was used as a basis for deciding the results of the appeal;

''(iii) a consumer report that is based upon the consumer's file as that file may have been revised as a result of the appeal;

''(iv) a description of the procedure used to determine the accuracy and completeness of the information, including the business name, telephone number, mailing address, and Internet website address (if applicable) of any person who provided information that was contacted in connection with such information, if reasonably available;

''(v) information describing that the consumer may submit a statement, without charge, disputing the accuracy or completeness of information in the consumer's file that was the subject

of an appeal under this subsection by submitting a statement directly to each consumer reporting agency that received the information;

''(vi) a description of the consumer's rights pursuant to subsection (d) (relating to furnishing notifications to certain users of consumer reports); and

''(vii) any other information, as determined by the Bureau.

''(E) NO EXCUSE FOR FAILURE TO CONDUCT APPEAL.—A consumer reporting agency may not refuse to conduct a review of an appeal under this subsection because the agency determines that the notice of appeal was submitted by an authorized third party, unless the agency has clear and convincing evidence that the third party is not authorized to submit the notice of appeal on the consumer's behalf. If the consumer reporting agency refuses to conduct a review of the appeal for these reasons, it shall provide a clear and conspicuous written notice to the consumer explaining the reasons for the refusal and describing any information the consumer is required to provide for the agency to conduct a review of the appeal.''.

(b) APPEALS OF INVESTIGATIONS CONDUCTED BY FURNISHERS OF INFORMATION.—Section 623(a) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)) is amended by adding at the end the following new paragraph:

''(10) DUTY OF FURNISHERS OF INFORMATION UPON NOTICE OF APPEAL OF INVESTIGATION.—

''(A) IN GENERAL.—Within 120 days of the date of receipt of the results of an investigation conducted under paragraph (8)(E), a consumer may, free of charge, appeal such results by submitting a notice of appeal to the person who provided the information in the dispute to a consumer reporting agency (hereafter in this paragraph referred to as the 'furnisher').

''(B) NOTICE OF APPEAL.—A notice of appeal described in subparagraph (A) may be submitted in writing, through a toll-free telephone number, or by other electronic means established by the furnisher, and—

''(i) shall identify the information contained in the consumer's file that is the subject of the appeal;

''(ii) shall describe the specific reasons for submitting the notice of appeal; and

''(iii) may include any information, including substantiating documents, the consumer believes is relevant to the appeal.

''(C) FURNISHER ACTIONS.—Upon receipt of such notice of appeal, the furnisher shall—

''(i) before the end of the period of 3 business days beginning on the date on which the furnisher receives the notice of appeal, notify each consumer reporting agency to which the person furnished such information a statement identifying the items of information that a consumer is appealing; and

''(ii) notify the consumer confirming the receipt of the consumer's notice of appeal, including an approximate date when the consumer's appeal will be completed, the process and procedures by which a review of the appeal will be conducted, and the specific individual designated by the consumer reporting agency who, upon the request of the consumer, may discuss the substance and status of the appeal.

''(D) FURNISHER REQUIREMENTS UPON RECEIPT OF NOTICE OF APPEAL.—Not later than 20 days after receiving a notice of appeal, the furnisher shall determine whether the item of information being disputed by the consumer is inaccurate, incomplete, or cannot be verified, and shall notify the consumer reporting agency of the determination. If the furnisher cannot verify the accuracy or completeness of the disputed information, the furnisher shall, before the end of the 20-day period beginning on the date on which the furnisher receives notice of an appeal from the consumer, submit instructions to the consumer reporting agency that the item of information being disputed by the consumer should be deleted from the file of the consumer.

''(E) MINIMUM STANDARDS FOR APPEALS EMPLOYEES.—Upon receipt of a notice of appeal under subparagraph (A), a furnisher shall designate one or more specific employees who—

''(i) shall be assigned an employee reference number or other employee identifier that can be used by the consumer to discuss the appeal with the specific individuals handling the appeal;

''(ii) shall have direct authority to resolve the dispute that is the subject of the notice of appeal on behalf of the furnisher from the review stage to its completion;

''(iii) shall meet minimum training and ongoing certification requirements at regular intervals, as established by the Bureau;

''(iv) may not have been involved in an investigation conducted pursuant to paragraph (8); and

''(v) may not be subject to any requirements linking incentives, including promotion, to the number of appeals processed within a certain time period.

''(F) REQUIREMENTS FOR APPEALS PROCESS.—Such employees shall conduct a robust review of the appeal and make a determination regarding the accuracy and completeness of the disputed information by—

''(i) conducting an independent analysis, separate from any reinvestigation by a reseller or consumer reporting agency, of the disputed information;

''(ii) verifying that the personally identifiable information related to the dispute is accurate and complete;

''(iii) analyzing the notice of appeal and all information, including substantiating documents, provided by the consumer with the notice of appeal;

''(iv) evaluating the validity of any information submitted by any person that was used by the furnisher in the initial investigation into the dispute;

''(v) verifying that the information being disputed relates to the consumer in whose file the information is located;

''(vi) verifying that the furnisher has a record of the information being disputed; and

''(vii) applying any additional factors or investigative processes, as specified by the Bureau.

''(G) EXTENSION OF REVIEW PERIOD.—If a consumer submits additional information related to the appeal after the period of 3 business days described in subparagraph (C)(i) and before the end of the 20-day period described in subparagraph (D), the furnisher shall have an additional 10 business days to complete the review of the appeal.

''(H) NOTICE OF APPEAL RESULTS.—Not later than 5 days after the end of the 20-day period described in subparagraph (D) (or the 10-day extension described under subparagraph (G), as applicable) the furnisher shall provide the consumer with written notice of the results of the appeal by mail or, if requested by the consumer, by other means. The contents of such notice shall include—

''(i) a statement that the appeal is completed and the date on which it was completed, the results of the appeal, and the specific reasons supporting the results of the appeal;

''(ii) a copy of all information relating to the consumer that was used as a basis for deciding the results of the appeal;

''(iii) if the appeal results in any change to the consumer report, a notification that the consumer shall receive a copy, free of charge, of a revised consumer report (based upon the consumer's file as that file was changed as a result of the appeal) and a credit score or educational credit score (if applicable) from each consumer reporting agency that had been furnished incorrect information;

''(iv) a description of the procedure used to determine the accuracy and completeness of the information, including the business name, telephone number, mailing address, and Internet website address (if applicable), of any person who provided information that was contacted in connection with such information, if reasonably available;

''(v) information describing that the consumer may submit a statement, without charge, disputing the accuracy or completeness of information in the consumer's file that was the subject of an appeal under this paragraph by submitting a statement directly to each consumer reporting agency that received the information; and

''(vi) a notification that the consumer may request the furnisher to submit to each consumer reporting agency the consumer's request to furnish notifications pursuant to section 611(d) (relating to furnishing notifications to certain users of consumer reports).''.

(c) TECHNICAL AMENDMENT.—Section 623(a)(8)(A) of the Fair Credit Reporting Act (15 U.S.C. 1681s–2(a)(8)(A)) is amended by striking ''reinvestigate'' and inserting ''investigate''.

(d) CONFORMING AMENDMENTS.—Section 609 of the Fair Credit Reporting Act (15 U.S.C. 1681g) is amended—

(1) in subsection (c)—

(A) by striking ''Commission'' and inserting ''Bureau'' each place that term appears;

(B) in the subsection heading, by striking ''RIGHTS TO OBTAIN AND DISPUTE INFORMATION IN CONSUMER REPORTS AND TO OBTAIN CREDIT SCORES'' and inserting ''KEY CONSUMER REPORTING RIGHTS''; and

(C) in paragraph (1)—

(i) in the heading, by striking ''COMMISSION'' and inserting ''BUREAU'';

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''a consumer report without charge under section 612'' and inserting ''consumer reports and credit scores or educational credit scores (as applicable) without charge under section 612'';

(II) in clause (iii), by inserting ''or section 623'' after ''section 611'';

(III) by striking clauses (iv) and (vi);

(IV) by inserting after clause (iii) the following new clause:

''(iv) the right of a consumer to appeal a determination of a reinvestigation conducted by a consumer reporting agency under section 611(i) or an investigation conducted by a furnisher of information under section 623(a)(10);''; and

(V) by adding at the end the following new clause:

''(vi) the method and circumstances under which consumers can obtain a 1-year fraud alert, 7-year fraud alert, active duty alert, or security freeze as described in section 605A through a consumer reporting agency described under section 603(p).'';

(iii) in subparagraph (C) (as amended by subparagraph (A)) by inserting ''and the Commission'' after ''Bureau''; and

(iv) by adding at the end the following new subparagraph:

''(D) PUBLICATION OF SUMMARY RIGHTS.—A consumer reporting agency described under subsection (p) or (x) of section 603 shall display in a clear and conspicuous manner, including on the Internet website of the consumer reporting agency, the summary of rights prepared by the Bureau under this paragraph.''; and

(2) in subsection (d), by inserting ''Bureau and the'' before ''Commission''.

SEC. 106. REVISED CONSUMER REPORTS.

Section 611 of the Fair Credit Reporting Act (15 U.S.C. 1681i), as amended by section 105(a)(2), is further amended by adding at the end the following new subsection:

''(j) REQUIREMENT TO SEND REVISED CONSUMER REPORT TO CONSUMER.—Upon receiving a notice described in section 623(a)(8)(E)(iv), each consumer reporting agency shall send to the consumer a revised consumer report and credit score or education credit score (if applicable) based upon the consumer's file as that file was changed as a result of the investigation.''.

SEC. 107. INDICATION OF DISPUTE BY CONSUMERS AND USE OF DISPUTED INFORMATION.

Section 605(f) of the Fair Credit Reporting Act (15 U.S.C. 1681c(f)) is amended to read as follows:

''(f) INDICATION OF DISPUTE.—

''(1) IN GENERAL.—A consumer reporting agency shall include in any consumer report based on the consumer's file a notation identifying any item of information that is currently in dispute by the consumer if—

''(A) a consumer disputes the completeness or accuracy of any item of information contained in a consumer's file pursuant to section 611(a)(1);

''(B) a consumer files with a consumer reporting agency an appeal of a reinvestigation pursuant to section 611(i); or

''(C) the consumer reporting agency is notified by a person that furnished any items of information that are currently in dispute by the consumer that—

''(i) a consumer disputes the completeness or accuracy of any information furnished by a person to any consumer reporting agency pursuant to paragraph (3) or (8) of section 623(a); or

''(ii) a consumer submits a notice of appeal under section 623(a)(10).

''(2) OPT OUT.—A consumer may submit a request to a consumer reporting agency or a person who furnished the information in dispute, as applicable, to have the notation described in paragraph (1) omitted from the consumer report. Upon receipt of such a request—

''(A) by a consumer reporting agency, such agency shall remove the notation within 1 business day; and

''(B) by a person who furnished the information in dispute, such person shall submit such request to each consumer reporting agency to which the person furnished such information within 1 business day and such agency shall remove the notation within 1 business day of receipt of such request.''.

SEC. 108. ACCURACY AND COMPLETENESS REPORT DUTIES FOR CONSUMER REPORTING AGENCIES AND FURNISHERS.

Section 607(b) of the Fair Credit Reporting Act (15 U.S.C. 1681e) is amended to read as follows:

''(b) ACCURACY AND COMPLETENESS OF REPORT.—

''(1) IN GENERAL.—In preparing a consumer report, a consumer reporting agency shall maintain reasonable procedures to ensure maximum possible accuracy and completeness of the information concerning the individual to whom the consumer report relates.

''(2) BUREAU RULE TO ASSURE MAXIMUM POSSIBLE ACCURACY AND COMPLETENESS WITH CREDIT REPORTING PRACTICES.—

''(A) RULE.—Not later than 18 months after the date of enactment of this subsection, the Bureau shall issue a final rule establishing the procedures described in paragraph (1).

''(B) REQUIREMENTS.—In formulating the rule required under subparagraph (A), the Bureau shall—

''(i) develop standards for matching the personally identifiable information included in the consumer's file with the personally identifiable information furnished by the person who provided the information to the consumer reporting agency (hereafter in this subsection referred to as the 'furnisher'), including the full name of a consumer, the date of birth of a consumer, the full social security number of a consumer, and any other information that the Bureau determines would aid in assuring maximum possible accuracy and completeness of such consumer reports;

''(ii) establish processes for a consumer reporting agency to monitor the integrity of the data provided by furnishers and the compliance of furnishers with the requirements of this title;

''(iii) establish processes for a consumer reporting agency to regularly reconcile data relating to accounts in collection, including those that have not been paid in full, by specifying the circumstances under which the consumer reporting agency shall remove or suppress negative or adverse information from a consumer's file that has not been updated by a furnisher who is also a debt collector (as defined in section 803 of the Fair Debt Collection Practices Act) within the time period established by the Bureau;

''(iv) establish procedures to require each consumer reporting agency to review and monitor the quality of information received from any source, including information from public records, by regularly and on an ongoing basis comparing the information received to the information available from the original source and ensuring that the information received is the most current information;

''(v) develop standards and procedures for consumer reporting agencies to identify furnishers that repeatedly fail to provide accurate and complete information, to take corrective action against such furnishers, and to reject information submitted by such furnishers;

''(vi) develop standards and procedures for consumer reporting agencies to adopt regarding collection of public record data, including standards and procedures to consider the ultimate data source, how the public record information is filed and its availability and accessibility, and whether information relating to the satisfaction of judgments or other updates to the public record are available on a reasonably timely basis from a particular source; and

''(vii) establish any other factors, procedures, or processes determined by the Bureau to be necessary to assist consumer reporting agencies in achieving maximum possible accuracy and completeness of the information in consumer reports.

''(3) CORRECTIVE ACTION FOR FURNISHERS THAT REPEATEDLY FURNISH INACCURATE OR INCOMPLETE INFORMATION.—Upon identifying a furnisher that repeatedly fails to furnish accurate, complete, or verifiable information to consumer reporting agencies, the Bureau shall—

''(A) ensure the prompt removal of any adverse information relating to a consumer's accounts submitted by such furnisher; and

''(B) take corrective action, which may include—

''(i) mandatory revised training and training materials for the staff of the furnisher regarding the furnishing of accurate and complete information;

''(ii) sharing industry best practices and procedures regarding accuracy and completeness; or

''(iii) temporarily prohibiting a furnisher from providing information to a consumer reporting agency.''.

SEC. 109. INCLUSION OF PUBLIC RECORD DATA SOURCES IN CONSUMER REPORTS.

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

''(3) PUBLIC RECORD DATA SOURCE.—Any consumer reporting agency that furnishes a consumer report that contains public record data shall also include in such report the source from which that data was obtained, including the particular court, if any, and the date that the data was initially reported or publicized.''.

SEC. 110. INJUNCTIVE RELIEF FOR VICTIMS.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 616—

(A) in subsection (a), by amending the subsection heading to read as follows: ''DAMAGES'';

(B) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively; and

(C) by inserting after subsection (b) the following new subsection:

''(c) INJUNCTIVE RELIEF.—In addition to any other remedy set forth in this section, a court may award injunctive relief to require compliance with the requirements imposed under this title with respect to any consumer. In the event of any successful action for injunctive relief under this subsection, the court may award to the prevailing party costs and reasonable attorney fees (as determined by the court) incurred during the action by such party.''; and

(2) in section 617—

(A) in subsection (a), by amending the subsection heading to read as follows: ''DAMAGES'';

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following new subsection:

''(b) INJUNCTIVE RELIEF.—In addition to any other remedy set forth in this section, a court may award injunctive relief to require compliance with the requirements imposed under this title with respect to any consumer. In the event of any successful action for injunctive relief under this subsection, the court may award to the prevailing party costs and reasonable attorney fees (as determined by the court) incurred during the action by such party.''.

(b) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—Section 621(a)(2)(A) of the Fair Credit Reporting Act (15 U.S.C. 1681s(a)(2)(A)) is amended—

(1) by amending the subparagraph heading to read as follows: ''NEGLIGENT, WILLFUL, OR KNOWING VIOLATIONS''; and

(2) by inserting ''negligent, willful, or'' before ''knowing''.

TITLE II—FREE CREDIT SCORES FOR CONSUMERS

SEC. 201. DEFINITIONS.

(a) IN GENERAL.—Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a) is amended by adding at the end the following new subsection:

''(bb) CREDIT SCORE AND EDUCATIONAL CREDIT SCORE DEFINITIONS.—

''(1) CREDIT SCORE.—The term 'credit score' means a numerical value or a categorization derived from a statistical tool or modeling system used by a person who makes or arranges a loan or extends credit to predict the likelihood of certain credit behaviors, including default, as determined by the Bureau.

''(2) EDUCATIONAL CREDIT SCORE.—The term 'educational credit score' means a numerical value or categorization derived from a statistical tool or modeling system based upon information from a consumer report that assists consumers in understanding how a lender or creditor may view the consumer's creditworthiness in deciding whether to make a loan or extend credit to that consumer.

''(3) KEY FACTORS.—The term 'key factors' means any relevant elements or reasons affecting the credit score for the particular individual, listed in the order of importance based on the effect of each element or reason on the credit score or educational credit score.

''(4) CREDIT SCORING MODEL.—The term 'credit scoring model' means a scoring algorithm, formula, model, program, or mechanism used to generate a credit score or an educational credit score.''.

(b) CONFORMING AMENDMENTS.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) in section 605(d)(2), by striking ''(as defined in section 609(f)(2)(B))''; and

(2) in section 615—

(A) by striking ''as defined in section 609(f)(2)(A)'' each place that term appears; and

(B) in subsection (a)(2)(B), by striking ''set forth in subparagraphs (B) through (E) of section 609(f)(1)'' and inserting ''with respect to a credit score described in section 609(f)(2), if available''.

SEC. 202. CONSUMER INFORMATION ON CALCULATION OF SCORES.

Section 609(f) of the Fair Credit Reporting Act (15 U.S.C. 1681g(f)) is amended to read as follows:

''(f) DISCLOSURE OF CREDIT SCORE AND EDUCATIONAL CREDIT SCORE BY CONSUMER REPORTING AGENCIES.—

''(1) IN GENERAL.—Upon the request of a consumer for a credit score or educational credit score, a consumer reporting agency shall supply to the consumer a statement—

''(A) containing—

''(i) a current credit score at the time of the request generated using a commonly used credit scoring model to generate credit scores, subject to regulations of the Bureau;

''(ii) an educational credit score at the time of the request, if it is not practicable to generate such a credit score, as determined by the Bureau; or

''(iii) an explanation that the consumer's file does not have sufficient information from which to generate such a credit score or educational credit score; and

''(B) with respect to each previous credit score in the file of the consumer—

''(i) the date on which the credit score was generated;

''(ii) the name of any entity that the credit score was provided to; and

''(iii) the credit score itself.

''(2) REQUIREMENTS.—A statement provided under clause (i) or (ii) of paragraph (1)(A) shall include—

''(A) a minimum of 4 key factors, if available, that adversely affected the credit score or educational credit score, except that if one of the key factors consists of the number of enquiries made with respect to a consumer report, that factor shall be provided to the consumer in addition to the factors required by this subparagraph;

''(B) to the extent possible, specific actions a consumer could take with respect to each key factor listed in subparagraph (A) to improve the consumer's credit score or educational credit score;

''(C) a minimum of 4 key factors, if available, that positively affected the credit score or educational credit score;

''(D) the range of possible credit scores or educational credit scores under the credit scoring model used;

''(E) the distribution of credit scores or educational credit scores among consumers who are scored under the same credit scoring model by the consumer reporting agency, and using the same scale as that of the score that is provided to a creditor or consumers—

''(i) in the form of a bar graph containing a minimum of 6 bars that illustrates the percentage of consumers with credit scores or educational credit scores within the range of scores represented by each bar; or

''(ii) by another clear and readily understandable graphical depiction, statement, or illustration comparing the consumer's credit score or educational credit score to the scores of other consumers, as determined by the Bureau;

''(F) the date on which the credit score or educational credit score was created; and

''(G) the name of the person that developed the credit scoring model on which the credit score or educational credit score was based.

''(3) APPLICABILITY TO CERTAIN USES.—This subsection shall not be construed so as to compel a consumer reporting agency to—

''(A) develop or disclose a credit score if the agency does not distribute credit scores used by a person who makes or arranges a loan or extends credit to predict the likelihood of certain credit behaviors; or

''(B) develop or disclose an educational credit score if the agency does not develop educational credit scores that assist in understanding the general credit behavior of a consumer and predicting the future credit behavior of the consumer.

''(4) MAINTENANCE OF CREDIT SCORES.—

''(A) IN GENERAL.—All consumer reporting agencies shall maintain in the consumer's file credit scores relating to the consumer for a period of 2 years from the date on which such information is generated.

''(B) DISCLOSURE ONLY TO CONSUMERS.—A past credit score maintained in a consumer's file pursuant to subparagraph (A) may only be provided to the consumer to which the credit score relates and may not be included in a consumer report or used as a factor in generating a credit score or educational credit score.

''(C) REMOVAL OF PAST CREDIT SCORES.—A past credit score maintained in a consumer's file pursuant to subparagraph (A) shall be removed from the consumer's file after the end of the 2-year period described under subparagraph (A).''.

SEC. 203. DISCLOSURES RELATING TO CREDIT SCORES AND EDUCATIONAL CREDIT SCORES.

Section 609(f) of the Fair Credit Reporting Act (15 U.S.C. 1681g(f)), as amended by section 202, is further amended by adding at the end the following new paragraphs:

''(5) WEBSITE DISCLAIMER.—A consumer reporting agency that generates or provides credit scores or educational credit scores shall clearly and conspicuously display on the home page of the agency's Internet website, and as part of any application, solicitation, or marketing material or media providing information related to a credit score or educational credit score, the following notice, in boldface type of 18-point font or larger and in a text box with boldface outer borders:

''CREDIT SCORE DISCLAIMER. ''

There is no ''one'' credit score. There are many scoring formulas derived from a wide variety of models available to a consumer and used by lenders and creditors. Different lenders and creditors use different scoring formulas to determine whether to extend credit or make a loan to you, and the terms of the credit or loan. An educational credit score is not a credit score that a person who makes a loan or extends credit to you is likely to use. Educational credit scores are merely intended to be used as an educational tool to help consumers understand how the information contained in a consumer report may affect the terms and conditions of a loan or extension of credit that may be available to a consumer. Lenders and creditors may also rely on information not contained in your consumer report and not reflected in the calculation of your credit score.'.

''(6) ADDITIONAL REQUIREMENTS FOR EDUCATIONAL CREDIT SCORES.—

''(A) DISCLAIMER.—If an educational credit score is provided pursuant to paragraph (1), a consumer reporting agency shall clearly and conspicuously include in a prominent location on the statement, in boldface type of 18-point font or larger, and in a text box with boldface outer borders, the following notice:

''EDUCATIONAL CREDIT SCORE DISCLAIMER. ''

The educational credit score provided to you is not a credit score that a lender or creditor is likely to use to make a loan or extend credit to you. There are many different credit scores derived from a wide variety of models used by lenders and creditors. An educational credit score is merely an educational tool. It is intended to provide consumers with a basic understanding of how the information contained in a consumer report may affect the terms and conditions of credit that are available. The credit scores you receive directly from different lenders and creditors may not be the same as an educational credit score. There are a number of reasons for this:

''(1) Each company may use a different formula for calculating credit scores and the differences in the formulas may lead to differences in your scores.

''(2) Companies may produce scores that give results on different scales.

''(3) Not all lenders or creditors report to every consumer reporting agency, and therefore the information contained in your consumer report that the consumer reporting agencies use to calculate your educational credit score may differ among agencies.'.

''(B) PROHIBITION ON MISLEADING REPRESENTATIONS.—A consumer reporting agency may not refer to an educational credit score as a credit score in any application, solicitation, marketing, or other informational materials or media.

''(7) MODIFICATION OF DISCLAIMERS.—The Bureau may modify the content, format, and manner of the disclaimers required under paragraphs (5) and (6), if warranted, after conducting consumer testing or research.''.

SEC. 204. FREE CREDIT SCORE DISCLOSURES AND CONSUMER REPORTS.

(a) IN GENERAL.—Section 612 of the Fair Credit Reporting Act (15 U.S.C. 1681j) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting after ''section 609'' the following: ''(including the disclosure of a credit score or educational credit score under subsection (f) of such section)''; and

(ii) in subparagraph (C)—

(I) by striking ''Commission'' and inserting ''Bureau''; and

(II) by inserting '', credit scores, and educational credit scores (as applicable)'' after ''consumer reports'' each place that term appears;

(B) in paragraph (2)—

(i) by striking ''15 days'' and inserting ''3 business days''; and

(ii) by inserting '', credit score, or educational credit score'' after ''consumer report'';

(C) in paragraph (3), by inserting '', credit score, or educational credit score'' after ''consumer report''; and

(D) in paragraph (4), by inserting '', credit scores, or educational credit scores'' after ''consumer reports'';

(2) in subsection (b), by inserting ''(including the disclosure of a credit score or educational credit score, as applicable, under subsection (f) of such section)'' after the first instance of ''section 609'';

(3) in subsection (c)—

(A) by inserting ''(including the disclosure of a credit score or educational credit score under subsection (f) of such section)'' after ''pursuant to section 609'';

(B) in paragraph (2), by striking ''; or'' and inserting a semicolon;

(C) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following new paragraphs:

''(4) has disputed information, or submitted an appeal of an investigation or reinvestigation of such information, under section 611 or 623, regardless of whether the consumer has already received a credit report, credit score, or educational credit score under section 611 or 623; or

''(5) has had information that was previously deleted under section 611(a)(5) reinserted into the consumer's file, regardless of whether the consumer has already received a credit report, credit score, or educational credit score under such section.'';

(4) in subsection (d), by inserting ''(including the disclosure of a credit score or educational credit score under subsection (f) of such section)'' after ''section 609'';

(5) in subsection (f)(1)—

(A) by striking ''reasonable charge'' and all that follows through ''section 609'' and inserting ''reasonable charge on a consumer for providing a consumer report to a consumer'';

(B) by striking subparagraph (B);

(C) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively (and conforming the margins accordingly); and

(D) in subparagraph (B) (as so redesignated), by striking ''disclosure; and'' and inserting ''disclosure.''; and

(6) by adding at the end the following new subsections:

''(h) CENTRALIZED SOURCE FOR OBTAINING FREE COPY OF CONSUMER REPORT AND SCORES.—

''(1) NATIONWIDE CONSUMER REPORTING AGENCIES.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, each consumer reporting agency described under subsection (p) of section 603 shall prominently

display on the home page of the agency's website—

''(i) a hyperlink labeled 'Get Your Free Annual Credit Reports along with either your Credit Scores or Educational Credit Scores provided for under Federal Law' or substantially similar text, as determined by the Bureau; and

''(ii) a disclosure titled 'Consumer's Right to Free Credit Scores, Educational Credit Scores, and Reports under Federal Law' or substantially similar text, as determined by the Bureau that includes the following statement:

'''All consumers are entitled to obtain a free copy of their consumer report and credit score or educational credit score annually from each of the nationwide consumer reporting agencies. Under Federal law, a consumer is entitled to obtain additional free copies of their consumer reports, along with a copy of either the consumer's credit score or educational credit score (under certain circumstances), including:

'''(1) When a consumer is unemployed and intends to apply for employment within 60 days.

'''(2) When a consumer is a recipient of public welfare assistance.

'''(3) When a consumer has a reasonable belief that their report contains inaccuracies as a result of fraud.

'''(4) When a consumer asserts in good faith a suspicion that the consumer has been or is about to become a victim of identity theft, fraud, or a related crime, or harmed by the unauthorized disclosure of the consumer's financial or personally identifiable information.

'''(5) When a consumer files a dispute or an appeal of the results of a dispute with a consumer reporting agency or a person who furnished information to the consumer reporting agency regarding the accuracy or completeness of the information contained on their report.

'''(6) After a furnisher of information discovers it has furnished inaccurate or incomplete information to a consumer reporting agency, and the furnisher notifies the agency of the error.

'''(7) After an adverse action is taken against a consumer or a consumer receives a risk-based pricing notice.

'''(8) When a mortgage lender, private educational lender, indirect auto lender, or motor vehicle lender obtains and uses a consumer's reports or scores for underwriting purposes.'.

''(B) HYPERLINK REQUIREMENTS.—The hyperlink described in subparagraph (A)(i) shall be prominently located on the top of the home page and should link directly to the website of the centralized source established pursuant to section 211(d) of the Fair and Accurate Credit Transactions Act of 2003 (15 U.S.C. 1681j note).

''(C) MODIFICATIONS.—The Bureau may modify the disclosure described in subparagraph (A)(ii) as necessary to include other circumstances under which a consumer has the right to receive a free consumer report, credit score, or educational credit score.

''(2) NATIONWIDE SPECIALTY CONSUMER REPORTING AGENCIES.—

''(A) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, each nationwide specialty consumer reporting agency shall prominently display on the Internet home webpage of the agency a disclosure titled 'Consumer's Right to Free Consumer Reports and Credit Score or Educational Credit Score (as applicable) under Federal Law'. Such disclosure shall include the following statement:

'''Upon request, all consumers are entitled to obtain a free copy of their consumer report and credit score or educational credit score (as applicable) during any 12-month period from each of the nationwide specialty consumer reporting agencies. Federal law also provides further circumstances under which a consumer is entitled to obtain additional free copies of their consumer report and credit score or educational credit score (as applicable) including:

'''(1) When a consumer is unemployed and intends to apply for employment within 60 days.

'''(2) When a consumer is a recipient of public welfare assistance.

'''(3) When a consumer has a reasonable belief that their report contains inaccuracies as a result of fraud.

'''(4) When a consumer files a dispute or an appeal of the results of a dispute with a consumer reporting agency or a person who furnished information to the consumer reporting agency regarding the accuracy or completeness of the information contained on their report.

'''(5) After a furnisher of information discovers it has furnished inaccurate or incomplete information to a consumer reporting agency, and the furnisher notifies the agency of the error.

'''(6) After an adverse action is taken against a consumer or a consumer receives a risk-based pricing notice.

'''(7) When a mortgage lender, private educational lender, indirect auto lender, or motor vehicle lender obtains and uses a consumer's reports or scores for underwriting purposes.'.

''(B) MODIFICATIONS.—The Bureau may modify the disclosure described in subparagraph (A) as necessary to include other circumstances under which a consumer has the right to receive a free consumer report and credit score or educational credit score (as applicable).

''(C) TOLL-FREE TELEPHONE ACCESS.—The information described in this paragraph shall also be made available via a toll-free telephone number. Such number shall be prominently displayed on the home page of the website of each nationwide specialty consumer reporting agency. Each of the circumstances under which a consumer may obtain a free consumer report and credit score or educational credit score (as applicable) shall be presented in an easily understandable format and consumers shall be directed to an individual who is a customer service representative not later than 2 minutes after the initial phone connection is made by the consumer. Information provided through such telephone number shall comply with the requirements of section 633.

''(D) ONLINE CONSUMER REPORTS; EXEMPTION.—Upon receipt of a request by a consumer for a consumer report, each nationwide specialty consumer reporting agency shall provide access to such report electronically on the Internet website described in section 611(h).

''(i) AUTOMATIC PROVISION OF FREE CONSUMER REPORTS AND CREDIT SCORES OR EDUCATIONAL CREDIT SCORES.—A consumer reporting agency shall provide to a consumer a free copy of the file and credit score or educational credit score of the consumer who—

''(1) obtains a 1-year fraud alert, 7-year fraud alert, active duty alert, or security freeze as described in section 605A; or

''(2) has disputed information, or submitted an appeal of an investigation or reinvestigation of such information, under section 611 or 623.''.

(b) TECHNICAL AMENDMENT.—Section 615(h)(7) of such Act (15 U.S.C. 1681m(h)(7)) is amended by striking ''section'' each place such term appears and inserting ''subsection''.

SEC. 205. PROVISION OF CONSUMER REPORTS AND CREDIT SCORES BY PRIVATE EDUCATIONAL LENDERS.

Section 609 of the Fair Credit Reporting Act (15 U.S.C. 1681g) is amended by adding at the end the following new subsection:

''(h) DISCLOSURE OF CONSUMER REPORTS AND CREDIT SCORES BY PRIVATE EDUCATIONAL LENDERS.—

''(1) IN GENERAL.—If a private educational lender obtains a copy of any consumer reports or credit scores and uses such reports or scores in connection with an application of a consumer for a private education loan, the private educational lender shall provide to the consumer, not later than 3 business days after obtaining such reports or scores and before the date on which the consumer enters into a loan agreement with the private educational lender, a copy of any such reports or scores, along with the statement described under subsection (f)(2).

''(2) COSTS.—None of the costs to the private educational lender associated with procuring consumer reports or credit scores under this subsection may be charged, directly or indirectly, to the consumer.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to eliminate any requirement for creditors and lenders to provide credit score disclosures, including the statement described under subsection (f)(2), to consumers as part of an adverse action or risk-based pricing notice.''.

SEC. 206. PROVISION OF CONSUMER REPORTS AND CREDIT SCORES BY MOTOR VEHICLE LENDERS OR INDIRECT AUTO LENDERS.

Section 609 of the Fair Credit Reporting Act (15 U.S.C. 1681g), as amended by section 205, is further amended by adding at the end the following new subsection:

''(i) DISCLOSURE OF CONSUMER REPORTS AND CREDIT SCORES USED BY MOTOR VEHICLE LENDERS OR INDIRECT AUTO LENDERS.—

''(1) IN GENERAL.—If a motor vehicle lender or indirect auto lender obtains a copy of any consumer reports or credit scores and uses such reports or scores in connection with an application of a consumer for a motor vehicle loan or lease, the motor vehicle lender or indirect auto lender shall provide to the consumer a document, separate from the consumer's lease or purchase agreement and before the consumer enters into a lease or purchase agreement, disclosing any consumer reports and credit scores, including the statement described in subsection (f)(2), used by the lender to determine whether to extend credit to the consumer.

''(2) COSTS.—None of the costs to the motor vehicle lender or indirect auto lender associated with procuring consumer reports or credit scores under this subsection may be charged, directly or indirectly, to the consumer.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to eliminate any requirement for creditors and lenders to provide credit score disclosures, including the statement described under subsection (f)(2), to consumers as part of an adverse action or risk-based pricing notice.

''(4) DEFINITIONS.—

''(A) INDIRECT AUTO LENDER.—The term 'indirect auto lender' has the meaning given the term by the Bureau, and shall include a person extending a loan made with respect to a car, boat, motorcycle, recreational vehicle, or other similar vehicle used primarily for personal or household purposes.

''(B) MOTOR VEHICLE LENDER.—The term 'motor vehicle lender' has the meaning given the term by the Board of Governors of the Federal Reserve System, and shall include a person extending a loan made with respect to a car, boat, motorcycle, recreational vehicle, or other similar vehicle used primarily for personal or household purposes.''.

SEC. 207. PROVISION OF CONSUMER REPORTS AND CREDIT SCORES BY RESIDENTIAL MORTGAGE LENDERS.

Section 609(g) of the Fair Credit Reporting Act (15 U.S.C. 1681g(g)) is amended—

(1) by redesignating paragraph (2) as paragraph (5);

(2) in paragraph (1)—

(A) by striking ''a consumer credit score'' and inserting ''any consumer reports or credit scores'';

(B) by striking '', as defined in subsection (f),'';

(C) by striking ''the following to the consumer as soon as reasonably practicable:'' and inserting '', not later than 3 business days after using such reports or scores, a document disclosing any consumer reports and credit scores used by the lender to determine whether to extend credit to the consumer along with the statement described in subsection (f)(2).'';

(D) by striking subparagraphs (A), (B), (C), (E), and (F);

(E) by redesignating subparagraph (D) as paragraph (3) (and adjusting the margins accordingly); and

(F) by redesignating subparagraph (G) as paragraph (4) (and adjusting the margins accordingly);

(3) by inserting before paragraph (3) (as so designated) the following new paragraph:

''(2) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to eliminate any requirement for lenders to provide credit score disclosures, including the statement described under subsection (f)(2), to consumers as part of an adverse action or risk-based pricing notice.'';

(4) in paragraph (3) (as so designated), in the quoted material—

(A) by inserting '', free of charge,'' after ''disclose to you''; and

(B) by striking ''affecting your credit scores'' and inserting ''affecting your credit score or scores'';

(5) in paragraph (5) (as so redesignated) by inserting ''or scores'' after ''credit score'' each place such term appears; and

(6) by adding at the end the following new paragraphs:

''(6) ACTIONS NOT REQUIRED.—This subsection shall not require any person to disclose any credit score or related information obtained by the person after a loan has closed.

''(7) NO PROCUREMENT COSTS.—None of the costs to the creditor or lender associated with procuring any consumer reports or scores under this subsection may be charged, directly or indirectly, to the consumer.''.

TITLE III—STUDENT BORROWER CREDIT IMPROVEMENT ACT

SEC. 301. REMOVAL OF ADVERSE INFORMATION FOR CERTAIN PRIVATE EDUCATION LOAN BORROWERS.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 405, is further amended by inserting after section 605D the following new section:

''§ 605E. Credit rehabilitation for distressed private education loan borrowers.

''(a) IN GENERAL.—A consumer reporting agency may not furnish any consumer report containing any adverse item of information relating to a delinquent or defaulted private education loan of a borrower if the borrower has rehabilitated the borrower's credit with respect to such loan by making 9 on-time monthly payments (in accordance with the terms and conditions of the borrower's original loan agreement or any other repayment agreement that antedates the original agreement) during a period of 10 consecutive months on such loan after the date on which the delinquency or default occurred.

''(b) INTERRUPTION OF 10–MONTH PERIOD FOR CERTAIN CONSUMERS.—

''(1) PERMISSIBLE INTERRUPTION OF THE 10-MONTH PERIOD.—A borrower may stop making consecutive monthly payments and be granted a grace period after which the 10-month period described in subsection (a) shall resume. Such grace period shall be provided under the following circumstances:

''(A) With respect to a borrower who is a member of the Armed Forces entitled to incentive pay for the performance of hazardous duty under section 301 of title 37, United States Code, hazardous duty pay under section 351 of such title, or other assignment or special duty pay under section 352 of such title, the grace period shall begin on the date on which the borrower begins such assignment or duty and end on the date that is 6 months after the completion of such assignment or duty.

''(B) With respect to a borrower who resides in an area affected by a major disaster or emergency declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the grace period shall begin on the date on which the major disaster or emergency was declared and end on the date that is 3 months after such date.

''(2) OTHER CIRCUMSTANCES.—

''(A) IN GENERAL.—The Bureau may allow a borrower demonstrating hardship to stop making consecutive monthly payments and be granted a grace period after which the 10-month period described in subsection (a) shall resume.

''(B) BORROWER DEMONSTRATING HARDSHIP DEFINED.—In this paragraph, the term 'borrower demonstrating hardship' means a borrower or a class of borrowers who, as determined by the Bureau, is facing or has experienced unusual extenuating life circumstances or events that result in severe financial or personal barriers such that the borrower or class of borrowers does not have the capacity to comply with the requirements of subsection (a).

''(c) PROCEDURES.—The Bureau shall establish procedures to implement the credit rehabilitation described in this section, including—

''(1) the manner, content, and form for requesting credit rehabilitation;

''(2) the method for validating that the borrower is satisfying the requirements of subsection (a);

''(3) the manner, content, and form for notifying the private educational loan holder of—

''(A) the borrower's participation in credit rehabilitation under subsection (a);

''(B) the requirements described in subsection (d); and

''(C) the restrictions described in subsection (f);

''(4) the manner, content, and form for notifying a consumer reporting agency of—

''(A) the borrower's participation in credit rehabilitation under subsection (a); and

''(B) the requirements described in subsection (d);

''(5) the method for verifying whether a borrower qualifies for the grace period described in subsection (b);

''(6) the manner, content, and form of notifying a consumer reporting agency and private educational loan holder that a borrower was granted a grace period.

''(d) STANDARDIZED REPORTING CODES.—A consumer reporting agency shall develop standardized reporting codes for use by any private educational loan holder to identify and report a borrower's status of making and completing 9 on-time monthly payments during a period of 10 consecutive months on a delinquent or defaulted private education loan, including codes specifying the grace period described in subsection (b) and any agreement to modify monthly payments. Such codes shall not appear on any report provided to a third party, and shall be removed from the consumer's credit report upon the consumer's completion of the rehabilitation period under this section.

''(e) ELIMINATION OF BARRIERS TO CREDIT REHABILITATION.—A consumer report in which a private educational loan holder furnishes the standardized reporting codes described in subsection (d) to a consumer reporting agency, or in which a consumer reporting agency includes such codes, shall be deemed to comply with the requirements for accuracy and completeness under sections 607(b), 623(a)(1), and 632.

''(f) PROHIBITION ON CIVIL ACTIONS FOR CONSUMERS PURSUING REHABILITATION.—A private educational loan holder may not commence or proceed with any civil action against a borrower with respect to a delinquent or defaulted loan during the period of rehabilitation if the private educational loan holder has been notified, in accordance with the procedures established by the Bureau pursuant to subsection (c)—

''(1) of such borrower's intent to participate in rehabilitation;

''(2) that such borrower has satisfied the requirements under subsection (a); or

''(3) that such borrower was granted a grace period.

''(g) IMPACT ON STATUTE OF LIMITATIONS FOR PRIOR DEBT.—Payments by a borrower on a private education loan that are made during and after a period of rehabilitation under this section shall have no effect on the statute of limitations with respect to payments that were due on such private education loan before the beginning of the period of rehabilitation.

''(h) PAYMENT PLANS.—If a private educational loan holder enters into a payment plan with a borrower on a private education loan during a period of rehabilitation, such payment plan shall be reasonable and affordable, as determined by the Bureau.

''(i) RULES OF CONSTRUCTION.—

''(1) APPLICATION TO SUBSEQUENT DEFAULT OR DELINQUENCY.—A borrower who satisfies the requirements under subsection (a) shall be eligible for additional credit rehabilitation described in subsection (a) with respect to any subsequent default or delinquency of the borrower on the rehabilitated private education loan.

''(2) INTERRUPTION OF CONSECUTIVE PAYMENT PERIOD REQUIREMENT.—The grace period described in subsection (b)(1)(A) shall not apply if any regulation promulgated under section 987 of title 10, United States Code (commonly known as the Military Lending Act), or the Servicemembers Civil Relief Act (50 U.S.C. App. 501 et seq.) allows for a grace period or other interruption of the 10-month period described in subsection (a) and such grace period or other interruption is longer than the period described in subsection (b)(1)(A) or otherwise provides greater protection or benefit to the borrower who is a member of the Armed Forces.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Fair Credit Reporting Act, as amended by section 405, is further amended by inserting after the item relating to section 605D the following new item:

''605E. Credit rehabilitation for distressed private education loan borrowers who demonstrate a history of loan repayment.''.

(c) CONFORMING AMENDMENT.—Section 623(a)(1) of the Fair Credit Reporting Act (15 U.S.C. 1681s-2(a)(1)) is amended by striking subparagraph (E).

SEC. 302. PRIVATE EDUCATION LOAN DEFINITIONS.

Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a), as amended by section 201(a), is further amended by adding at the end the following new subsection:

''(cc) PRIVATE EDUCATION LOAN DEFINITIONS.—The terms 'private education loan' and 'private educational lender' have the meanings given such terms, respectively, in section 140(a) of the Truth in Lending Act.''.

TITLE IV—CREDIT RESTORATION FOR VICTIMS OF PREDATORY ACTIVITIES AND UNFAIR CONSUMER REPORTING PRACTICES

SEC. 401. ADVERSE CREDIT INFORMATION.

(a) IN GENERAL.—Section 605 of the Fair Credit Reporting Act (15 U.S.C. 1681c), as amended by sections 107, 109, and 201, is further amended—

(1) in subsection (a)—

(A) by striking ''Except as authorized under subsection (b), no'' and inserting ''No'';

(B) in paragraph (1), by striking ''10 years'' and inserting ''7 years'';

(C) in paragraph (2), by striking ''Civil suits, civil judgments, and records'' and inserting ''Records'';

(D) in paragraph (3), by striking ''seven years'' and inserting ''4 years'';

(E) in paragraph (4), by striking ''seven years'' and inserting ''4 years'';

(F) in paragraph (5)—

(i) by striking '', other than records of convictions of crimes''; and

(ii) by striking ''seven years'' and inserting ''4 years''; and

(G) by adding at the end the following new paragraphs:

''(9) Civil suits and civil judgments (except as provided in paragraph (8)) that, from date of entry, antedate the report by more than 4 years

or until the governing statute of limitations has expired, whichever is the longer period.

''(10) A civil suit or civil judgment—

''(A) brought by a private education loan holder that, from the date of successful completion of credit restoration or rehabilitation in accordance with the requirements of section 605D or 605E, antedates the report by 45 calendar days; or

''(B) brought by a lender with respect to a covered residential mortgage loan (as defined in section 605C(b)) that antedates the report by 45 calendar days.

''(11) Records of convictions of crimes which antedate the report by more than 7 years.

''(12) Any other adverse item of information relating to the collection of debt that did not arise from a contract or an agreement to pay by a consumer, including fines, tickets, and other assessments, as determined by the Bureau, excluding tax liability.'';

(2) by striking subsection (b) and redesignating subsections (c) through (h) as subsections (b) through (g), respectively; and

(3) in subsection (b) (as so redesignated), by striking ''7-year period referred to in paragraphs (4) and (6)'' and inserting ''4-year period referred to in paragraphs (4) and (5)''.

(b) CONFORMING AMENDMENTS.—The Fair Credit Reporting Act (15 U.S.C. 1681) is amended—

(1) in section 616(e) (as redesignated by section 110(a)(1)(B)), by striking ''section 605(g)'' each place that term appears and inserting ''section 605(f)''; and

(2) in section 625(b)(5)(A), by striking ''section 605(g)'' and inserting ''section 605(f)''.

SEC. 402. EXPEDITED REMOVAL OF FULLY PAID OR SETTLED DEBT FROM CONSUMER REPORTS.

Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as amended by section 401, is further amended by adding at the end the following new paragraph:

''(13) Any other adverse item of information related to a fully paid or settled debt that had been characterized as delinquent, charged off, or in collection which, from the date of payment or settlement, antedates the report by more than 45 calendar days.''.

SEC. 403. MEDICAL DEBT COLLECTIONS.

(a) REMOVAL OF FULLY PAID OR SETTLED MEDICAL DEBT FROM CONSUMER REPORTS.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as amended by section 402, is further amended by adding at the end the following new paragraph:

''(14) Any other adverse item of information related to a fully paid or settled debt arising from the receipt of medical services, products, or devices that had been characterized as delinquent, charged off, or in collection which, from the date of payment or settlement, antedates the report by more than 45 calendar days.''.

(b) ESTABLISHING AN EXTENDED TIME PERIOD BEFORE CERTAIN MEDICAL DEBT INFORMATION MAY BE REPORTED.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as amended by subsection (a), is further amended by adding at the end the following new paragraph:

''(15) Any information related to a debt arising from the receipt of medical services, products, or devices, if the date on which such debt was placed for collection, charged to profit or loss, or subjected to any similar action antedates the report by less than 365 calendar days.''.

(c) PROHIBITION ON REPORTING MEDICALLY NECESSARY PROCEDURES.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as amended by subsection (b), is further amended by adding at the end the following new paragraph:

''(16) Any information related to a debt arising from a medically necessary procedure.''.

(d) MEDICALLY NECESSARY PROCEDURE DEFINED.—Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a), as amended by section 901, is further amended by adding at the end the following:

(ee) MEDICALLY NECESSARY PROCEDURE.—The term 'medically necessary procedure' means—

''(1) health care services or supplies needed to diagnose or treat an illness, injury, condition, disease, or its symptoms and that meet accepted standards of medicine; and

''(2) health care to prevent illness or detect illness at an early stage, when treatment is likely to work best (including preventive services such as pap tests, flu shots, and screening mammograms).''.

(e) TECHNICAL AMENDMENT.—Section 604(g)(1)(C) of the Fair Credit Reporting Act (15 U.S.C. 1681b(g)(1)(C)) is further amended by striking ''devises'' and inserting ''devices''.

SEC. 404. CREDIT RESTORATION FOR VICTIMS OF PREDATORY MORTGAGE LENDING AND SERVICING.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by inserting after section 605B the following new section:

''§ 605C. Credit restoration for victims of predatory mortgage lending

''(a) IN GENERAL.—A consumer reporting agency may not furnish any consumer report containing any adverse item of information relating to a covered residential mortgage loan (including the origination and servicing of such a loan, any loss mitigation activities related to such a loan, and any foreclosure, deed in lieu of foreclosure, or short sale related to such a loan), if the action or inaction to which the item of information relates—

''(1) resulted from an unfair, deceptive, or abusive act or practice, or a fraudulent, discriminatory, or illegal activity of a financial institution, as determined by the Bureau or a court of competent jurisdiction; or

''(2) is related to an unfair, deceptive, or abusive act, practice, or a fraudulent, discriminatory, or illegal activity of a financial institution that is the subject of a settlement agreement initiated on behalf of a consumer or consumers and that is between the financial institution and an agency or department of a local, State, or Federal Government, regardless of whether such settlement includes an admission of wrongdoing.

''(b) COVERED RESIDENTIAL MORTGAGE LOAN DEFINED.—In this section, the term 'covered residential mortgage loan' means any loan primarily for personal, family, or household use that is secured by a mortgage, deed of trust, or other equivalent consensual security interest on a dwelling (as defined in section 103(w) of the Truth in Lending Act), including a loan in which the proceeds will be used for—

''(1) a manufactured home (as defined in section 603 of the Housing and Community Development Act of 1974);

''(2) any installment sales contract, land contract, or contract for deed on a residential property; or

''(3) a reverse mortgage transaction (as defined in section 103 of the Truth in Lending Act).''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Fair Credit Reporting Act is amended by inserting after the item relating to section 605B the following new item:

''605C. Credit restoration for victims of predatory mortgage lending.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect at the end of the 18-month period beginning on the date of the enactment of this Act.

SEC. 405. CREDIT RESTORATION FOR CERTAIN PRIVATE EDUCATION LOANS BORROWERS.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 404, is further amended by inserting after section 605C the following new section:

''§ 605D. Credit restoration for certain private education loans borrowers

''(a) PROCESS FOR CERTIFICATION AS A QUALIFYING PRIVATE EDUCATION LOAN BORROWER.—

''(1) IN GENERAL.—A consumer may submit a request to the Bureau, along with a defraudment claim, to be certified as a qualifying private education loan borrower with respect to a private education loan.

''(2) CERTIFICATION.—The Bureau shall certify a consumer described in paragraph (1) as a qualifying private education loan borrower with respect to a private education loan if the Bureau or a court of competent jurisdiction determines that the consumer has a valid defraudment claim with respect to such loan.

''(b) REMOVAL OF ADVERSE INFORMATION.—Upon receipt of a notice described in subsection (d)(5), a consumer reporting agency shall remove any adverse information relating to any private education loan with respect to which a consumer is a qualifying private education loan borrower from any consumer report within 45 calendar days of receipt of such notification.

''(c) DISCLOSURE.—The Bureau shall disclose the results of a certification determination in writing to the consumer that provides a clear and concise explanation of the basis for the determination of whether such consumer is a qualifying private education loan borrower with respect to a private education loan and, as applicable, an explanation of the consumer's right to have adverse information relating to such loan removed from their consumer report by a consumer reporting agency.

''(d) PROCEDURES.—The Bureau shall—

''(1) establish procedures for a consumer to submit a request described in subsection (a);

''(2) establish procedures to efficiently review, accept, and process such a request;

''(3) develop ongoing outreach initiatives and education programs to inform consumers of the circumstances under which such consumer may be eligible to be certified as a qualifying private education loan borrower with respect to a private education loan;

''(4) establish procedures, including the manner, form, and content of the notice informing a private educational loan holder of the prohibition on reporting any adverse information relating to a private education loan with respect to which a consumer is a qualifying private education loan borrower; and

''(5) establish procedures, including the manner, form, and content of the notice informing a consumer reporting agency of the obligation to remove any adverse information as described in subsection (c).

''(e) STANDARDIZED REPORTING CODES.—A consumer reporting agency shall develop standardized reporting codes for use by private education loan holders to identify and report a qualifying private education loan borrower's status of a request to remove any adverse information relating to any private education loan with respect to which such consumer is a qualifying private education loan borrower. A consumer report in which a person furnishes such codes shall be deemed to comply with the requirements for accuracy and completeness required under sections 607(b), 623(a)(1), and 632. Such codes shall not appear on any report provided to a third party, and shall be removed from the consumer's credit report upon the successful restoration of the consumer's credit under this section.

''(f) DEFRAUDMENT CLAIM DEFINED.—For purposes of this section, the term 'defraudment claim' means a claim made with respect to a consumer who is a borrower of a private education loan with respect to a proprietary educational institution or career education program in which the consumer alleges that—

''(1) the proprietary educational institution or career education program—

''(A) engaged in an unfair, deceptive, or abusive act or practice, or a fraudulent, discriminatory, or illegal activity—

''(i) as defined by State law of the State in which the proprietary educational institution or career education program is headquartered or maintains or maintained significant operations; or

''(ii) under Federal law;

''(B) is the subject of an enforcement order, a settlement agreement, a memorandum of understanding, a suspension of tuition assistance, or any other action relating to an unfair, deceptive, or abusive act or practice that is between the proprietary educational institution or career education program and an agency or department of a local, State, or Federal Government; or

''(C) misrepresented facts to students or accrediting agencies or associations about graduation or gainful employment rates in recognized occupations or failed to provide the coursework necessary for students to successfully obtain a professional certification or degree from the proprietary educational institution or career education program; or

''(2) the consumer has submitted a valid defense to repayment claim with respect to such loan, as determined by the Secretary of Education.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Fair Credit Reporting Act, as amended by section 404, is further amended by inserting after the item relating to section 605C the following new item:

''605D. Credit restoration for certain private education loans borrowers.''.

SEC. 406. FINANCIAL ABUSE PREVENTION.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 301, is further amended by inserting after section 605E the following new section:

''§ 605F. Financial abuse prevention

''For a consumer who is the victim of intentionally abusive or harmful financial behavior, as determined by a court of competent jurisdiction including a family court, juvenile court, or other court with personal jurisdiction, that was conducted by a spouse, family or household member, caregiver, or person with whom such consumer had a dating relationship in a manner which resulted in the inclusion of an adverse item of information on the consumer report of the consumer, and the consumer did not participate in or consent to such behavior, the consumer may apply to a court of competent jurisdiction, including a family court, juvenile court, or other court with personal jurisdiction, for an order to require the removal of such adverse information from the consumer's file maintained by any consumer reporting agency.''.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Fair Credit Reporting Act, as amended by section 301, is further amended by inserting after the item relating to section 605E the following new item:

''605F. Financial abuse prevention.''.

SEC. 407. PROHIBITION OF CERTAIN FACTORS RELATED TO FEDERAL CREDIT RESTORATION OR REHABILITATION.

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 502, is further amended—

(1) by adding at the end the following new section:

''§ 632. Prohibition of certain factors related to Federal credit restoration or rehabilitation

''(a) RESTRICTION ON CREDIT SCORING MODELS.—A credit scoring model may not—

''(1) take into consideration, in a manner adverse to a consumer's credit score or educational credit score, any information in a consumer report concerning the consumer's participation in credit restoration or rehabilitation under section 605C, 605D, or 605E; or

''(2) treat negatively, in a manner adverse to a consumer's credit score or educational credit score, the absence of payment history data for an existing account, whether the account is open or closed, where the absence of such information is the result of a consumer's participation in credit restoration or rehabilitation under section 605C, 605D, or 605E.

''(b) RESTRICTION ON PERSONS OBTAINING CONSUMER REPORTS.—A person who obtains a consumer report may not—

''(1) take into consideration, in a manner adverse to a consumer, any information in a consumer report concerning the consumer's participation in credit restoration or rehabilitation under section 605C, 605D, or 605E; or

''(2) treat negatively the absence of payment history data for an existing account, whether the account is open or closed, where the absence of such information is the result of a consumer's participation in credit restoration or rehabilitation under section 605C, 605D, or 605E.

''(c) ACCURACY AND COMPLETENESS.—If a person who furnishes information to a consumer reporting agency requests the removal of information from a consumer report or a consumer reporting agency removes information from a consumer report in compliance with the requirements under section 605C, 605D, or 605E, or such information was removed pursuant at section 605(a)(11), such report shall be deemed to satisfy the requirements for accuracy and completeness with respect to such information.

''(d) PROHIBITION RELATED TO ADVERSE ACTIONS AND RISK-BASED PRICING DECISIONS.—No person shall use information related to a consumer's participation in credit restoration or rehabilitation under section 605C, 605D, or 605E in connection with any determination of—

''(1) the consumer's eligibility or continued eligibility for an extension of credit;

''(2) the terms and conditions offered to a consumer regarding an extension of credit; or

''(3) an adverse action made for employment purposes.''; and

(2) in the table of contents for such Act, by inserting after the item relating to section 631 the following new item:

''632. Prohibition of certain factors related to Federal credit restoration or rehabilitation.''.

TITLE V—CLARITY IN CREDIT SCORE FORMATION

SEC. 501. CONSUMER BUREAU STUDY AND REPORT TO CONGRESS ON THE IMPACT OF NON-TRADITIONAL DATA.

(a) STUDY.—The Bureau of Consumer Financial Protection shall carry out a study to assess the impact (including the availability and affordability of credit and other noncredit decisions, the potential positive and negative impacts on consumer credit scores, and any unintended consequences) of using traditional modeling techniques or alternative modeling techniques to analyze non-traditional data from a consumer report and of including non-traditional data on consumer reports on the following:

(1) Consumers with no or minimal traditional credit history.

(2) Traditionally underserved communities and populations.

(3) Consumers residing in rural areas.

(4) Consumers residing in urban areas.

(5) Racial and ethnic minorities and women.

(6) Consumers across various income strata, particularly consumers earning less than 120 percent of the area median income (as defined by the Secretary of Housing and Urban Development).

(7) Immigrants, refugees, and non-permanent residents.

(8) Minority financial institutions (as defined under section 308(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (12 U.S.C. 1463 note)) and community financial institutions.

(9) Consumers residing in federally assisted housing, including consumers receiving Federal rental subsidies.

(b) ADDITIONAL CONSIDERATIONS.—In assessing impacts under subsection (a), the Bureau of Consumer Financial Protection shall also consider impacts on—

(1) the privacy, security, and confidentiality of the financial, medical, and personally identifiable information of consumers;

(2) the control of consumers over how such information may or will be used or considered;

(3) the understanding of consumers of how such information may be used or considered and the ease with which a consumer may decide to restrict or prohibit such use or consideration of such information;

(4) potential discriminatory effects; and

(5) disparate outcomes the use or consideration of such information may cause.

(c) CONSIDERATION OF RECENT GOVERNMENT STUDIES.—In assessing impacts under subsection (a), the Bureau of Consumer Financial Protection shall also consider recent Government studies on alternative data, including—

(1) the report of the Bureau of Consumer Financial Protection titled ''CFPB Data Point: Becoming Credit Visible'' (published June 2017); and

(2) the report of the Comptroller General of the United States titled ''Financial Technology: Agencies Should Provide Clarification on Lenders' Use of Alternative Data'' (published December 2018).

(d) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Bureau of Consumer Financial Protection shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing all findings and determinations, including any recommendations for any legislative or regulatory changes, made in carrying out the study required under subsection (a).

(e) DEFINITIONS.—In this section:

(1) ALTERNATIVE MODELING TECHNIQUES.—The term ''alternative modeling techniques'' means statistical and mathematical techniques that are not traditional modeling techniques, including decision trees, random forests, artificial neutral networks, nearest neighbor, genetic programming, and boosting algorithms.

(2) CONSUMER REPORT.—The term ''consumer report'' has the meaning given such term in section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a).

(3) NON-TRADITIONAL DATA.—The term ''non-traditional data'' means data related to telecommunications, utility payments, rent payments, remittances, wire transfers, data not otherwise regularly included in consumer reports issued by consumer reporting agencies described under section 603(p), and such other items as the Bureau of Consumer Financial Protection deems appropriate.

(4) TRADITIONAL MODELING TECHNIQUES.—The term ''traditional modeling techniques'' means statistical and mathematical techniques (including models, algorithms, linear and logistic regression methods, and their outputs) that are traditionally used in automated underwriting processes.

SEC. 502. CONSUMER BUREAU OVERSIGHT OF CREDIT SCORING MODELS.

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 701, is further amended—

(1) by adding at the end the following new section:

''§ 631. Credit scoring models

''(a) VALIDATED CREDIT SCORING MODELS.—Not later than 1 year after the date of the enactment of this section, the Bureau shall (in consultation with the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Board of Directors of the Federal Deposit Insurance Corporation, and the National Credit Union Administration Board) issue final regulations applicable to any person that

creates, maintains, utilizes, or purchases credit scoring models used in making credit decisions to establish standards for validating the accuracy and predictive value of all such credit scoring models, both before release for initial use and at regular intervals thereafter, for as long as such credit scoring models are made available for purchase or use by such person.

''(b) PROHIBITION.—At least once every 2 years, the Bureau shall conduct a review of credit scoring models to determine whether the use of any particular factors, or the weight or consideration given to certain factors by credit scoring models, is inappropriate, including if such factors do not enhance or contribute to the accuracy and predictive value of the models. Upon the conclusion of its review, the Bureau may prohibit a person described in subsection (a) from weighing, considering, or including certain factors in, or making available for purchase or use, certain credit scoring models or versions, as the Bureau determines appropriate.''; and

(2) in the table of contents for such Act, as amended by section 701, by adding after the item relating to section 630 the following new item:

''631. Credit scoring models.''.

TITLE VI—RESTRICTIONS ON CREDIT CHECKS FOR EMPLOYMENT DECISIONS

SEC. 601. PROHIBITION ON THE USE OF CREDIT INFORMATION FOR MOST EMPLOYMENT DECISIONS.

(a) IN GENERAL.—Section 604 of the Fair Credit Reporting Act (15 U.S.C. 1681b) is amended—

(1) in subsection (a)(3)(B), by inserting '', subject to the requirements of subsection (b)'' after ''purposes''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by amending the paragraph heading to read as follows: ''USE OF CONSUMER REPORTS FOR EMPLOYMENT PURPOSES'';

(ii) in subparagraph (A), by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively (and conforming the margins accordingly);

(iii) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively (and conforming the margins accordingly);

(iv) by striking the period at the end of clause (ii) (as so redesignated) and inserting ''; and'';

(v) by striking ''agency may furnish'' and inserting ''agency—

''(A) may furnish''; and

(vi) by adding at the end the following new subparagraph:

''(B) except as provided in paragraph (5), may not furnish a consumer report for employment purposes with respect to any consumer in which any information contained in the report bears on the consumer's creditworthiness, credit standing, or credit capacity.''; and

(B) by adding at the end the following new paragraphs:

''(5) REQUIREMENTS FOR CONSUMER REPORTS BEARING ON THE CONSUMER'S CREDITWORTHINESS, CREDIT STANDING, OR CREDIT CAPACITY.—

''(A) IN GENERAL.—A person may use a consumer report for employment purposes with respect to any consumer in which any information contained in the report bears on the consumer's creditworthiness, credit standing, or credit capacity only if—

''(i) either—

''(I) the person is required to obtain the report by a Federal, State, or local law or regulation; or

''(II) the information contained in the report is being used with respect to a national security investigation (as defined in paragraph (4)(D));

''(ii) none of the cost associated with obtaining the consumer report will be passed on to the consumer to whom the report relates; and

''(iii) the information contained in the consumer report will not be disclosed to any other person other than—

''(I) in an aggregate format that protects a consumer's personally identifiable information; or

''(II) as may be necessary to comply with any applicable Federal, State, or local equal employment opportunity law or regulation.

''(B) DISCLOSURES.—A person who procures, or causes to be procured, a consumer report described in subparagraph (A) for employment purposes shall, in the disclosure made pursuant to paragraph (2), include—

''(i) an explanation that a consumer report is being obtained for employment purposes;

''(ii) the reasons for obtaining such a report; and

''(iii) the citation to the applicable Federal, State, or local law or regulation described in subparagraph (A)(i)(I).

''(C) ADVERSE ACTIONS.—In using a consumer report described in subparagraph (A) for employment purposes and before taking an adverse action based in whole or in part on the report, the person intending to take such adverse action shall, in addition to the information described in paragraph (3), provide to the consumer to whom the report relates—

''(i) the name, address, and telephone number of the consumer reporting agency that furnished the report (including, for a consumer reporting agency that compiles and maintains files on consumers on a nationwide basis, a toll-free telephone number established by such agency);

''(ii) the date on which the report was furnished; and

''(iii) the specific factors from the report upon which the adverse action (as defined in section 603(k)(1)(B)(ii)) was based.

''(D) NATIONAL SECURITY INVESTIGATIONS.—The requirements of paragraph (4) shall apply to a consumer report described under subparagraph (A).

''(E) NON-CIRCUMVENTION.—With respect to a consumer report in which any information contained in the report bears on the consumer's creditworthiness, credit standing, or credit capacity, if a person is prohibited from using the consumer report pursuant to subparagraph (A), such person may not, directly or indirectly, either orally or in writing, require, request, suggest, or cause any employee or prospective employee to submit such information to the person as a condition of employment.

''(F) NON-WAIVER.—A consumer may not waive the requirements of this paragraph with respect to a consumer report.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a consumer reporting agency to prevent a Federal, State, or local law enforcement agency from accessing information in a consumer report to which the law enforcement agency could otherwise obtain access.''.

(b) TECHNICAL AMENDMENT.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by striking ''section 604(b)(4)(E)(i)'' each place such term appears and inserting ''section 604(b)(4)(D)(i)''.

(c) RULE OF CONSTRUCTION.—The amendments made by this Act may not be construed as limiting the ability of a person to use non-financial or non-credit related consumer report information.

TITLE VII—PROHIBITION ON MISLEADING AND UNFAIR CONSUMER REPORTING PRACTICES

SEC. 701. PROHIBITION ON AUTOMATIC RENEWALS FOR PROMOTIONAL CONSUMER REPORTING AND CREDIT SCORING PRODUCTS AND SERVICES.

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended—

(1) by adding at the end the following new section:

''§ 630. Promotional periods

''(a) TERMINATION NOTICE.—With respect to any product or service related to a consumer report or a credit score that is provided to a consumer under promotional terms, the seller or provider of such product or service shall provide clear and conspicuous notice to the consumer within a reasonable period of time before the promotional period ends.

''(b) OPT-IN.—With respect to any such product or service, the seller or provider may not continue to sell or provide such product or service to the consumer after the end of the promotional period unless the consumer specifically agrees at the end of the promotional period to continue receiving the product or service.''; and

(2) in the table of contents for such Act, by inserting after the item relating to section 629 the following new item:

''630. Promotional periods.''.

SEC. 702. PROHIBITION ON MISLEADING AND DECEPTIVE MARKETING RELATED TO THE PROVISION OF CONSUMER REPORTING AND CREDIT SCORING PRODUCTS AND SERVICES.

Section 609 of the Fair Credit Reporting Act (15 U.S.C. 1681g), as amended by section 206, is further amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''request, except'' and all that follows through ''consumer to whom'' and inserting ''request, unless the consumer to whom'';

(ii) by striking ''disclosure; and'' and inserting ''disclosure.''; and

(iii) by striking subparagraph (B); and

(B) in paragraph (6), by inserting ''or educational credit score (if applicable) under subsection (f) or section 612'' before the period at the end; and

(2) by adding at the end the following new subsection:

''(j) DISCLOSURES ON PRODUCTS AND SERVICES.—The Bureau, in consultation with the Federal Trade Commission, shall issue regulations within 18 months of the date of the enactment of this subsection requiring each consumer reporting agency and reseller to clearly and conspicuously disclose all material terms and conditions, including any fee and pricing information associated with any products or services offered, advertised, marketed, or sold to consumers by the agency or reseller. Such disclosures shall be made in all forms of communication to consumers and displayed prominently on the agency or reseller's website and all other locations where products or services are offered, advertised, marketed, or sold to consumers.''.

SEC. 703. PROHIBITION ON EXCESSIVE DIRECT-TO-CONSUMER SALES.

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 407, is further amended—

(1) by adding after section 632 the following new section:

''§ 633. Fair and reasonable fees for products and services

''The Bureau may, with respect to any product or service offered by a consumer reporting agency to a consumer, set a fair and reasonable maximum fee that may be charged for such product or service, except where such maximum fee is otherwise provided under this title.''; and

(2) in the table of contents for such Act, by adding at the end the following new item:

''633. Fair and reasonable fees for products and services.''.

SEC. 704. FAIR ACCESS TO CONSUMER REPORTING AND CREDIT SCORING DISCLOSURES FOR NONNATIVE ENGLISH SPEAKERS AND THE VISUALLY AND HEARING IMPAIRED.

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 903, is further amended—

(1) by adding at the end the following new section:

''§ 635. Fair access to information for nonnative English speakers and the visually and hearing impaired

''(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this section, the Bureau shall issue a rule to require consumer reporting agencies and persons who furnish information to consumer reporting agencies

under this title, to the maximum extent reasonably practicable—

''(1) to provide any information, disclosures, or other communication with consumers—

''(A) in each of the 10 most commonly spoken languages, other than English, in the United States, as determined by the Bureau of the Census on an ongoing basis; and

''(B) in formats accessible to individuals with hearing or vision impairments; and

''(2) to ensure that—

''(A) customer service representatives, including employees assigned to handle disputes or appeals under sections 611 and 623, who are available to assist consumers are highly familiar with the requirements of this title;

''(B) such representatives are available during regular business hours and outside of regular business hours, including evenings and weekends; and

''(C) at least one among such representatives is fluent in each of the 10 most commonly spoken languages, other than English, in the United States, as determined by the Bureau of the Census on an ongoing basis.

''(b) BUREAU CONSULTATION.—The Bureau shall consult with advocates for civil rights, consumer groups, community groups, and organizations that serve traditionally underserved communities and populations in issuing the rule described in subsection (a).''; and

(2) in the table of contents for such Act, by adding at the end the following new item:

''635. Fair access to information for nonnative English speakers and the visually and hearing impaired.''.

SEC. 705. COMPARISON SHOPPING FOR LOANS WITHOUT HARM TO CREDIT STANDING.

Section 605 of the Fair Credit Reporting Act (15 U.S.C. 1681c), as amended by section 401, is further amended by adding at the end the following new subsection:

''(h) ENCOURAGING COMPARISON SHOPPING FOR LOANS.—

''(1) IN GENERAL.—With respect to multiple enquiries of the same type made to a consumer reporting agency for a consumer report or credit score with respect to a consumer, any credit scoring model shall treat such enquiries as a single enquiry if the enquiries are made within a 120-day period.

''(2) DEFINITION OF ENQUIRIES OF THE SAME TYPE.—With respect to multiple enquiries made to a consumer reporting agency for a consumer report or credit score with respect to a consumer, such enquiries are 'of the same type' if the consumer reporting agency has reason to believe that the enquiries are all made for the purpose of determining the consumer's creditworthiness for an extension of credit described in one of the following:

''(A) A covered residential mortgage loan (as defined in section 605C).

''(B) A motor vehicle loan or lease (as described in section 609(i)).

''(C) A private education loan.

''(D) Any other consumer financial product or service, as determined by the Bureau.''.

SEC. 706. NATIONWIDE CONSUMER REPORTING AGENCIES REGISTRY.

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 704, is further amended—

(1) by adding at the end the following new section:

''§ 636. Nationwide consumer reporting agencies registry

''(a) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Bureau shall establish and maintain a publicly accessible registry of consumer reporting agencies described in subsection (p) or (x) of section 603 (and any other agencies the Bureau determines provide similar services to such consumer reporting agencies) that includes current contact information of each such agency, including the Internet website address of the Internet website described under section 611(h), and information on how consumers can obtain their consumer report, credit scores, or educational credit scores (as applicable) by toll-free telephone, postal mail, or electronic means.

''(b) REGISTRY REQUIREMENTS.—The registry described in subsection (a) shall—

''(1) identify the largest agencies and the markets and demographics covered by such agencies; and

''(2) disclose, with respect to each agency, whether the agency is subject to the supervisory authority of the Bureau under this title.

''(c) INFORMATION UPDATES.—Each agency described under subsection (a) shall submit to the Bureau contact information for the registry, including any updates to such information. The Bureau shall—

''(1) independently verify information submitted by each agency; and

''(2) update the registry not less frequently than annually.''; and

(2) in the table of contents for such Act by adding at the end the following new item:

''636. Nationwide consumer reporting agencies registry.''.

SEC. 707. PROTECTION FOR CERTAIN CONSUMERS AFFECTED BY A SHUTDOWN.

(A) DEFINITION OF EMPLOYEE AFFECTED BY A SHUTDOWN.—Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a), as amended by section 901, is further amended by adding at the end the following:

''(ee) EMPLOYEE AFFECTED BY A SHUTDOWN.—With respect to a shutdown, the term 'employee affected by a shutdown' means a consumer who—

''(1) is an employee of—

''(A) the Federal Government, and who is furloughed or excepted from a furlough during the shutdown;

''(B) the District of Columbia, and who is furloughed or excepted from a furlough during the shutdown;

''(C) the District of Columbia Courts, and who is furloughed or excepted from a furlough during the shutdown;

''(D) the Public Defender Service for the District of Columbia, and who is furloughed or excepted from a furlough during the shutdown; or

''(E) a Federal contractor (as defined under section 710 of title 41, United States Code) or other business, and who has experienced a substantial reduction in pay (directly or indirectly) due to the shutdown; and

(2) who—

''(A) is listed in the database established under section 63; or

''(B) has self-certified pursuant to such section.

''(ff) SHUTDOWN.—The term 'shutdown' means any period in which there is more than a 24-hour lapse in appropriations as a result of a failure to enact a regular appropriations bill or continuing resolution.

(gg) COVERED SHUTDOWN PERIOD.—The term 'covered shutdown period' means, with respect to a shutdown, the period beginning on the first day of the shutdown and ending on the date that is 90 days after the last day of the shutdown.''.

(b) EXCLUSION FOR EMPLOYEES AFFECTED BY A SHUTDOWN.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as amended by section 809, is further amended by adding at the end the following:

''(18) Any adverse item of information with respect to an action or inaction taken during a covered shutdown period by an employee affected by a shutdown.''.

(c) AMENDMENT TO SUMMARY OF RIGHTS FOR EMPLOYEES AFFECTED BY A SHUTDOWN.—Secgtion 609(a) of the Fair Credit Reporting Act (15 U.S.C. 1681g(a)) is amended by adding at the end the following:

''(7) Information on the rights of an employee affected by a shutdown, including which consumers may be an employee affected by a shutdown and the process for a consumer to self-certify as an employee affected by a shutdown under section 637.''.

(d) DATABASE AND SELF-CERTIFICATION FOR EMPLOYEES AFFECTED BY A SHUTDOWN.—

(1) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 706, is further amended by adding at the end the following new section:

''§ 637. Database and self-certification for employees affected by a shutdown

''(a) DATABASE.—

''(1) IN GENERAL.—With respect to each shutdown, the consumer reporting agencies described in section 603(p) shall jointly establish a database that includes employees affected by the shutdown as reported pursuant to paragraph (2).

''(2) CONTENTS OF DATABASE.—

''(A) FURLOUGHED EMPLOYEES AND CONTRACTORS.—Each authority of the executive, legislative, or judicial branch of the Federal Government or District of Columbia shall provide to the consumer reporting agencies described in section 603(p) a list identifying—

''(i) employees of such authority that are furloughed, excepted from furlough, or not receiving pay because of a shutdown; and

''(ii) to the extent practicable, employees of contractors of such authority.

''(B) SELF-CERTIFIED CONSUMERS.—A consumer that self-certifies as an employee affected by a shutdown pursuant to subsection (b) shall be included in the database, unless the Bureau determines such consumer is not an employee affected by a shutdown.

''(3) ACCESS TO DATABASE.—The consumer reporting agencies described in section 603(p) shall make the database established under this subsection available to the Bureau, other consumer reporting agencies, furnishers of information to consumer reporting agencies, and users of consumer reports. A consumer reporting agency described in section 603(x) shall periodically access the database to confirm the accuracy of information such an agency has that identifies a consumer as an employee affected by a shutdown.

''(B) SELF-CERTIFICATION PROCESS.—A consumer shall be deemed to be an employee affected by a shutdown if such consumer self-certifies through—

''(1) the website established under subsection (c); or

''(2) a toll-free telephone number established by a consumer reporting agency.

''(c) WEBSITE.—The consumer reporting agencies described in section 603(p) shall jointly establish a website for a consumer to self-certify as an employee affected by a shutdown. Such website may not include any advertisement or other solicitation.

''(d) OPT-OUT.—The consumer reporting agencies described in section 603(p) shall provided a process through the website described under subsection (c) for consumers to opt-out of having their name included in the database established under this section.''.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents of the Fair Credit Reporting Act, as amended by section 706, if further amended by adding at the end the following new item:

''637. Database and self-certification for employees affected by a shutdown.''.

(e) PROHIBITION ON ADVERSE ACTIONS AGAINST EMPLOYEES AFFECTED BY A SHUTDOWN.—Section 604 of the Fair Credit Reporting Act (15 U.S.C. 1681b) is amended by adding at the end the following:

''(h) PROHIBITION ON ADVERSE ACTIONS AGAINST EMPLOYEES AFFECTED BY A SHUTDOWN.—If a user of a consumer report knows that a consumer is an employee affected by a shutdown, such user may not take an adverse action based on—

''(1) an adverse item of information contained in such report with respect to an action or inaction taken during a covered shutdown period by the employee; or

''(2) information on the consumer included in the database established under section 637.''.

(f) BUREAU REGULATIONS OR GUIDANCE.—Not later than 30 days after the date of the enactment of this Act, the Director of the Bureau of Consumer Financial Protection shall issue rules or guidance, as appropriate, to carry out the requirements of this Act.

TITLE VIII—PROTECTIONS AGAINST IDENTITY THEFT, FRAUD, OR A RELATED CRIME

SEC. 801. IDENTITY THEFT REPORT DEFINITION.

Paragraph (4) of section 603(q) of the Fair Credit Reporting Act (15 U.S.C. 1681a(q)(4)) is amended to read as follows:

''(4) IDENTITY THEFT REPORT.—The term 'identity theft report' has the meaning given that term by rule of the Bureau, and means, at a minimum, a report—

''(A) that is a standardized affidavit that alleges that a consumer has been a victim of identity theft, fraud, or a related crime, or has been harmed by the unauthorized disclosure of the consumer's financial or personally identifiable information, that was developed and made available by the Bureau; or

''(B)(i) that alleges an identity theft, fraud, or a related crime, or alleges harm from the unauthorized disclosure of the consumer's financial or personally identifiable information;

''(ii) that is a copy of an official, valid report filed by a consumer with an appropriate Federal, State, or local law enforcement agency (including the United States Postal Inspection Service), or such other government agency deemed appropriate by the Bureau; and

''(iii) the filing of which subjects the person filing the report to criminal penalties relating to the filing of false information if the information in the report is actually false.''.

(b) RULEMAKING.—Not later than the end of the 2-year period beginning on the date of enactment of this Act, the Director of the Bureau of Consumer Financial Protection shall issue final rules to carry out the amendment made by subsection (a).

SEC. 802. AMENDMENT TO PROTECTION FOR FILES AND CREDIT RECORDS OF PROTECTED CONSUMERS.

(a) AMENDMENT TO DEFINITION OF ''FILE''.—Section 603(g) of the Fair Credit Reporting Act (15 U.S.C. 1681a(g)) is amended by inserting '', except that such term excludes a record created pursuant to section 605A(j)'' after ''stored''.

(b) AMENDMENT TO PROTECTION FOR FILES AND CREDIT RECORDS.—Section 605A(j) of the Fair Credit Reporting Act (15 U.S.C. 1681c–1(j)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)(ii), by striking ''an incapacitated person or a protected person'' and inserting ''a person''; and

(B) by amending subparagraph (E) to read as follows:

''(E) The term 'security freeze'—

''(i) has the meaning given in subsection (i)(1)(C); and

''(ii) with respect to a protected consumer for whom the consumer reporting agency does not have a file, means a record that is subject to a security freeze that a consumer reporting agency is prohibited from disclosing to any person requesting the consumer report for the purpose of opening a new account involving the extension of credit.''; and

(2) in paragraph (4)(D), by striking ''a protected consumer or a protected consumer's representative under subparagraph (A)(i)'' and inserting ''a protected consumer described under subparagraph (A)(ii) or a protected consumer's representative''.

SEC. 803. ENHANCEMENT TO FRAUD ALERT PROTECTIONS.

Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c–1) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''ONE-CALL'' and inserting ''ONE-YEAR'';

(B) in paragraph (1)—

(i) in the paragraph heading, by striking ''INITIAL ALERTS'' and inserting ''IN GENERAL'';

(ii) by inserting ''or has been or is about to be harmed by the unauthorized disclosure of the consumer's financial or personally identifiable information,'' after ''identity theft,'';

(iii) in subparagraph (A)—

(I) by inserting ''(which period may be extended upon request of the consumer or such representative)'' after ''1 year''; and

(II) by striking ''and'' at the end;

(iv) in subparagraph (B)—

(I) by inserting ''1-year'' before ''fraud alert''; and

(II) by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following new subparagraph:

''(C) upon the expiration of the period described in subparagraph (A) or any extension of such period, and in response to a direct request by the consumer or such representative, continue the fraud alert for a period of 1 additional year if the information asserted in this paragraph remains applicable.''; and

(C) in paragraph (2)—

(i) in the paragraph heading, by inserting ''AND CREDIT OR EDUCATIONAL CREDIT SCORES'' after ''REPORTS'';

(ii) by inserting ''1-year'' before ''fraud alert'';

(iii) in subparagraph (A), by inserting ''and credit score or educational credit score'' after ''file''; and

(iv) in subparagraph (B), by striking ''any request described in subparagraph (A)'' and inserting ''the consumer reporting agency includes the 1-year fraud alert in the file of a consumer'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''EXTENDED'' and inserting ''SEVEN-YEAR'';

(B) in paragraph (1)—

(i) in subparagraph (A), by inserting ''(which period may be extended upon request of the consumer or such representative)'' after ''7-year period beginning on the date of such request'';

(ii) in subparagraph (B)—

(I) by striking ''the 5-year period beginning on the date of such request'' and inserting ''such 7-year period (including any extension of such period)''; and

(II) by striking ''and'' at the end;

(iii) in subparagraph (C)—

(I) by striking ''extended'' and inserting ''7-year''; and

(II) by striking the period at the end and inserting ''; and''; and

(iv) by adding at the end the following new subparagraph:

''(D) upon the expiration of such 7-year period or any extension of such period, and in response to a direct request by the consumer or such representative, continue the fraud alert for a period of 7 additional years if the consumer or such representative submits an updated identity theft report.''; and

(C) in paragraph (2)—

(i) in the paragraph heading, by inserting ''AND CREDIT OR EDUCATIONAL CREDIT SCORES'' after ''REPORTS''; and

(ii) by amending subparagraph (A) to read as follows:

''(A) disclose to the consumer that the consumer may request a free copy of the file and credit score or educational credit score of the consumer pursuant to section 612(d) during each 12-month period beginning on the date on which the 7-year fraud alert was included in the file and ending on the date of the last day that the 7-year fraud alert applies to the consumer's file; and'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting ''or educational credit score'' after ''credit score'';

(B) by redesignating paragraphs (1), (2), and (3), as subparagraphs (A), (B), and (C), respectively (and conforming the margins accordingly);

(C) by striking ''Upon the direct request'' and inserting:

''(1) IN GENERAL.—Upon the direct request''; and

(D) by adding at the end the following new paragraph:

''(2) ACCESS TO FREE REPORTS AND CREDIT OR EDUCATIONAL CREDIT SCORES.—If a consumer reporting agency includes an active duty alert in the file of an active duty military consumer, the consumer reporting agency shall—

''(A) disclose to the active duty military consumer that the active duty military consumer may request a free copy of the file and credit score or educational credit score of the active duty military consumer pursuant to section 612(d), during each 12-month period beginning on the date that the activity duty military alert is requested and ending on the date of the last day the active duty alert applies to the file of the active duty military consumer; and

''(B) provide to the active duty military consumer all disclosures required to be made under section 609, without charge to the consumer, not later than 3 business days after any request described in subparagraph (A).'';

(4) by amending subsection (d) to read as follows:

''(d) PROCEDURES.—Each consumer reporting agency described in section 603(p) shall include on the webpage required under subsection (i) policies and procedures to comply with this section, including policies and procedures—

''(1) that inform consumers of the availability of 1-year fraud alerts, 7-year fraud alerts, active duty alerts, and security freezes (as applicable);

''(2) that allow consumers to request 1-year fraud alerts, 7-year fraud alerts, and active duty alerts (as applicable) and to place, temporarily lift, or fully remove a security freeze in a simple and easy manner; and

''(3) for asserting in good faith a suspicion that the consumer has been or is about to become a victim of identity theft, fraud, or a related crime, or harmed by the unauthorized disclosure of the consumer's financial or personally identifiable information, for a consumer seeking a 1-year fraud alert or security freeze.'';

(5) in subsection (e), by inserting ''1-year or 7-year'' before ''fraud alert'';

(6) in subsection (f), by striking ''or active duty alert'' and inserting ''active duty alert, or security freeze (as applicable)'';

(7) in subsection (g)—

(A) by inserting ''or has been harmed by the unauthorized disclosure of the consumer's financial or personally identifiable information, or to inform such agency of the consumer's participation in credit restoration or rehabilitation under section 605C, 605D, or 605E,'' after ''identity theft,''; and

(B) by inserting ''or security freezes'' after ''request alerts'';

(8) in subsection (h)—

(A) in paragraph (1)—

(i) in the paragraph heading, by striking ''INITIAL'' and inserting ''1-YEAR''; and

(ii) by striking ''initial'' and inserting ''1-year'' each place such term appears; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking ''EXTENDED'' and inserting ''7-YEAR''; and

(ii) by striking ''extended'' and inserting ''7-year'' each place such term appears; and

(9) in subsection (i)(4)—

(A) by striking subparagraphs (E) and (I); and

(B) by redesignating subparagraphs (F), (G), (H), and (J) as subparagraphs (E), (F), (G), and (H), respectively.

SEC. 804. AMENDMENT TO SECURITY FREEZES FOR CONSUMER REPORTS.

(a) IN GENERAL.—Section 605A(i) of the Fair Credit Reporting Act (15 U.S.C. 1681c–1(i)) is amended—

(1) by amending the subsection heading to read as follows: ''SECURITY FREEZES FOR CONSUMER REPORTS'';

(2) in paragraph (3)(E), by striking ''Upon receiving'' and all that follows through ''subparagraph (C),'' and inserting ''Upon receiving a direct request from a consumer for a temporary removal of a security freeze, a consumer reporting agency shall'';

(3) by adding at the end the following:

''(7) RELATION TO STATE LAW.—This subsection does not modify or supersede the laws of any State relating to security freezes or other similar actions, except to the extent those laws are inconsistent with any provision of this title, and then only to the extent of the inconsistency. For purposes of this subsection, a term or provision of a State law is not inconsistent with the provisions of this subsection if the term or provision affords greater protection to the consumer than the protection provided under this subsection as determined by the Bureau.''.

(b) AMENDMENT TO WEBPAGE REQUIREMENTS.—Section 605A(i)(6)(A) of the Fair Credit Reporting Act (15 U.S.C. 1681c–1(i)(6)(A)) is amended—

(1) in clause (ii), by striking ''initial fraud alert'' and inserting ''1-year fraud alert'';

(2) in clause (iii), by striking ''extended fraud alert'' and inserting ''7-year fraud alert''; and

(3) in clause (iv), by striking ''fraud''.

(c) AMENDMENT TO EXCEPTIONS FOR CERTAIN PERSONS.—Section 605A(i)(4)(A) of the Fair Credit Reporting Act (15 U.S.C. 1681c–1(i)(4)(A)) is amended to read as follows:

''(A) A person, or the person's subsidiary, affiliate, agent, subcontractor, or assignee with whom the consumer has, or prior to assignment had, an authorized account, contract, or debtor-creditor relationship for the purposes of reviewing the active account or collecting the financial obligation owed on the account, contract, or debt.''.

(e) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 805. CLARIFICATION OF INFORMATION TO BE INCLUDED WITH AGENCY DISCLOSURES.

Section 609(c)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681g(c)(2)) is amended—

(1) in subparagraph (B)—

(A) by striking ''consumer reporting agency described in section 603(p)'' and inserting ''consumer reporting agency described in subsection (p) or (x) of section 603'';

(B) by striking ''the agency'' and inserting ''such an agency''; and

(C) by inserting ''and an Internet website address'' after ''hours''; and

(2) in subparagraph (E), by striking ''outdated under section 605 or'' and inserting ''outdated, required to be removed, or''.

SEC. 806. PROVIDES ACCESS TO FRAUD RECORDS FOR VICTIMS.

Section 609(e) of the Fair Credit Reporting Act (15 U.S.C. 1681g(e)) is amended—

(1) in paragraph (1)—

(A) by striking ''resulting from identity theft'';

(B) by striking ''claim of identity theft'' and inserting ''claim of fraudulent activity''; and

(C) by striking ''any transaction alleged to be a result of identity theft'' and inserting ''any fraudulent transaction'';

(2) in paragraph (2)(B)—

(A) by striking ''identity theft, at the election of the business entity'' and inserting ''fraudulent activity'';

(B) by amending clause (i) to read as follows:

''(i) a copy of an identity theft report; or''; and

(C) by amending clause (ii) to read as follows:

''(ii) an affidavit of fact that is acceptable to the business entity for that purpose.'';

(3) in paragraph (3), by striking ''identity theft'' and inserting ''fraudulent activity'';

(4) by striking paragraph (8) and redesignating paragraphs (9) through (13) as paragraphs (8) through (12), respectively; and

(5) in paragraph (10) (as so redesignated), by striking ''or a similar crime'' and inserting '', fraud, or a related crime''.

SEC. 807. REQUIRED BUREAU TO SET PROCEDURES FOR REPORTING IDENTITY THEFT, FRAUD, AND OTHER RELATED CRIME.

Section 621(f)(2) of the Fair Credit Reporting Act (15 U.S.C. 1681s(f)(2)) is amended—

(1) in the paragraph heading, by striking ''MODEL FORM'' and inserting ''STANDARDIZED AFFIDAVIT'';

(2) by striking ''The Commission'' and inserting ''The Bureau'';

(3) by striking ''model form'' and inserting ''standardized affidavit'';

(4) by inserting after ''identity theft'' the following: '', fraud, or a related crime, or otherwise are harmed by the unauthorized disclosure of the consumer's financial or personally identifiable information,''; and

(5) by striking ''fraud.'' and inserting ''identity theft, fraud, or other related crime. Such standardized affidavit and procedures shall not include a requirement that a consumer obtain a police report.''.

SEC. 808. ESTABLISHES THE RIGHT TO FREE CREDIT MONITORING AND IDENTITY THEFT PROTECTION SERVICES FOR CERTAIN CONSUMERS.

(a) ENFORCEMENT OF CREDIT MONITORING FOR SERVICEMEMBERS.—

(1) IN GENERAL.—Subsection (k) of section 605A (15 U.S.C. 1681c–1(a)) is amended by striking paragraph (4).

(2) EFFECTIVE DATE.—This subsection and the amendment made by this subsection shall take effect on the date of the enactment of this Act.

(b) FREE CREDIT MONITORING AND IDENTITY THEFT PROTECTION SERVICES FOR CERTAIN CONSUMERS.—Subsection (k) of section 605A (15 U.S.C. 1681c–1), is amended to read as follows:

''(k) CREDIT MONITORING AND IDENTITY THEFT PROTECTION SERVICES.—

''(1) IN GENERAL.—Upon the direct request of a consumer, a consumer reporting agency described in section 603(p) that maintains a file on the consumer and has received appropriate proof of the identity of the requester (as described in section 1022.123 of title 12, Code of Federal Regulations) shall provide the consumer with credit monitoring and identity theft protection services not later than 1 business day after receiving such request sent by postal mail, toll-free telephone, or secure electronic means as established by the agency.

''(2) FEES.—

''(A) CLASSES OF CONSUMERS.—The Bureau may establish classes of consumers eligible to receive credit monitoring and identity theft protection services free of charge.

''(B) NO FEE.—A consumer reporting agency described in section 603(p) may not charge a consumer a fee to receive credit monitoring and identity theft protection services if the consumer or a representative of the consumer—

''(i) asserts in good faith a suspicion that the consumer has been or is about to become a victim of identity theft, fraud, or a related crime, or harmed by the unauthorized disclosure of the consumer's financial or personally identifiable information;

''(ii) is unemployed and intends to apply for employment in the 60-day period beginning on the date on which the request is made;

''(iii) is a recipient of public welfare assistance;

''(iv) is an active duty military consumer or a member of the National Guard (as defined in section 101(c) of title 10, United States Code);

''(v) is 65 years of age or older; or

''(vi) is a member of a class established by the Bureau under subparagraph (A).

''(3) BUREAU RULEMAKING.—The Bureau shall issue regulations—

''(A) to define the scope of credit monitoring and identity theft protection services required under this subsection; and

''(B) to set a fair and reasonable fee that a consumer reporting agency may charge a consumer (other than a consumer described under paragraph (2)(B)) for such credit monitoring and identity theft protection services.

''(4) RELATION TO STATE LAW.—This subsection does not modify or supersede of the laws of any State relating to credit monitoring and identity theft protection services or other similar actions, except to the extent those laws are inconsistent with any provision of this title, and then only to the extent of the inconsistency. For purposes of this subsection, a term or provision of a State law is not inconsistent with the provisions of this subsection if the term or provision affords greater protection to the consumer than the protection provided under this subsection as determined by the Bureau.''.

(c) RULEMAKING.—Not later than the end of the 2-year period beginning on the date of enactment of this Act, the Director of the Bureau of Consumer Financial Protection shall issue final rules to carry out the amendment made by subsection (b).

SEC. 809. ENSURES REMOVAL OF INQUIRIES RESULTING FROM IDENTITY THEFT, FRAUD, OR OTHER RELATED CRIME FROM CONSUMER REPORTS.

Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as amended by section 403, is further amended by adding at the end the following:

''(17) Information about inquiries made for a credit report based on requests that the consumer reporting agency verifies were initiated as the result of identity theft, fraud, or other related crime.''.

TITLE IX—MISCELLANEOUS

SEC. 901. DEFINITIONS.

Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a), as amended by section 302, is further amended by adding at the end the following:

''(dd) DEFINITIONS RELATED TO DAYS.—

''(1) CALENDAR DAY; DAY.—The term 'calendar day' or 'day' means a calendar day, excluding any federally recognized holiday.

''(2) BUSINESS DAY.—The term 'business day' means a day between and including Monday to Friday, and excluding any federally recognized holiday.''.

SEC. 902. TECHNICAL CORRECTION RELATED TO RISK-BASED PRICING NOTICES.

Section 615(h)(8) of the Fair Credit Reporting Act (15 U.S.C. 1681m) is amended—

(1) in subparagraph (A), by striking ''this section'' and inserting ''this subsection''; and

(2) in subparagraph (B), by striking ''This section'' and inserting ''This subsection''.

SEC. 903. FCRA FINDINGS AND PURPOSE; VOIDS CERTAIN CONTRACTS NOT IN THE PUBLIC INTEREST.

(a) FCRA FINDINGS AND PURPOSE.—Section 602 of the Fair Credit Reporting Act (15 U.S.C. 1681(a)) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

''(1) Many financial and non-financial decisions affecting consumers' lives depend upon fair, complete, and accurate credit reporting. Inaccurate and incomplete credit reports directly impair the efficiency of the financial system and undermine the integrity of using credit reports in other circumstances, and unfair credit reporting and credit scoring methods undermine the public confidence which is essential to the continued functioning of the financial services system and the provision of many other consumer products and services.''; and

(B) in paragraph (4), by inserting after ''agencies'' the following: '', furnishers, and credit scoring developers''; and

(2) in subsection (b)—

(A) by striking ''It is the purpose of this title to require'' and inserting the following: ''The purpose of this title is the following:

''(1) To require''; and

(B) by adding at the end the following:

''(2) To prohibit any practices and procedures with respect to credit reports and credit scores that are not in the public interest.''.

(b) VOIDING OF CERTAIN CONTRACTS NOT IN THE PUBLIC INTEREST.—

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 703, is further amended—

(1) by adding at the end the following new section:

''§ 634. Voiding of certain contracts not in the public interest

''(a) IN GENERAL.—Any provision contained in a contract that requires a person to not follow a provision of this title, that is against the public interest, or that otherwise circumvents the purposes of this title shall be null and void.

''(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed as affecting other provisions of a contract that are not described under subsection (a).''; and

(2) in the table of contents for such Act, by inserting after the item relating to section 633 the following new item:

''634. Voiding of certain contracts not in the public interest.''.

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 116–383. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 1415

AMENDMENT NO. 1 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 116–383.

Mr. DESAULNIER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title IX, add at the end the following:

SEC. 904. GAO STUDY ON THE USE OF CREDIT IN HOUSING DETERMINATIONS.

(a) STUDY.—The Comptroller General of the United States shall carry out a study of the use of consumer reports and credit scores in housing determinations to determine whether consumer reports or credit scores are being used as tools to perform the equivalent of banned red-lining.

(b) CONTENTS OF STUDY.—In carrying out the study required under subsection (a), the Comptroller General shall—

(1) examine both rental applications and mortgage applications; and

(2) include a demographic breakdown by race, gender, age, sexual orientation, city/suburban/rural, socioeconomic status, and any other demographic that the Comptroller General determines appropriate.

(c) REPORT.—The Comptroller General shall issue a report to the Congress containing all findings and determinations made in carrying out the study required under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I first state my admiration for the chair of the committee and Ms. PRESSLEY and everyone who has worked on this piece of legislation.

Mr. Chairman, credit scores and credit reports impact our daily lives, often in ways that we don't realize. They determine whether you can get a loan for a car that you need to get to work every day. They determine whether you can get a loan to buy a home or rent an apartment and how much interest you are going to pay on your home loan. They impact your insurance premium and your cell phone. In many States, these scores can even determine whether you get a job or not.

Unfortunately, even though they can have an enormous consequence on a person's life, these reports have very little oversight and can easily be inaccurate. Even when inaccuracies are spotted by consumers, the process for removing or correcting the mistakes is perhaps intentionally complicated and time consuming for the average American. A person with multiple jobs or no knowledge of credit reporting systems could very well give up—and often does—because the system is too complex for them.

This is not only a frustrating cycle but is also damaging to a person's financial reputation. We need to know more about how mistakes are made, who is responsible for fixing them, and what the impacts of those mistakes are on individual Americans' lives.

For too long, financial stability has been used as an excuse to keep lower income people out of traditionally wealthy and middle-class neighborhoods. This process, known as ''redlining,'' has been banned, but we continue to see the segregation of our neighborhoods along demographic and economic lines. Credit scores are being weaponized to exclude and separate communities.

To address this problem, we need reliable data. That is why this amendment would require the nonpartisan GAO to study how credit scores are used in housing decisions and examine whether individuals are being discriminated against in those decisions based on race, gender, age, sexual orientation, geographic location, socioeconomic status, and more.

Our society cannot continue to be broken into neighborhoods and communities based on the color of our skin or the amount of money in our bank accounts. This amendment will help us right this wrong and encourage housing decisions that are more equitable and fair for all Americans.

Mr. Chairman, I encourage my colleagues to join me in support of this amendment, and I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I claim the time in opposition, although I am not opposed to this amendment.

The Acting CHAIR. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. MCHENRY. Mr. Chairman, let me first say I oppose any disparate treatment of any person or population. That has no place in our society or our communities.

To that end, the data derived from this study would have been helpful to have had before we drafted a bill or we brought it to the House floor. I think it is important data for us to consider here as we make law.

The underlying bill removes important predictive information from consumer credit reports that helps lenders in assessing a borrower's ability to repay. Undermining this responsibility makes it riskier and more expensive for lenders to extend credit, which, ultimately, increases the cost for consumers. Now, that is problematic; but that is the bill, and the bill is problematic.

Buying a home is the biggest purchase that most Americans will make in their lifetime. And while the study is fine and will give us more data, it does nothing to make mortgages more affordable or available for those consumers who desire homeownership. The fact is the underlying bill will make mortgages even more expensive for consumers and consumer credit more expensive for those who seek it.

As I said, I am not opposed to this amendment, but more data is obviously always useful.

Mr. Chairman, I reserve the balance of my time.

Mr. DESAULNIER. Mr. Chairman, I yield myself such time as I may consume.

I agree, and as a former small business owner, I see the value of credit reports if done fairly and equitably. It should be balanced against the need for the lenders and the people who are seeking credit.

In my area in northern California, I hear stories over and over again about people who are working two jobs, and, through no mistake of their own, their credit report is not perfect. They don't have the time or the expertise to hire someone or to go back in and correct the problems. Often, problems can be left on even when they go through the process.

As somebody who was in the retail business, I see this as another example of customer service being put on the customer.

Twenty, 30 years ago, to the credit agencies and retailers—at least, in theory—customer service meant you reached out to the client and tried to figure out what the problem is. My experience and the experience I get anecdotally and the research that I see is that, particularly in difficult housing markets, the ability for people to get into the housing market either for

rental or for purchase is inhibited and is an obstacle to current reporting.

So, for this amendment, it is about getting more knowledge in a dynamic that only 10 years ago was almost disastrous to the economy when the housing implosion happened and is happening in many ways again as we, as researchers say, in urban areas resegregate based on ethnicity and demographics.

So, in order to get a better understanding, I think this amendment is a minimal standard of understanding how the situation has changed and how we can protect both the people who are the lenders and also the people who may not be lenders but are just trying to get to a point where they can rent an apartment or own a home.

Mr. Chairman, I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I yield back the balance of my time.

Mr. DESAULNIER. Mr. Chairman, I urge my colleagues to support this commonsense amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MS. SHALALA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 116–383.

Ms. SHALALA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title IX, add at the end the following:

SEC. 904. GAO STUDY ON THE EFFECTS OF CREDIT SCORES IMPACTED BY A STUDENT BORROWER'S DEFAULTED OR DELINQUENT PRIVATE EDUCATION LOAN.

(a) STUDY.—The Comptroller General of the United States shall carry out a study on how credit scores impacted by a student borrower's defaulted or delinquent private education loan impacts applying for future loans, including information on the treatment of different demographic populations.

(b) REPORT.—The Comptroller General shall issue a report to the Congress containing all findings and determinations made in carrying out the study required under subsection (a).

The Acting CHAIR. Pursuant to House Resolution 811, the gentlewoman from Florida (Ms. SHALALA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. SHALALA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, when you default on a student loan, you impact your credit score. Indeed, your credit score with all three credit agencies will most likely drop. That means that buying or renting a house, purchasing or leasing a vehicle, going back to school, or receiving competitive offers for credit cards will be very difficult.

Each year, more than 1 million student loan borrowers go into default. Nearly 40 percent of borrowers today are expected to default on their student loans by 2023.

We know that people most at risk of defaulting on their student loans are more likely to be Hispanic or African American. Defaulters are more likely to be older, to be Pell grant recipients, and to come from a nontraditional educational background when compared to borrowers who never default.

Research also tells us that people of color are more burdened by their educational debt. They have less parental wealth to draw on, as well as higher rates of unemployment.

By the time their loan falls into default, a typical borrower will see their score drop around 60 points, to an average of 550, which is considered very poor.

Entering default makes it harder to obtain future loans and prevents borrowers from receiving any additional Federal student aid until their loans return to good standing. Loan providers can then begin to garnish their wages, to impose restrictions on earnings, and to take their tax refund.

A student loan default stays on your credit report for 7 years—even if you pay off the loan in full. Having that notification on your credit report will make lenders nervous about working with you and hurt your economic stability for years.

Mr. Chairman, my amendment instructs the GAO to carry out a thorough review on how credit scores impacted by a student loan default can destroy people's lives. The amendment also asks the GAO to examine how multiple delinquencies on private student loans can hurt borrowers, including a demographic breakdown by race, gender, age, sexual orientation, and socioeconomic status.

Allowing student loans to enter delinquency can often have a negative effect on a borrower's credit score and in credit reports due to the fact that each loan is reported individually.

Mr. Chairman, Congress has a vested interest in ensuring that we expand the middle class, we grow the economy, and we protect consumers from irreversible financial damage to their credit. I believe that H.R. 3621, with the inclusion of this amendment, will establish parity for student borrowers and provide Congress with the necessary tools to craft meaningful legislation that will help avoid the tragedy of student loan default.

I thank Congresswoman KENDRA HORN for sharing my concerns on this issue and for cosponsoring this amendment.

Mr. Chairman, I urge my colleagues to support the amendment, and I yield back the balance of my time.

Mr. MCHENRY. Mr. Chairman, I claim the time in opposition, although I am not opposed to the amendment.

The Acting CHAIR. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. MCHENRY. Mr. Chairman, as I said in the previous statement, this study would have been helpful to have informed our analysis prior to drafting and debating this bill.

But there is a broader theme fundamental to this amendment and many of the amendments that will be offered later in this debate: My Democrat colleagues are not fully satisfied with their effort back in 2010 that nationalized the student loan program. They are coming back for the final 8 percent.

It was the Democrat Congress and Democrat President that nationalized the student loan marketplace, and now they want to do away with this small portion, the 8 percent of the marketplace, that is private student lending.

In fact, the private educational loans, while only 8 percent of the market, if you look at how they perform, they have a 98 percent repayment rate, which is far better than the nationalized 92 percent of the student loan marketplace. Meanwhile, Federal student loan default rates are in the double digits.

This is simply an attempt to gather data to be used to make it more difficult for private lenders to compete in the student loan market.

The fact is the underlying bill still removes important predictive information from consumer credit reports that helps lenders assess a borrower's ability to repay.

□ 1430

The underlying bill will weaken underwriting standards and make credit more expensive, especially for those who are on the margins, ultimately harming the very consumers we want to help.

As I said, I am not opposed to the amendment. More data is useful and good, and the GAO provides a wonderful resource for Congress in this data collection. So with that, as I said, more data is useful.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. SHALALA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. TIMMONS

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part B of House Report 116–383.

Mr. TIMMONS. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title IX, add at the end the following:

SEC. 904. GAO STUDY ON CONSUMER REPORTING AGENCY COMPLIANCE WITH CONSENT ORDERS.

(a) STUDY.—The Comptroller General of the United States shall carry out a study of the compliance by consumer reporting agencies that compile and maintain files on consumers on a nationwide basis with consent orders, and the impact such compliance has on consumers.

(b) REPORT.—Not later than the end of the 180-day period beginning on the date of enactment of this Act, the Comptroller General

shall issue a report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate containing all findings and determinations made in carrying out the study required under subsection (a).

(c) DEFINITIONS.—In this section, the terms ''consumer'' and ''consumer reporting agency that compiles and maintains files on consumers on a nationwide basis'' have the meaning given those terms, respectively, under section 603 of the Fair Credit Reporting Act.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from South Carolina (Mr. TIMMONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. TIMMONS. Mr. Chair, my amendment is simple. It would require the GAO to carry out a study on the compliance of consumer reporting agencies with the underlying legislation proposed by my colleague from Massachusetts. It would also study what effect the compliance of reporting agencies would have on consumers.

This is important because if this bill were somehow able to become law, the results would be disastrous not only for reporting agencies but also for the average consumer.

The purpose of a credit score is to show an individual's creditworthiness. This bill would significantly water down the integrity of these credit scores.

If you are removing predictive data, if you are drastically shortening the amount of time adverse yet accurate information remains on a report, and if you remove medical debt from a report, then what exactly is the purpose of a credit score? What will a credit score be good for if this bill were to become law?

The bottom line is this bill would significantly weaken the process for determining creditworthiness and would enable individuals to obtain loans that they do not have the means to pay back.

It would also give the CFPB, an unaccountable government agency, control over private credit scoring models.

It is imperative that we know exactly how compliance with this bill would affect reporting agencies and, as a result, consumers.

Mr. Chair, I urge all of my colleagues to support this amendment, and I reserve the balance of my time.

Mr. LAWSON of Florida. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. LAWSON of Florida. Mr. Chair, I urge my colleagues to support this amendment.

As we know, the three major credit rating agencies, Equifax, Experian, and TransUnion, retain credit profile information on more than 200 million Americans.

The underlying bill represents a comprehensive reform of our Nation's credit reporting system. This amendment would direct the GAO to review just how well the credit reporting agencies are complying with these new requirements and how that affects consumers.

We know that the credit reporting agencies have not been complying with the law today. For example, the Fair Credit Reporting Act contains provisions requiring credit reports to be accurate, but it is estimated that more than 42 million Americans have inaccurate credit reports.

The credit reporting agencies need to do better by consumers, and if they did, perhaps consumer reporting problems would not consistently rank in the top three of consumer complaints to the Consumer Financial Protection Bureau.

Mr. Chair, I support this study. If adopted, I hope that Mr. TIMMONS would also support the underlying bill.

Mr. Chair, I reserve the balance of my time.

Mr. TIMMONS. Mr. Chair, I would inquire how much time is remaining.

The Acting CHAIR. The gentleman from South Carolina has 3½ minutes remaining.

Mr. TIMMONS. Mr. Chair, I yield 1½ minutes to the gentleman from North Carolina (Mr. MCHENRY), the ranking member.

Mr. MCHENRY. Mr. Chair, I thank my colleague from South Carolina, the second newest member of the Financial Services Committee, for offering this good, thoughtful amendment.

This amendment will give us a better picture of the consent orders that impact credit reporting agencies, including the CFPB's consent orders related to marketing and sale of services.

This is a good amendment in what is otherwise a bad bill.

Often in legislating, we try to make bad bills less bad or not-so-good bills good, but I am grateful that Mr. TIMMONS offered this amendment and grateful for his participation representing upstate South Carolina and being a sound policymaker.

Mr. Chair, I ask my colleagues to support the amendment.

Mr. LAWSON of Florida. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, in closing, I urge all of my colleagues to support this amendment, and I yield back the balance of my time.

Mr. TIMMONS. Mr. Chair, in closing, I would again urge all of my colleagues to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. TIMMONS).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. CLAY

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 116–383.

Mr. CLAY. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, line 18, before the period insert ''(increased by $1,000,000)''.

In title IX, add at the end the following:

SEC. 904. POSITIVE CREDIT REPORTING PERMITTED.

(a) IN GENERAL.—Section 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s–2), as amended by section 103, is further amended by adding at the end the following new subsection:

''(g) FULL-FILE CREDIT REPORTING.—

''(1) IN GENERAL.—Subject to the requirements of paragraphs (2) through (5) and notwithstanding any other provision of law, a person that has obtained the written authorization of a consumer may furnish to a consumer reporting agency information relating to the performance of a consumer in making payments—

''(A) under a lease agreement with respect to a dwelling; or

''(B) pursuant to a contract for services provided by a utility or telecommunication firm.

''(2) LIMITATIONS.—

''(A) WITHHELD PAYMENTS DUE TO HABITABILITY OR SANITARY CONDITIONS.—No person shall furnish or threaten to furnish negative information relating to the performance of a consumer in making payments under a lease agreement with respect to a dwelling if the consumer has withheld payment pursuant to—

''(i) any right or remedy for breach of the warranty of habitability; or

''(ii) any violation of a Federal, State, or municipal law, code, or regulation regarding sanitary conditions.

''(B) SERVICES PROVIDED BY A UTILITY OR TELECOMMUNICATION FIRM.—Information about a consumer's usage of any services provided by a utility or telecommunication firm may be furnished to a consumer reporting agency only to the extent that such information relates to—

''(i) payment by the consumer for such services; or

''(ii) other terms of the provision of such services to the consumer, including any deposit, discount, or conditions for interruption or termination of such services.

''(3) PAYMENT PLAN.—A utility or telecommunication firm may not report payment information to a consumer reporting agency with respect to an outstanding balance of a consumer as late if—

''(A) the utility or telecommunication firm and the consumer have entered into a payment plan (including a deferred payment agreement, an arrearage management program, or a debt forgiveness program) with respect to such outstanding balance; and

''(B) the consumer is meeting the obligations of the payment plan, as determined by the utility or telecommunication firm.

''(4) PROHIBITION ON USE BY DEBT COLLECTORS.—A debt collector (as defined in section 803(6) of the Fair Debt Collection Practices Act) may not use the information described in paragraph (1).

''(5) RELATION TO STATE LAW.—Notwithstanding section 625, this subsection shall not preempt any law of a State with respect to furnishing to a consumer reporting agency information relating to the performance of a consumer in making payments pursuant to a lease agreement with respect to a dwelling or a contract for a utility or telecommunications service. For purposes of this paragraph, the term 'law of a State' shall include all laws, decisions, rules, regulations,

or other State action having the effect of law, as issued by a State, any political subdivisions thereof, or any agency or instrumentality of either the State or a political subdivision thereof.

''(6) UTILITY OR TELECOMMUNICATION FIRM DEFINED.—In this subsection, the term 'utility or telecommunication firm'—

''(A) means an entity that provides utility services to the public through pipe, wire, landline, wireless, cable, or other connected facilities, or radio, electronic, or similar transmission (including the extension of such facilities); and

''(B) includes an entity that provides natural gas or electric service to consumers.''.

(b) GAO STUDY AND REPORT.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the impact on consumers of furnishing information pursuant to subsection (g) of section 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s–2), as added by subsection (a).

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from Missouri (Mr. CLAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CLAY. Mr. Chair, I rise in support of my amendment.

This amendment would clarify the law for reporting certain positive consumer credit information to the credit reporting agencies and seeks to expand access to credit through the use of alternative data.

In addition, this amendment addresses several concerns identified by consumer advocates, including removing a provision that would have preempted State laws and ensuring consumers provide written consent if their utility or rental history is to be considered.

Also, the bill requires a 2-year study and report from GAO on the impact of furnishing additional information, which will help us gather data to further ensure that American consumers have the tools they need to obtain and improve credit and that policymakers can continue to work to make improvements to the law.

The way in which alternative data is used is important. One of the most important factors is consumer choice. If the use of alternative data is truly voluntary—that is, consumers make knowing and voluntary decisions to allow the use of the data, and the information is used only for that limited purpose and in ways that consumers would expect—then it is much more likely to be helpful.

I am pleased to have the support of the National Consumer Law Center on this important provision. They support it because, unlike prior versions, it would permit the reporting of utility and rental payment information only when the consumer has provided written authorization, that is, only when the consumer chooses to.

In the critical area of lending, it is estimated that the use of alternative data by lenders could expand access to credit to over 40 million consumers in the United States. Imagine the economic activity that would generate.

As internet access increases and data becomes more readily available, marketplace or fintech leaders mostly rely on online platforms and frequently underwrite loans using alternative data. Despite fintech lending serving a small part of the consumer lending market, it continues to grow at a rapid rate. That is why it is critical that consumers have as much control over the use of their data as possible. In fact, according to the GAO, since 2013, personal loans provided by fintech lenders tripled to about $17.7 billion by 2017.

Alternative data used in credit scoring could potentially increase accuracy, visibility, and scorability in credit reporting by including additional information beyond that which is conventionally used by loan officers.

I would add that my amendment does not preempt State consumer protection laws protecting the privacy of utility customers and hindering States from regulating tenant screening agencies. This is important to the regulation and monitoring of traditional and fintech firms. At times, States have a better view than the Federal regulators.

Lastly, the two largest populations of credit invisibles and unscorables are either African American or Hispanic millennials who live in lower income neighborhoods like those that I represent in north St. Louis. These populations are especially vulnerable to predatory lenders and other unscrupulous lenders.

Mr. Chair, it is time we try this new method to help millions of Americans improve their credit scores.

Mr. Chair, I reserve the balance of my time.

Mr. HILL of Arkansas. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. HILL of Arkansas. Mr. Chair, it doesn't bring me pleasure to claim the time in opposition to my good friend from Missouri, and he knows how much I appreciate the work he has done on this matter.

The amendment is certainly, Mr. Chair, well intentioned, but as currently drafted, I would argue that this language does more harm to consumers than good.

Let me step back and say that, unrelated to Mr. CLAY's amendment, I introduced H.R. 4231, the Credit Access and Inclusion Act, which expands consumers' access to credit by allowing them to use their rent, utility, and telecom payments to help build their credit scores. In other words, it would help more people have access to credit with those additional facts.

As my friend noted, and as we have heard in our Task Force on Financial Technology and in the Financial Services Committee's Consumer Protection and Financial Institutions Subcommittee, additional data allows millions more to have access to the credit they need.

This bill, the Credit Access and Inclusion Act, was introduced in the 114th Congress and the 115th Congress by my friend, former Representative Keith Ellison of Minnesota. I joined in the last Congress with him and cosponsored it, and in the 116th, I have introduced it.

So I find it interesting that in the last two Congresses, my bill was the appropriate way to handle additional data, but in this Congress, it is not.

Mr. Chair, I would also raise the point that there is a bipartisan Senate companion to my bill introduced by Senators SCOTT and MANCHIN.

□ 1445

Furthermore, the language I have introduced was offered as an amendment to this bill by GWEN MOORE but was ruled out of order in the Rules Committee.

As I have outlined, H.R. 4231, my legislation, has strong, bipartisan, bicameral support. I believe Mr. CLAY is trying to do something similar with the text he has offered today. But in my view, his version makes it more difficult for consumers to establish a credit history which is underscored by the lack of bipartisan and bicameral support for this text.

As drafted, Mr. CLAY's amendment creates a new barrier because it requires written consumer authorization before furnishing a customer's payment information to a consumer reporting agency for a lease, for a utility, or for a telecom service. This is in stark contrast with how the current credit reporting methodology works.

This amendment requires consumers to opt-in to have their rental, utility, or telecommunication payments included in their credit reports. I believe that is a defective viewpoint.

Mr. Chair, I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, just in quick response to my friend from Arkansas, some consumer advocates have expressed concern that consumers may be evaluated as higher risk for using alternative data than they would be with no reports at all; so we worked on this language to try to find the sweet spot.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HILL of Arkansas. Mr. Chair, may I ask how much time remains.

The Acting CHAIR. The gentleman from Arkansas has 2 minutes remaining.

Mr. HILL of Arkansas. Mr. Chair, let me thank Mr. CLAY for his work on this. Requiring an opt-in and excluding data that would not allow lenders to get the full picture of a consumer's financial health, in my view, makes it more difficult for consumers to access credit because practically no rental, utility, or telecommunication companies would actually furnish the Expanded Access program.

Therein lies the conundrum here. Therein lies the challenge with Mr. CLAY's approach compared to my approach. But it doesn't stop me from

thanking my friend for his work on this. I know it is an area that we share an interest in. I know that this area is keenly important to him.

However, this amendment, as it is currently drafted, I cannot support it.

I urge my colleagues to vote ''no.'' But I hope my colleague would be open to working together to finding a better solution that truly benefits consumers, expands additional data, and allows people to offer these products because it will qualify more credit-needy Americans for badly needed credit.

I think in the case of Mr. CLAY's approach, ''perfect is the enemy of the good.'' I think we ought to work within the system that we have and make it better. That is why I support my measure I have introduced in the House and oppose this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. CLAY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. CLAY. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. STEIL

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 116–383.

Mr. STEIL. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 163, beginning on line 5, strike ''(i) either—'' and all that follows through ''(I) the person'' and insert ''(i)(I) the person'' (and adjust the margin of the subsequent subclause accordingly).

Page 163, line 8, strike ''or'' at the end.

Page 163, line 12, add ''or'' at the end.

Page 163, after line 12, insert the following:

''(III) the report is necessary for a background check or related investigation of financial information that is required by a Federal, State, or local law or regulation;''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from Wisconsin (Mr. STEIL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. STEIL. Mr. Chair, I rise to urge support for my amendment to H.R. 3621.

Mr. Chair, I want to start by thanking Chairwoman WATERS, Ranking Member MCHENRY, Representative LAWSON, and Representative MCADAMS for working with me to reach this commonsense agreement on this amendment.

As my colleagues know, for certain jobs, employers are required by law to review the financial history of prospective employees. For instance, in some States, insurance commissioners require companies to review an agent's financial condition and history prior to granting a license.

This is a consumer protection issue. It is important to ensure that the professionals who consumers trust to carry out major financial transactions on their behalf aren't themselves in financial distress.

This amendment clarifies that an employer may use a credit report when it is necessary for a financial background check, required by Federal, State, or local laws or regulations.

By clarifying this issue, my amendment ensures that the underlying bill does not conflict with important consumer protection laws that are already on the books. Failing to address this conflict will be bad for workers and consumers.

I again urge support on this amendment, and I reserve the balance of my time.

Mr. LAWSON of Florida. Mr. Chair, I claim the time in opposition to the amendment, although I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. LAWSON of Florida. Mr. Chair, I rise to support Mr. STEIL's and Mr. MCADAMS' amendment.

Mr. Chairman, this bipartisan amendment would add clarity to title VI of the bill that addresses restricting the use of credit reports in most employment decisions.

As we know, in many cases, the use of credit reports unnecessarily exposes consumers' financial information and potentially puts existing employees and job applicants in an uncomfortable position of having to discuss private matters such as: divorce; domestic abuse; or health and genetic conditions in explaining their impaired credit history.

While financial events that cause diverse information to land on the credit profile do not determine alone what value the person can bring to an employer, there are some circumstances where financial background is more relevant to a job.

While this bill already contains exemptions that address this, such as exemptions when the credit file is needed for national security, or is otherwise required for Federal or State or local laws or regulations, we were able to draft a bipartisan compromise that adds a tailored exemption if Federal, State, or local laws or regulations require an investigation for financial information of an employee.

This compromise strikes the right balance of commonsense solutions without creating loopholes that would hurt consumers.

I want to thank Representative STEIL and Representative MCADAMS for their work on this, and hope Mr. STEIL will vote for the underlying bill if the amendment is adopted.

Mr. Chair, I yield back the balance of my time.

Mr. STEIL. Mr. Chair, I appreciate my colleague's remarks regarding this amendment. I think this is the commonsense solution that we need to make sure that employers are protected as they are looking for their employees as it relates to this.

I appreciate the gentleman's work and Mr. MCADAMS' work on this amendment, and I urge my colleagues' support.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. STEIL).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. GOTTHEIMER

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 116–383.

Mr. GOTTHEIMER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In title V, add at the end the following:

SEC. 503. REVIEW OF CHANGES TO CREDIT SCORING MODELS.

Section 631 of the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as added by section 502, is amended by adding at the end the following:

''(c) REVIEW OF CHANGES TO CREDIT SCORING MODELS.—With respect to a person that creates credit scoring models used in making credit decisions, if such person creates a new credit scoring model (including a revision to an existing scoring model) that would, when compared to previous credit scoring models created by such person, lower the credit scores of a class of consumers, the Director of the Bureau may review such new credit scoring model and, if the Director determines that such new credit scoring model is inappropriate (including, with respect to a revision to an existing scoring model, if such revision does not enhance or contribute to the accuracy and predictive value of the existing scoring model), the Director may prohibit such new credit scoring model.''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from New Jersey (Mr. GOTTHEIMER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. GOTTHEIMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in support of my amendment to H.R. 3621, the Comprehensive CREDIT Act of 2020.

According to my good friend from New Jersey Tom Bracken, who is the president and CEO of the New Jersey Chamber of Commerce: ''Everyone needs to be evaluated properly regarding their ability to secure credit.'' Individuals want to be confident that the due diligence involved in evaluating their credit worthiness is accurate.

Now, here is the problem that my amendment is trying to solve, a problem Americans face every single day. There are a handful of credit bureaus

in the United States that are deciding Americans' fate in a black box on whether they should get access to credit or not—whether they should get, or how much they should be paying for a car, a house, a loan to send their children to college, a rate on a credit card, and how much they can receive for a small business loan.

Houdini himself couldn't figure out how these scores are calculated. And here is the rub: Each of these companies comes up with a magic number, your credit score.

Last week, The New York Times reported that one of the controllers of that black box is developing a new credit model to decide our financial fates in, and that this new model may lower the scores for 40 million Americans.

Yes, this new model—just to say this again—may lower the scores for 40 million Americans who work every single day to keep their credit scores high. These are hardworking people in our communities who are going to be penalized after spending years doing everything right. But they are going to change those scores based on external factors that have nothing to do with them and how hard they have worked to keep their credit scores up.

Not only does your score determine your ability to obtain credit at a fair price, but they are also used by countless sectors, from insurance companies to landlords and even employers, to decide if you are welcome or not.

These changes could harm 40 million Americans, again, even though they have done absolutely nothing wrong. These changes could cost people thousands of dollars in higher-priced credit, or worse yet, result in the denial of a job, apartment rental, or ability to buy a home.

I am focusing on working to expand credit access to the millions of credit-invisible Americans, consumers who have no credit history.

Now, many of these new creditworthy consumers are going to wake up and find that the rules they thought they were playing by are changing because of economic forecasts that they have no control over.

My amendment is simple. It will allow for a level of oversight to review any potential model changes to ensure that they are not being done arbitrarily, if the changes decrease the credit scores for Americans. If it is found that there is no justification for the changes, the models can be blocked from deployment.

The review is not mandatory, giving flexibility for the market to work on their own approach to make sure that Americans who work hard and care about their credit health are not being whacked for doing the right thing.

This amendment is an important safeguard for consumers who all too often are left holding the bag when it comes to their credit scores.

I am proud to offer this amendment today that will protect consumers and make sure that no one's credit scores get docked arbitrarily after they have played by the rules.

I urge my colleagues to support this commonsense amendment. Again, this is not about being able to price for risk and make sure that we don't set the right scores and rates. This is about arbitrarily changing someone's score simply because there is macro outside externalities that have nothing to do with them or their behavior, and suddenly, they wake up one day and their credit scores are really changing their lives and having a significant impact on them.

Mr. Chair, I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chair, this amendment epitomizes what is wrong with the approach taken by the majority in this bill.

This amendment is about socializing credit score models and putting that power within the government, and clearance from the government in order to use different models.

In short, this amendment says, if you don't like the outcome of something, we will just have the CFPB lean in and deem it inappropriate.

That is what it is about.

This amendment directs the CFPB to review the reasons a class of consumers may have been negatively impacted by a newly introduced credit scoring model and determine whether the model is inappropriate.

I would say to my colleague, this amendment appears to be duplicative of the authority already given, already vested in the CFPB's organizational statute and in the underlying bill for the CFPB to intervene in private-sector decisions.

I would also further ask the House: Do we really want to give a government agency veto power over new credit models?

□ 1500

As I raised in our committee markup, as I raised in our hearing back in February, and as I have raised on this day here on the House floor and many times before, I have concerns about the consumer credit reporting agencies and their structure. I think there is a way for us to have a bipartisan consensus.

While I respect my colleague on the other side of the aisle, and there are times when we can work together, this is not one of those times. I see this is as further vesting governmental power in something that the private sector should be deciding in the private-sector allocation of risk, rather than socializing credit models.

Mr. Chairman, I urge a ''no'' vote, and I reserve the balance of my time.

Mr. GOTTHEIMER. Mr. Chairman, I want to thank the ranking member for his leadership. We work together quite often, and I know we disagree on this one.

The challenge I have here is you have just a couple companies that control, through this black box, all this information that no one can figure out how they get your score and how the score is developed. It is completely arbitrary.

People are working really hard to try to get their scores up so they can get a loan, so they can get a mortgage, and just to make their lives better. They work really hard at it. It just doesn't make any sense to me to have this arbitrary change in the number that no one can understand. Again, you just have a few people sitting in a room somewhere making this decision.

The idea would be to make sure there is some sort of review, so that if a few people just go make this decision without any real competition—I am a probusiness Democrat—they go off and make this decision in this room somewhere, it really can affect every aspect of your life. Suddenly your credit goes down, and now they want to bring your credit down again, these credit scores down and change the number, with nothing to do with your own behavior at all. It is just that they decided this on externalities.

So I agree with the ranking member that we should always make sure that we are circumspect here and we allow the markets to play out. But in this case, this isn't the market with competition.

In this case it is arbitrary, and there should be review. In the review you can have a perfect review and in the end it would be that, okay, this makes sense. I can see why we need to make these changes. I understand why we need to do this. And, of course, price for the risk here, and that makes sense.

But in this case you can't just be someone in the back room making a decision and then you wake up one day, you have done nothing wrong and they had a huge impact on how much you are paying for your credit, how much you are paying to take out a loan, if you own a small business to take out a loan, or get a lease for a car, things that affect your life every single day. That is really what we are talking about here.

So I appreciate the ranking member's concerns, but I think in this case it is very focused. It is to really ensure that you don't have an oligopoly with all control.

Mr. Chairman, I yield back the balance of my time.

Mr. MCHENRY. Mr. Chairman, as I said, this amendment is about socializing credit modeling. My colleague raised this issue that a few people in a room are making a decision that will affect millions of Americans.

I think the consumer credit reporting agencies are deeply problematic. There is not real competition. When you have three controlling this marketplace with very little competition, the varied

entries being massive because it is heavily regulated by government, a set of laws that act on them and regulations that act on them, that is problematic. It is an oligopoly.

I have said that I think there are reasonable reforms that we could achieve in a bipartisan way through this House that could make it into law. This bill is dead on arrival in the Senate, and the President said he is going to veto it.

This is not a bipartisan undertaking. In fact, instead of having that private-sector, behind-closed-doors group making this decision, you vest one government bureau with somebody under statute who is appointed, who cannot be fired, who can show up drunk at work basically, and the President doesn't have the authority to fire them under the statute, and you are going to give the CFPB this power and have a single director make this decision on the allocation of credit for all Americans?

So private sector, a small group making a decision and you have three choices for your credit scores. Or do you want to have one government bureaucrat make all the decisions for the American people?

So this is a fundamental debate, not just here on the House floor but on wider politics about how you allocate capital in the United States: Is it the government that should do this? Or should it be individual action and individual citizens who have that control?

I fundamentally believe it is the individual citizens not government bureaucrats behind closed doors who are making those decisions. We need real innovation for consumer credit scores and consumer credit modeling. We need big data involved, we need machine learning, and we need to make sure that we root out inherent bias within the data sources. I think there are enormous things we can do. But investing in a government bureau that is unaccountable and a single director that is making these decisions is a worse outcome than what is already not that great.

So I appreciate my colleague raising this issue because we both agree this is a problem. We just haven't been able to come to terms with how to do it.

So while I oppose this amendment, I certainly respect my colleague from New Jersey as a serious policy maker, but on this we just don't agree.

Mr. GOTTHEIMER. Will the gentleman yield?

Mr. MCHENRY. I yield to the gentleman from New Jersey.

Mr. GOTTHEIMER. Mr. Chairman, it sounds like we are finding a place of common ground here where we certainly need more competition in this space, and the fact that the gentleman said big data and other externalities being brought to bear, I am looking forward to working with him on that because I think certainly we have got to make this better.

Mr. MCHENRY. Mr. Chairman, as I said, my colleague is a serious policy maker. At times we can come together, at other times we see things differently, and I think that is okay.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. GOTTHEIMER).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. KILDEE

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 116–383.

Mr. KILDEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 134, line 25, before ''in an area'' insert ''or works''.

Page 135, beginning on line 5, strike ''the date that is 3 months after such date.'' and insert the following: ''the date that is the earlier of—

''(i) 6 months after the date on which the major disaster or emergency was declared; and

''(ii) the later of—

''(I) 3 months after the date on which the major disaster or emergency was declared; and

''(II) the date that the Director of the Bureau, in consultation with the Administrator of the Federal Emergency Management Agency, determines is the date on which substantially all provision of assistance by the Federal Emergency Management Agency under such major disaster or emergency declaration has concluded.''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. KILDEE. Mr. Chairman, I thank Congresswoman AYANNA PRESSLEY and Chairwoman MAXINE WATERS for their leadership on this legislation and for advocating for consumers.

The credit reporting system in this country is not consumer focused and is in need of a major overhaul.

Consumer complaints about their credit reports are one of the most frequently reported issues submitted to the Consumer Financial Protection Bureau. Over 40 million Americans have errors in their credit reports. In fact, just last week one credit reporting company announced it was changing the credit scoring model which could arbitrarily reduce credit scores for millions of Americans without allowing any public input whatsoever.

Having poor credit makes it harder and more expensive to borrow money, buy a home, or own a car. It also negatively impacts a person's ability to be approved for an apartment, get car insurance, and even to get a job. The lack of transparency and accuracy in the credit reporting system leaves borrowers at the mercy of credit reporting agencies, which is holding American families back.

The Comprehensive CREDIT Act is a much-needed, comprehensive overhaul of the credit reporting system. This bill would enhance consumer rights and increase the accountability and transparency of consumer reporting agencies.

Specifically, the bill would help rehabilitate credit for student borrowers with private loans. Right now Americans are experiencing a student loan debt crisis. Student loan debt is now at $1.3 trillion. This is the largest source of debt in the U.S., even more than credit card debt. This is delaying young people from making critical investments in their own future like buying a house, starting a family, or saving for their own children to go to college.

The Comprehensive CREDIT Act would combat this by requiring a credit reporting agency to remove a delinquent or defaulted private education loan on a borrower's consumer report if they have shown a good history of loan repayment for 10 consecutive months after the delinquency or default. If a borrower has demonstrated a good faith effort to resume loan repayment after a delinquency or default, then they should not be punished with a lowered credit score.

I also support the underlying legislation very strongly, and I have introduced an amendment that I think would strengthen the bill even further. My amendment would provide a 6-month grace period to preserve the credit score of borrowers living and working in an area impacted by a major disaster or emergency if there is an interruption in their 10 consecutive months of loan repayment.

In 2016 in my own hometown, the people of Flint experienced a drinking water emergency. I know many of you have heard me discuss this on many occasions. During that period people were not able to access safe drinking water, families were saddled with unexpected medical bills, parents and children poisoned by their water experienced adverse health conditions, and homeowners and businesses were negatively affected.

People whose livelihoods were damaged by this crisis or any other natural disaster or emergency should not be penalized for failing to pay back student loans until they get back on their feet. When experiencing a crisis, borrowers should be provided flexibility to repay their loans when they are able to without affecting their underlying credit score. This relief would be provided to people living and working in an area experiencing a major disaster or emergency.

My amendment and the underlying bill will help decrease the burden of student loans on Americans and improve their credit scores, especially those people living in areas impacted by emergencies or natural disasters.

Mr. Chairman, I ask my colleagues to join me in supporting this amendment, and I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I claim the time in opposition.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chairman, I want to commend my colleague, Mr. KILDEE, for representing his constituents' interests. The people in this Chamber know of his commitment to his neighbors in Flint, and he has been quite vocal and passionate about their plight. He has brought that debate here to the House floor in a very proper and good way, so he should be commended for that, I believe.

We know that when you have a local concern like this you want to fix it. So many times when you have something that is applicable at the national level you learn from local circumstances.

So let's look at the underlying bill first in order to describe this. What this bill says to the 8 percent of the student loan marketplace—8 percent—this has nothing to do with the 92 percent that is controlled by the Federal Government. That is an Education and Labor Committee of jurisdiction and is not a part of this bill.

Eight percent of the student loan marketplace is private. Private lenders are engaged, and those terms are already a part of a set of Federal laws and State laws. The underlying bill ignores the contractual terms of that, ignores the fact that you have in that 8 percent of the student loan marketplace only 2 percent who are not paying or in default. Ninety-eight percent are paying. So my friend is trying to fix a problem on 2 percent. The Federal student loan portfolio has double-digit default rates and folks not paying.

So we have a big issue here. It is a big societal issue. It is impacting two generations of Americans, and it is because Congress has passed bad law that is saddling and enabling a generation of students to saddle themselves with debt that they cannot repay. It is unconscionable what we have done.

So what that bill does is say to that 8 percent of the marketplace: If you are behind—8 percent of the marketplace, 2 percent not paying or in default. So let's go to that 2 percent.

We are saying: If you have been in default for months, perhaps years, and you make payments, and over 10 months you make nine of 10—why? Well, I couldn't determine during committee debate why it was nine. Why not 11 of 12? Why not 5 of 6? Why not three of seven? Nine of ten, because that was the determination we have gotten. And now we have an amendment that says, nine of ten? Well, maybe a little different.

So I get the expression of resolve for fixing people's problems, but this bill is really bad. It is a really fundamentally flawed bill when you have these arbitrary timelines like this and it says you sort of pay and you sort of pay for a period of time and then all that fact that you didn't pay is just waved away.

So that is the absurdity of the underlying bill.

I say to Mr. KILDEE, I am sorry to take up the debate to talk about how flawed that is. The gentleman's expression, though, about natural disasters is a reasonable one. If we can do a standalone bill on that then I think we would have not a dissenting vote on the House floor. So I would love to work with the gentleman on that, but I cannot support this amendment, and I have to oppose it.

Mr. Chairman, I reserve the balance of my time.

□ 1515

Mr. KILDEE. Mr. Chairman, I appreciate my friend's expression. We served together my first 6 years on the Financial Services Committee. And if the event occurs that we need to pursue this relief in another fashion, I would look to forward to working with him. But it is my hope that we can act on this within this legislation.

I do disagree with his assessment of the underlying legislation, but that is fine. That is the nature of this place, that we have disagreements sometimes over issues like this.

In this case, where we do have a chance, as the gentleman described, to deal with a specific set of circumstances affecting specific individuals, we ought to take that opportunity and do something.

I didn't know when I was elected that the community that I represent was going to face the crisis that it did, and nobody serving in this body knows whether or not their community, in the next month or year or 10 years, will face a similar circumstance.

So let's take the opportunity we have, as small as it may be in terms of the way the gentleman describes it. It is not small when it happens to you, and it is not small when it happens to your community.

So I appreciate the gentleman's willingness to work with me in the future on this. I ask my colleagues to join me in supporting this amendment, and I yield back the balance of my time.

Mr. MCHENRY. Mr. Chair, may I inquire how much time remains.

The Acting CHAIR. The gentleman from North Carolina has 1 minute remaining.

Mr. MCHENRY. Mr. Chair, I would say to the gentleman from Michigan that I commend him for offering this amendment; I commend him for the respect for this institution and how he interacts legislatively. He can be passionate about representing his constituents, his point of view, his legislation, his amendments, but, at the same time, where we can come to terms, we do that on a regular basis.

So it is not all dysfunction here; it is not all dismay; it is not all disaster; it is not all acrimony. There are those of us who can still talk amidst a broken and divided government that we have.

So I commend him for offering this amendment, and, again, as I said, I am opposed to the amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. KING OF IOWA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 116–383.

Mr. KING of Iowa. Mr. Chairman, I have an amendment at the desk made in order by the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 135, beginning on line 3, strike ''date on which the major disaster or emergency was declared'' and insert ''initial date of the incident period of the major disaster or emergency''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, this amendment, in reading through the bill, brings something forward that we have experienced a number of times in the natural disasters that have poured forth and the flooding in my district over the 17 years-plus that I have represented the folks in the Missouri River bottom, in particular; but, also, it affects everybody else around the country.

In reading the base bill, it says that the 3-month grace period that is granted for a student loan begins on the date that the declaration of disaster is issued, and often that declaration of disaster is issued sometimes months after the disaster is over.

The crisis is also over for the former student who was paying their student loans and having difficulty meeting those obligations because they have been the victim of a natural disaster, whether it be a hurricane, whether it be a flood, whether it be a tornado or some other type of natural disaster. This morning, I saw there was an earthquake down across from Florida, across the Caribbean.

What this amendment does is move that date back to the initial date of the disaster itself rather than the date that it was declared a disaster. The language in the current bill says, ''date on which the major disaster or emergency was declared.'' Instead, the language becomes, ''initial date of the incident period of the major disaster or emergency.''

Mr. Chairman, I would point out some of these dates along the way that stand out to me.

There was flooding in North Dakota that began on October 9 of 2019 and continued until October 26 of 2019. That disaster was declared not then, but declared on January 21, 2020. That would have been the first date that the grace period would kick in under this language. I ask that that grace period kick in immediately. Although the announcement will come from FEMA and wouldn't be on the first day of the disaster, that is the first day that they feel the financial stress.

I will go through a number of these.

The courageous people of Hornick, Iowa, bounced back from that flood as strongly as anybody I have seen, but that began on March 12, and the disaster declaration came March 23. So they lost some of those days.

And I look down to Tropical Storm Michael in North Carolina, and that disaster began October 10 to 12, 2018, and 4 months later, January 31, 2019, was the declaration.

So the credit of these people who are trying diligently to pay their student loans is damaged unless they have this grace period that begins when the stress period begins, and that is what my amendment does, Mr. Chairman, and I reserve the balance of my time.

Mr. LAWSON of Florida. Mr. Chairman, I claim the time in opposition, although I am not opposed.

The Acting CHAIR. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. LAWSON of Florida. Mr. Chairman, this amendment will allow for more time for private student loan borrowers in the process of rehabilitating their loans to repay their loans when also impacted by a geographical disaster or emergency.

By changing the language from when a disaster or emergency is federally declared to when the actual disaster began, private student loan borrowers will have more time outside of when an emergency is officially federally declared to explain and have their situation taken into consideration for hardship.

For example, it was a shame that it took President Trump more than 2 weeks to declare the major disaster declaration after Puerto Rico received a string of earthquakes beginning December 28. Consumers should not be penalized by politics when they are in dire need for help.

As climate change and other disasters continue to have devastating consequences across this country, students who are demonstrating that they can rehabilitate their loans and improve their credit scores should not have to additionally suffer because extreme events like these cause hardships that would reasonably interrupt a payment.

It can take years for communities to recover from natural and other disasters, and this amendment further allows victims of these disasters the time that they deserve, a fair chance to improve their credit scores and future credit opportunities.

I support this amendment, and I reserve the balance of my time.

Mr. KING of Iowa. Mr. Chairman, may I inquire as to how much time remains.

The Acting CHAIR. The gentleman from Iowa has 2¼ minutes remaining. The gentleman from Florida has 3 minutes remaining.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the gentleman's remarks with regard to this amendment.

I would point out that we have 435 Members in this United States Congress, and it was envisioned by our Founding Fathers that we would get ideas from every one of those districts. And they also recognized that we are all human, and no matter how diligent we might be, no matter how much we care about the people we are helping, sometimes things just kind of slide along, look good on the surface, and we are busy. So that is why we all want to look at this, and that is why I have the privilege to be here to offer this amendment.

Having gone through natural disaster after natural disaster after natural disaster, suffered from them myself—in fact, the 1993 flood is probably why I am in Congress today, because I realized the degree of risk was not proportional to the potential for profit if you are under water.

So I want to help those students who want to keep their credit in line, and I appreciate the support across Congress to do so.

Mr. Chairman, I reserve the balance of my time.

Mr. LAWSON of Florida. Mr. Chair, I yield myself the balance of my time.

I urge all of my colleagues to support this amendment, and I yield back the balance of my time.

Mr. KING of Iowa. Mr. Chairman, I appreciate the gentleman's remarks again, and I would just point out that, of this list of disasters that we have and the delays we have in declaring these disasters, there is one here on April 29.

A disaster declaration was declared for severe storms and flooding within the Sac and Fox Tribe in Mississippi and Iowa—and I actually live in Sac County, although that is not part of that reservation—with an incident period spanning March 13 till April 1. However, the disaster declaration was April 29, so there was a month-and-a-half delay in that one.

I have other examples of this, Mr. Chairman, but I think that we have made our point here today, and I appreciate the attendance and diligence of the Members on both sides of the aisle.

Mr. Chairman, I urge adoption of my amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MS. SÁNCHEZ

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 116–383.

Ms. SÁNCHEZ. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, line 18, before the period insert ''(increased by $1,000,000)''.

Page 182, line 8, strike ''military'' and insert ''uniformed''.

Page 182, line 10, strike ''military'' and insert ''uniformed''.

Page 182, line 11, strike ''military'' and insert ''uniformed''.

Page 182, line 14, strike ''military'' and insert ''uniformed''.

Page 182, beginning on line 16, strike ''military''.

Page 182, line 19, strike ''military'' and insert ''uniformed''.

Page 182, line 21, strike ''military'' and insert ''uniformed''.

Page 192, line 7, strike ''military'' and insert ''uniformed''.

In title IX, add at the end the following:

SEC. 904. PROTECTIONS FOR ACTIVE DUTY UNIFORMED CONSUMER.

(a) DEFINITIONS.—Section 603 of the Fair Credit Reporting Act (15 U.S.C. 1681a) is amended—

(1) in subsection (q), by amending paragraph (1) to read as follows:

''(1) ACTIVE DUTY UNIFORMED CONSUMER.—The term 'active duty uniformed consumer' means a consumer who is—

''(A) in military service and on active service (as defined in section 101(d) of title 10, United States Code); or

''(B) a member of the uniformed services (as defined in section 101(a) of title 10, United States Code) who is not a member of the armed forces and is on active service.''; and

(2) by inserting after subsection (dd) (as added by section 901) the following:

''(ee) EXTENDED ACTIVE DUTY UNIFORMED CONSUMER.—The term 'extended active duty uniformed consumer' means an active duty uniformed consumer that is deployed—

''(1) in a combat zone (as defined under section 112(c) of the Internal Revenue Code of 1986); or

''(2) aboard a United States vessel.''.

(b) PROHIBITION ON INCLUDING CERTAIN ADVERSE INFORMATION IN CONSUMER REPORTS.—Section 605 of the Fair Credit Reporting Act (15 U.S.C. 1681c) is amended—

(1) in subsection (a), as amended by section 809, by adding at the end the following:

''(18) Any item of adverse information about a consumer, if the action or inaction that gave rise to the item occurred while the consumer was an extended active duty uniformed consumer.''; and

(2) by inserting after subsection (h) (as added by section 705) the following:

''(i) NOTICE OF STATUS AS AN EXTENDED ACTIVE DUTY UNIFORMED CONSUMER.—With respect to an item of adverse information about a consumer, if the action or inaction that gave rise to the item occurred while the consumer was an extended active duty uniformed consumer, the consumer may provide appropriate proof, including official orders, to a consumer reporting agency that the consumer was an extended active duty uniformed consumer at the time such action or inaction occurred. The consumer reporting agency shall promptly delete that item of adverse information from the file of the consumer and notify the consumer and the furnisher of the information of the deletion.''.

(c) COMMUNICATIONS BETWEEN THE CONSUMER AND CONSUMER REPORTING AGENCIES.—Section 605A of the Fair Credit Reporting Act (15 U.S.C. 1681c-1) is amended—

(1) in subsection (c), as amended by section 803, by adding at the end the following:

''(2) NEGATIVE INFORMATION ALERT.—Any time a consumer reporting agency receives an item of adverse information about a consumer, if the consumer has provided appropriate proof that the consumer is an extended active duty uniformed consumer, the consumer reporting agency shall promptly notify the consumer—

''(A) that the agency has received such item of adverse information, along with a description of the item; and

''(B) the method by which the consumer can dispute the validity of the item.

''(3) CONTACT INFORMATION FOR EXTENDED ACTIVE DUTY UNIFORMED CONSUMERS.—With respect to any consumer that has provided appropriate proof to a consumer reporting agency that the consumer is an extended active duty uniformed consumer, if the consumer provides the consumer reporting agency with separate contact information to be used when communicating with the consumer while the consumer is an extended active duty uniformed consumer, the consumer reporting agency shall use such contact information for all communications while the consumer is an extended active duty uniformed consumer.''; and

(2) in subsection (e), by amending paragraph (3) to read as follows:

''(3) subparagraphs (A) and (B) of subsection (c)(1), in the case of a referral under subsection (c)(1)(C).''.

(d) CONFORMING AMENDMENT.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by striking ''active duty military'' each place such term appears and inserting ''active duty uniformed''.

(e) SENSE OF CONGRESS.—It is the sense of Congress that any person making use of a consumer report containing an item of adverse information should, if the action or inaction that gave rise to the item occurred while the consumer was an extended active duty uniformed consumer, take such fact into account when evaluating the creditworthiness of the consumer.

The Acting CHAIR. Pursuant to House Resolution 811, the gentlewoman from California (Ms. SÁNCHEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. SÁNCHEZ. Mr. Chairman, I yield myself such time as I may consume.

I am proud to vote today to protect consumers and improve our credit reporting system.

I thank Chairwoman WATERS and Representative PRESSLEY for their hard work on this important legislative package, and I want to thank the Financial Services staff who have worked diligently behind the scenes.

I would also like to thank the National Military Family Association, the National Consumer Law Center, and the Consumer Federation of America for their support of my amendment.

My amendment today, which is based upon a bill that I have long championed, is focused on our friends and family in uniform who are serving abroad. Specifically, my amendment would allow servicemembers the ability to dispute negative information, or dings, on their credit report that occurred while they were serving in a combat zone or aboard a U.S. vessel.

Those who are serving in the Army, Navy, Air Force, Marine Corps, Coast Guard, National Guard, the commissioned corps of the National Oceanic and Atmospheric Administration, and the Public Health Service would benefit from this amendment.

This amendment isn't without guardrails. A credit reporting agency must be notified that the servicemember was on extended Active Duty at the time the hit to the credit report occurred. The credit reporting agency would then be required to conduct a review of the information and delete any negative information from the credit report should certain requirements be met.

We must acknowledge the realities of deployment in today's technological world. Life goes on at home while our military members are deployed. Sometimes a bill payment is missed when an electronic payment agreement lapses, a credit card on file expires, or an unauthorized credit card is issued.

This amendment allows for credit reports that more accurately reflect the full picture. This idea was born out of the incredible courage of two parents who faced an overwhelming grief that I hope never to experience.

John Kelsall, president of my local chamber of commerce at the time, and his wife, Teri, a long-time southern California nonprofit leader, lost their son. Lieutenant Commander Jonas Kelsall, a proud Navy SEAL, was killed in Afghanistan in 2011. In order to keep their son's legacy alive, the Kelsalls founded a nonprofit veterans business incubator to assist U.S. military veterans upon their return to civilian life.

Whenever I was back home, John and Teri would catch me up on the latest challenges and success stories from their organization. However, one hurdle kept coming up over and over and over again for these veteran would-be entrepreneurs.

□ 1530

Terri and John shared stories of servicemembers and veterans who had trouble obtaining loans to help start their businesses. Why? Because while they were deployed, they missed payments, and this negatively affected their credit scores, even though, oftentimes, the delays were out of their control.

I knew something had to be done. That is why, in 2014, I joined our colleague, Congressman LAMBORN of Colorado, in introducing legislation to address this problem. I have been proud to strengthen the text of this bill over the years with the help of the National Consumer Law Center and military family support groups. Our country continues to ask so much from our men and women who serve in uniform. They deserve peace of mind during their Active Duty deployments.

Mr. Chair, I urge all of my colleagues to support this amendment and the underlying legislative package, and I reserve the balance of my time.

Mr. MCHENRY. Mr. Chair, I claim the time in opposition, but I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. MCHENRY. Mr. Chairman, this amendment introduces to the Fair Credit Reporting Act a definition for Active Duty uniformed consumer and establishes a special regime for the treatment of such consumers.

It is understandable and commendable that we want to help the men and women who serve our country. They are involved in unique circumstances, not just here domestically but globally.

While I support the need for our servicemen and women broadly, this amendment does not remedy the overarching issues in the underlying bill. There are some deeply problematic pieces to this bill, as I have said in this overall debate. Because of that, I would offer to work with the gentlewoman on this as a standalone measure that I believe we could pass with a wide majority through the House. Who knows in the Senate, given these days. But I believe that it would even have the opportunity for the President's signature, which is important for our process here in lawmaking.

Unfortunately, the overall bill, even if this is added, won't see the light of day because the Senate is not going to take it up, and the President has already said he is going to veto it.

Mr. Chair, I would offer to the gentlewoman to work with her on a standalone measure to achieve the very thing of her amendment. I am happy to yield if she has a response or if she is interested in working in a bipartisan way for a standalone measure to achieve this.

I yield to the gentlewoman from California.

Ms. SÁNCHEZ. Mr. Chair, I thank my colleague for the offer to work on this as a standalone bill. It was originally a standalone bill. It is being offered as an amendment to the bill. I understand that you have reservations on the underlying bill.

My hope is that it will pass as an amendment and that the underlying bill will pass. But should that bill not be successful in being taken up in the Senate, I would surely love to work with my colleague on a standalone bill that will accomplish this very important goal of helping our men and women who serve in uniform make their lives just a little bit easier.

We ask a lot of them as a Nation, and so I think helping them when they are on Active Duty and sometimes are late or miss payments is a worthwhile endeavor.

Mr. MCHENRY. Mr. Chair, reclaiming my time, I appreciate the offer and would be happy to work with the gentlewoman on that standalone measure.

Mr. Chair, I yield back the balance of my time.

Ms. SÁNCHEZ. Mr. Chair, again, I want to say that I have attempted to pass this bill as a standalone bill. I believe that it is properly included in the underlying bill, which I think is an excellent piece of legislation.

Our country asks a lot of our men and women, and while you are on Active Duty, the last thing that you should worry about is late payments or missed payments, oftentimes because you are in far-flung regions of the world when it is not like you can just mail a letter back to make sure that your payment gets in on time.

Mr. Chair, I believe very strongly in this amendment. I ask my colleagues to support the amendment and support the underlying bill. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from California (Ms. SÁNCHEZ).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 116–383.

Mr. COHEN. Mr. Chair, as I have an amendment at the desk, I stand and seek recognition.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 137, line 16, insert before the period the following: ''as soon as possible, but in no case later than 5 days after such completion''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chair, this amendment creates a specific time period for credit reporting agencies to change a consumer's credit report after consecutive payments have been made on certain private education loans.

This bill offers credit rehabilitation for distressed private education loan borrowers. My amendment simply states that once a consumer has made the consecutive payments outlined in the standardized reporting codes, the consumer reporting agency must update a consumer's report immediately or within 5 business days, at the most.

Credit reports and credit scores are tied to so many important factors in consumers' lives. They determine interest rates on mortgages, bank loans, and credit cards, and deposits for rent. They can even lower insurance premiums.

Every day counts. Consumers shouldn't have to wait in limbo, not knowing exactly when a charge is going to be removed from their credit report, especially if they have been making consecutive payments and meet the criteria to have it removed.

This amendment is supported by the National Consumer Law Center, which stated that ''putting a specific timeframe for compliance is a good idea. It provides clarity on what action needs to be taken for both compliance and enforcement purposes. It also ensures borrowers will get the benefits of the law promptly.''

Mr. Chair, I thank Chairwoman WATERS, Mr. LAWSON, Congresswoman PRESSLEY, and the Financial Services Committee staff—especially Yana Miles, Glen Sears, Avy Malik, Clement Abonyi, and Lisa Peto—for all of their hard work on this issue. I encourage my colleagues to support this amendment.

Mr. Chair, I yield 1 minute to the gentlewoman from Massachusetts (Ms. PRESSLEY), the sponsor of this comprehensive bill.

Ms. PRESSLEY. Mr. Chair, my bill, the Comprehensive CREDIT Act, will greatly improve a fundamentally flawed credit reporting system, providing much-needed relief for families across the country.

It works to protect consumers from unfair and misleading credit reporting practices, affirming the rights of all Americans to an equitable and transparent credit reporting process. My bill takes the burden off consumers while holding credit reporting agencies accountable and restoring fairness to the system.

I thank my colleague from Tennessee (Mr. COHEN) for offering this amendment. CRAs are all too quick to add penalties and negative marks to credit reports, but the same urgency never seems to be applied to improving those reports.

Once borrowers take the steps prescribed in this bill to improve their credit reports, they deserve to have the reports updated to reflect that in a reasonable timeframe.

Credit scores are meant to be predictive, and the best predictor of future behavior is their most recent behavior. Our bill takes the burden off of consumers while holding debt reporting agencies accountable and restoring fairness to the system. This amendment would further strengthen our bill by ensuring that these changes happen in a timely manner.

Mr. Chair, I am proud to support this amendment, and I urge my colleagues to do the same.

Mr. MCHENRY. Mr. Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chair, it sounds like a bit of a broken record, but this amendment does two things.

First, it continues to undermine the ability of private lenders to negotiate terms of their loans with student borrowers. Second, it continues the bill's theme of removing negative information, even if accurate, from credit scores and credit reports.

Now, it was the decision by a Democratic House, Democratic Senate, Democratic President that has saddled a generation—in fact, two generations—of students with this massive, federally administered student loan program.

This bill only deals with the 8 percent that is in the private marketplace. It is trying to put bad rules there to take that final 8 percent, when in reality we should be focused on the 92 percent that the Federal Government has saddled, the 92 percent that is the Federal student loan program.

They want to remove predictive information, which will lead to students taking on even more debt. We should be addressing the underlying factors that are causing the crisis, like the rising costs of higher education, the lack of underwriting standards in the Federal program.

Instead, we are going to weaken the standards in the private market, the part of the marketplace that is actually working really, really well, where you only have default rates or folks who are not paying at 2 percent or less. In the Federal program, we have double digits that are in the same sort of category.

The underlying bill requires consumer reporting agencies to develop and use reporting codes to reflect a borrower's participation in the credit rehabilitation program. The amendment would require these codes to be removed no later than 5 days after the consumer makes nine payments in 10 months.

Why nine payments in 10 months? As I said the last time I spoke about this, because that kind of feels right, apparently. That is kind of what we determined in the committee debate. Not that people have paid every month but, you know, they have paid 9 out of 10 months.

What we are talking about here is not science in the underlying bill. In fact, the 5-day period, I am not sure how the sponsor came up with that. But this amendment expedites the requirement of a flawed program within the bill, so not making a titanic change, a major change to the bill. But it is a bad program that he is basically speeding up, in my view—a bad program, in my view—that he is obviously trying to enact more quickly.

Under this amendment, there will be no record of the borrower ever being delinquent or having been in default.

Let's go back to the private loan market statistics. Again, 2 percent in the private student loan marketplace is in default of their loans, compared to the Federal student loan program, which has a default rate of 18 percent.

Fannie and Freddie didn't have a default rate that high, and they got nationalized as a result of the financial crisis and sparked a financial crisis. We have 18 percent that is in default in the student loan program.

Why are we messing with this small program when we should be taking on this bigger issue that is one that is a major struggle? There are a lot of ideas on both sides of the aisle for how we deal with that.

We shouldn't be weakening underwriting standards, either in the Federal program or in the private program. We should have strong underwriting standards. We should not lead to more financial instability but a fairly structured and smart marketplace.

Mr. Chair, I oppose this amendment and, again, reiterate that this amendment is about speeding up a bad program that is deeply flawed in the underlying bill, and that is why I oppose it.

Mr. Chair, I reserve the balance of my time.

Mr. COHEN. Mr. Chair, first of all, Federal student loans already have the option to rehabilitate the loan after the borrower has made 9 out of 10 consecutive on-time payments.

H.R. 3621 simply brings private student loans in line with Federal student loans, so 9 out of 10. It is not science like climate change is, but it is pretty good, and it is based on current law for Federal student loans.

Secondly, I would submit, don't try to make the perfect the enemy of the good. I was here for 8 years in the minority, and I don't remember the majority bringing any bills to help consumers on any student loans, any loans, or anything at all. Fortunately, we are in the majority, and we are bringing you bills to help consumers, and this bill helps people with student loans.

Mr. Chair, I once again reiterate that I urge people to support this, and I reserve the balance of my time.

Mr. MCHENRY. Mr. Chair, may I inquire how much time is remaining on both sides.

The Acting CHAIR. The gentleman from North Carolina has 30 seconds remaining. The gentleman from Tennessee has 1¼ minutes.

Mr. MCHENRY. Mr. Chair, I am prepared to close, and I reserve the balance of my time.

Mr. COHEN. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, simply, for the college students, for the debtors, for fairness, for justice, pass this bill, pass this amendment. I yield back the balance of my time.

Mr. MCHENRY. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, this is more aggressive than the bad Federal student loan program. If you are a delinquent borrower, you cannot access this like-kind program. What this amendment is saying is, if you are a delinquent borrower, you can get in the front of the line and get that waived away as if you had been paying the whole time. This is a bad idea.

If you want to address the problem, let's address the cost of college, not doing this gamesmanship of trying to socialize on the back end through credit scores and credit reporting agencies.

Mr. Chair, I oppose the amendment, and I yield back the balance of my time.

□ 1545

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. COHEN

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 116–383.

Mr. COHEN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 162, line 15, after ''purposes'' insert the following: '', including for the purpose of denying employment,''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from Tennessee (Mr. COHEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

Mr. COHEN. Mr. Chair, first, I would just like to make some closing remarks on the previous argument. The gentleman is right. We need to make college more affordable, and I passed a bill in Tennessee when I was a senator, a referendum on the ballot that has raised over $5 billion to send kids to college in Tennessee, $5 billion free scholarship money. So, yes, I don't talk the talk, I walk the walk.

Mr. Chairman, my amendment makes it unequivocally clear that credit reports should not be used as the sole reason for the denial of employment.

This amendment is for the countless constituents who have contacted my office with disturbing stories of being denied a job opportunity because of their credit report.

This amendment is for the many people in this country who are currently in a vicious cycle: To pay down their debt, they need a job, but they can't get hired because of their debt.

According to the Society for Human Resource Management, 43 percent of employers are conducting pre-employment credit checks, claiming that a potential employee's credit score is somehow an accurate predictor of future job performance. Nobody says that. Like nobody says that you have to have a crime in an impeachment article to impeach a President. Abuse of power is sufficient.

Yet, there has not been any proof that a credit report or a credit score can predict how an employee will perform, none whatsoever.

A credit report doesn't tell the whole story. Maybe a person had a long stretch of unemployment. Maybe they unexpectedly had a health or a medical crisis.

This practice has had a disproportionate impact on some of our most vulnerable, credit-challenged citizens; recent college grads, divorced women, low-income families, senior citizens, and minorities.

Everyone deserves the opportunity to begin rebuilding their credit history by obtaining employment. We should be doing everything in our power to help people find jobs during these tough economic times, not hinder them.

Making sure credit reports are not used as a means for denial of employment has been a very important issue to me and my office, and I have introduced a bill, the Equal Employment for All Act, every Congress for the last 11 years.

Unfortunately, in eight of those years, we were in the minority and so we couldn't get a hearing. But now, Mr. LAWSON has brought a bill, which I appreciate greatly, and he is on the committee and this issue is now before us.

What matters most is that important issues like this are addressed and fixed by Congress and get to the floor for a vote. I would like to thank Mr. LAWSON.

I would also like to go back and thank my former staffer, Michael Fulton, who worked tirelessly on the Equal Employment for All Act and the Fair Access to Credit Scores Act. I am happy to see that language to provide free credit scores is also included in the Comprehensive CREDIT Act of 2020.

I want to thank again Chairwoman WATERS and the dedicated staff on the Financial Services Committee. And I encourage all of my colleagues to support my amendment and vote for the overall bill.

Mr. Chairman, I reserve the balance of my time.

Mr. MCHENRY. Mr. Chair, I claim the time in opposition. I am opposed to the amendment.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chairman, this amendment is more of the same. It prevents employers from identifying and fulfilling the needs of their companies.

Now, use of a credit score, you would argue, is not perfect for every job, but there are certain cases where that would, in fact, be a reasonable thing and a reasonable limitation on employment; and I would ask the amendment sponsor if that is the case.

Are there reasonable limitations that we could find here for the types of employment where a credit report may be helpful to an employer?

I would ask the bill's sponsor, Mr. COHEN of Tennessee, who is here in the room, so your amendment says you cannot use the credit report for anything related to hiring; is that correct?

I yield to the gentleman from Tennessee.

Mr. COHEN. Right.

Mr. MCHENRY. I understand that correctly. Is there any reasonable limitation—as an employer, is there any reasonable expectation for using a credit report in a hiring process, in your view?

Mr. COHEN. I am still having trouble hearing. Like in the 8 years when I was in the minority, I couldn't hear the majority party give me a chance to bring this to a vote. But I don't think the answer is yes. The answer is no.

Mr. MCHENRY. Reclaiming my time. If the amendment sponsor doesn't wish to engage in debate, then don't come to the House floor, Mr. Chair, unless you want to engage in a debate. I am offering a reasonable question. The gentleman may be so far in left field he can't hear me in this Chamber.

But I would say this: As an employer, if you are handling cash, as an example, every day, is it a reasonable thing to check somebody's credit report to see if somebody has perhaps—I don't know—had problems with cash, or is

massively in debt, or has not paid their bills. Is that a reasonable thing?

Is it a reasonable thing if you get hired by the FBI to know that you have massive debt and, therefore, could fall victim to extortion?

I think there is a reasonable limitation. And what the gentleman has already exposed with his unwillingness to even engage in a simple colloquy—the gentleman has been around this House long enough to know this general process, but he doesn't want to answer the question.

The reason he doesn't want to answer the question is he doesn't believe any employer should be able to look at a consumer credit report for any hiring procedure, and I think that is patently absurd, Mr. Chair.

So if employers have a real fear that hiring or retaining an individual can jeopardize the integrity of an institution, I think they should be able to check a credit report; just like in certain circumstances, somebody's criminal background could be harmful.

I will give you an example. Elder abuse. I think it is reasonable to know if somebody has committed a violent crime or has extorted money from people. I think that is a reasonable circumstance, is it not?

So I would say this: I offered a reasonable opportunity for a debate on this. This is an absurd amendment that should be rejected.

Mr. Chair, I reserve the balance of my time.

Mr. COHEN. Mr. Chair, it can't be the sole reason for denying a job, number one. That is what the bill says. And there are exemptions for circumstances when Federal, State, or local law call for it, or a national security clearance.

Indeed, I think that if you are an administrator, if you are over, say, the foreign policy of the United States and the Defense Department, people should know if you have great debts to, like, Russia or something. People should have a right to know that because it could relate to your employment. But that is another issue.

Mr. Chair, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I rise to support the underlying bill by Representative PRESSLEY, and I thank her for her outstanding leadership. And I rise, in particular, to support the reasonable, smart amendment of Mr. COHEN. It says very clearly that it is the sole reason.

Let me be clear again, to my good friend. A credit score, or owing bills, is not criminal. It is not a criminal act. It doesn't in any way diminish your ability to do your job.

One percent of the American people own 90 percent of the wealth. That means that students with debt, and millennials, mostly, are not in that category. That means that you are not encouraging leadership if you use a credit score as the sole reason for denying an able leader that happens to be a millennial to get a job. I am outraged and insulted by the premise.

Mr. COHEN's amendment is a smart amendment that indicates, give these individuals a chance, as does the underlying bill by Ms. PRESSLEY.

I rise enthusiastically to give relief to millennials and those with major student debt; one, under this act; and two, under Mr. COHEN's amendment not to deny them a job.

I support the Cohen amendment. I support the underlying bill by Ms. PRESSLEY, the Comprehensive CREDIT Act of 2020, and I believe we should vote ''yes'' on that amendment and ''yes'' on the bill. Do our job for the millennials.

Mr. MCHENRY. Mr. Chair, I reserve the balance of my time.

Mr. COHEN. Mr. Chair, is the gentleman ready to close? Is the gentleman ready to learn if a President has debts to Russia before he can count the money?

Mr. MCHENRY. I will inquire of the Chair; how much time remains on both sides.

The Acting CHAIR. The gentleman from North Carolina has 1½ minutes remaining. The gentleman from Tennessee has 30 seconds remaining.

Mr. MCHENRY. I have the right to close and I intend to do so.

Mr. COHEN. Mr. Chairman, I yield back the balance of my time.

Mr. MCHENRY. Mr. Chair, for the express purpose of this amendment, in legislative text it says that you cannot use a consumer credit report or the information therein to deny employment. And the gentleman in the very debate, Mr. Chair, said that he thinks some different standard. But that is not what this amendment does.

This is a deeply-flawed amendment that has not been—I think it has been thought through, because the gentleman wants to ban every potential limitation on employment, even in a sensitive industry, even dealing with the elderly, even dealing with children; and I think that is way too far to the left and out of the mainstream.

And this amendment is not conforming with the rhetoric that he used on the floor. In fact, it is much more far-reaching.

But it is also quite fitting with the overall bill, because the overall bill is about socializing credit; and if you socialize credit, you can't use any form or factor, and so I think this is really problematic.

If employers have a real fear that hiring an individual can jeopardize the integrity of an institution, for instance, a financial institution, or cause harm to the very people they are trying to care for, or share sensitive information on their customers, then they should have the opportunity to not hire those people that will cause harm or wreck our financial system.

So this is a way-out-left amendment, and it is a way-out-left bill.

So while I oppose it, I wish the gentleman well. And I wish that we could actually engage in some reasonable debate like I had with other Members. But I realize not all Members are the same.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Tennessee (Mr. COHEN).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. TAKANO

The Acting CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 116–383.

Mr. TAKANO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 143, after line 8, insert the following:

(c) PROHIBITION ON INCLUSION OF ARREST INFORMATION IF THERE IS NO CONVICTION.—Section 605(a) of the Fair Credit Reporting Act (15 U.S.C. 1681c(a)), as amended by section 809, is further amended by adding at the end the following:

''(18) Records of an arrest, if the consumer was not convicted of any crime in connection with the arrest.''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from California (Mr. TAKANO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. TAKANO. Mr. Chair, I rise to offer an amendment to the Comprehensive CREDIT Act of 2020 that would prohibit the inclusion of arrest records on a consumer report if the arrest did not lead to a conviction.

Consumer reporting in this country is extremely broken, and consumer reports regularly have unexpected errors. Millions of public records do not contain accurate information, which means that reports have been found to include outdated information and misclassified offenses.

Additionally, incomplete reports fail to say whether or not a person who faced an arrest was exonerated or if criminal charges against them were dropped.

An arrest does not prove criminal conduct and it is not a presumption of guilt. If a consumer was arrested and there was no subsequent conviction, that arrest should not be allowed to show on a consumer report.

Now, due to the extreme bias in our criminal justice system, people of color are arrested and convicted at disproportionate levels in this country. For example, we know that African Americans and Hispanics are approximately two to three times more likely to be arrested than their White counterparts.

□ 1600

These disproportionate levels of arrests can negatively impact the ability for African Americans and Hispanics to obtain housing or find employment. That is why California, New York, and Kentucky have prohibited the inclusion of arrest records without a conviction on consumer reports. We need to

follow their lead and implement this nationwide.

I am encouraged by the work of my colleagues on the Financial Services Committee to limit the time adverse information can remain on a consumer credit report, including information pertaining to convictions.

My amendment goes one step further by prohibiting arrest records from being included if they do not lead to a criminal conviction. Consumers deserve a fair shot in society and should not be penalized for wrongful arrests or arrests that did not lead to a guilty conviction.

Mr. Chairman, I urge my colleagues to support my amendment, and I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from North Carolina is recognized for 5 minutes.

Mr. MCHENRY. Mr. Chairman, this amendment would prohibit the inclusion of any arrest records on a consumer report if the arrest did not result in a conviction, but looking at the intention here, I would say to my colleague, I see the intention here.

In my view, this needs a little more work. And I say this to a Member who is not on the Financial Services Committee. So it is a very thoughtful amendment. I appreciate the gentleman's approach.

The difficulty here, and I am happy to yield, but the difficulty here is at what level? Is it multiple arrests that would be—I mean, I see this as the right intent.

You don't want somebody who makes a mistake, and their court date—because State courts are backed up, and you have a court date 6 months or a year in advance. You did something dumb. You are going to pay the price. You are a law-abiding citizen otherwise, but you broke the law, and you are accused of something very serious. In that period of time, you can't buy a house, potentially, you can't buy a car. I see that as the intention.

Now, you also have the circumstance where you have somebody who has a traumatic life event and has a serious break from their previous reality, and over a short period of time, over that same 6 months, let's say, they have multiple arrests in increasing severity. We talk about the opioid crisis, but we have a larger societal crisis around mental illness and around abuse of illicit and otherwise heavily regulated drugs. So we have these periods of time that we have got to wrestle with in Federal law, but I see the gentleman's intent.

So, while I am opposed to this amendment because I think it is too broad because I think there are severe penalties for that period of time, I think it is probably right and just to have a pause, and if something changes, then they need to remove the fact that you are even accused of a crime. That shouldn't be pertinent to somebody's long-term credit.

So that is how I see it. If I am off base in some way, I am happy to engage on that.

I yield to the gentleman from California for a response.

Mr. TAKANO. Mr. Chairman, I appreciate the gentleman yielding.

I want to point out to the gentleman that my amendment pertains to records of arrests that appear on consumer reports that did not lead to a conviction, so, what is recorded on the report is an arrest.

I don't believe most Americans believe that it is fair for that consumer to suffer adverse ability to gain housing or to gain credit or whatever it may be, a job, but employers look at job——

Mr. MCHENRY. Mr. Chairman, reclaiming my time, on that subject matter, it is the period of time between the arrest and the court date is my concern.

Mr. TAKANO. Mr. Chairman, is the gentleman concerned about the pending arrest?

Mr. MCHENRY. Yes.

Mr. TAKANO. Mr. Chairman, we believe in those instances where there has been an arrest and there is a pending trial, so the arrest shows up on their record and there is a pending trial, we think it is a very small number of cases.

I do agree with the gentleman from North Carolina that is something we should address, and I would be more than happy to work with him on final language if this should gain legs. I believe we can cure that particular instance.

Mr. MCHENRY. Mr. Chairman, I would say I think the gentleman from California (Mr. TAKANO) has offered a thoughtful amendment. We don't want any unjust actions taken against somebody because they are accused of something at one period of time or made a mistake and the courts found that that was not, in fact, something illegal.

So I think he has the right intent. I think the gentleman's inclination is right. I would be happy to work with him on a standalone measure to achieve something similar, but I appreciate that.

Mr. Chairman, I reserve the balance of my time.

Mr. TAKANO. Mr. Chairman, I yield myself such time as I may consume.

I appreciate the spirit in which the gentleman from North Carolina understands the intent here. I believe that most Americans seeing this language on its face would say it makes common sense. There is a kind of netherworld for that person who has been arrested but, yet, who has not been tried.

I still say that our system of jurisprudence says that the person who has been arrested and not yet tried is still presumed to be innocent, and I still maintain that it is reasonable for Congress to hold a consumer reporting agency accountable to only reporting records of arrest for those who have been convicted.

I understand there is some netherworld here, but I still think we need to err on the side of our system of jurisprudence, which says that we presume a person to be innocent until proven guilty, and a person who has been arrested and not yet gone to trial is in that status.

Mr. Chairman, I reserve the balance of my time.

Mr. MCHENRY. Mr. Chairman, again, I still have concerns, but in the interest of due process, the direction of this amendment I think is a thoughtful one, and the gentleman's explanation is a strong explanation of his amendment.

I would say in language such as no conviction, perhaps acquittal may be some better form of this, but this is something I am happy to work on if this ever gets to a conference committee, which I don't believe the bill will. But I am happy to engage with my colleague from California on the contents of this, and, as a separate measure, potentially, to work with him on that.

Mr. Chairman, I yield back the balance of my time.

Mr. TAKANO. Mr. Chairman, I yield myself the balance of my time.

I urge that my colleagues back this very commonsense amendment, which would ensure that any person who has been arrested but never convicted or whose case has never been brought to trial—actually, not been convicted. I want to make it very clear, if they have not been convicted, they should not be listed on a consumer credit report.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. TAKANO).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. BROWN OF MARYLAND

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 116–383.

Mr. BROWN of Maryland. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 44, line 18, before the period insert ''(increased by $15,000,000)''.

At the end of title IX, add the following:

SEC. 904. SENSE OF CONGRESS.

It is the sense of Congress that efforts to enhance cybersecurity and implement routine security updates of databases maintained by the nationwide consumer reporting agencies that contain sensitive consumer data, including the credit history and personal information of millions of Americans, is critical to the national interest of the United States.

SEC. 905. CYBERSECURITY SUPERVISION AND EXAMINATION OF LARGE CONSUMER REPORTING AGENCIES.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), as amended by section 706, is further amended by adding at the end the following:

"SEC. 637. CYBERSECURITY SUPERVISION AND EXAMINATION OF LARGE CONSUMER REPORTING AGENCIES.

''(a) IN GENERAL.—Consumer reporting agencies described under section 603(p) shall be subject to cybersecurity supervision and examination by the Bureau.

''(b) MINIMUM TRAINING REQUIREMENTS.—Consumer reporting agencies described under section 603(p) shall meet minimum training and ongoing certification requirements with respect to cybersecurity at regular intervals, as established by the Director of the Bureau.''.

(b) CLERICAL AMENDMENT.—The table of contents of the Fair Credit Reporting Act, as amended by section 706, is further amended by adding at the end the following:

''637. Cybersecurity supervision and examination of large consumer reporting agencies.''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from Maryland (Mr. BROWN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. BROWN of Maryland. Mr. Chairman, I yield myself such time as I may consume.

I want to first recognize the hard work of the Financial Services Committee, under the leadership of Chairwoman WATERS, and also the work and the commitment of Congresswoman PRESSLEY on the underlying bill.

This legislative package reforms the credit reporting industry and improves consumer protections.

Credit scores play a critical role in the lives and financial futures of American consumers. The information relied upon by the industry is personal to us, things like when we were born, where we live, and where we work. This data is some of the most valuable information that we have in today's digital economy. It often is how we prove our very identity, if not existence. It is key to every aspect of our lives, from applying to college, purchasing a car, obtaining housing, investing in our futures, and, eventually, to collecting retirement.

Credit agencies have not adequately secured this data and have violated our trust. The most egregious example of this is the Equifax breach of 2017. This theft was not a high-tech cyberattack. The weaknesses in the Equifax systems were known, as were the fixes, yet Equifax failed to take action.

The credit agencies have demonstrated that they are not able to secure their systems by themselves. It is time for Congress to protect Americans from threats against their credit history and the misuse of their personal information.

My amendment, Mr. Chairman, addresses this issue in two ways:

First, it requires credit agencies to ensure they are meeting minimum training requirements for cybersecurity. Every major corporation and most Federal, State, and local government entities understand that cybersecurity training is crucial and have established training requirements and standards. Credit agencies should do the same.

Second, it gives the Consumer Financial Protection Bureau the authority to examine the cybersecurity protocols and training of credit agencies, to ensure these agencies are taking appropriate steps to secure our critical personal information. This oversight will ensure that credit agencies are proactively adapting to the change in threats more institutions face in cyberspace.

Mr. Chairman, I urge my colleagues to support this amendment and the underlying legislation, and I yield back the balance of my time.

Mr. MCHENRY. Mr. Chairman, I rise in opposition to this amendment, though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. MCHENRY. Mr. Chairman, I yield myself such time as I may consume.

I am happy to see my friends on the other side of the aisle take the same interest that we have on this side of the aisle in protecting cybersecurity and protecting consumer data. I think it is great that this is a bipartisan concern that we share.

This amendment reaffirms the data security concerns that Republicans have highlighted in the past with respect to credit reporting agencies, including back in February of last year, the only time we had a hearing in the House Financial Services Committee on the credit reporting agencies. We want to ensure that these credit reporting agencies protect our data.

The collection and maintenance of our personal information and exposing that to risk is deeply problematic. All we need to do is look back a few years ago to the Equifax breach to understand how vital cybersecurity standards are, not only at the consumer credit reporting agencies, but across the financial sector.

I appreciate the gentleman from Maryland using the language from my substitute amendment that I offered before the Rules Committee and before the House Financial Services Committee and incorporating it into this amendment. I am disappointed that the rest of the bill was not as bipartisan as this amendment text.

Since this bill is not going anywhere, I would ask whether or not the author of the amendment would be interested in drafting a separate suspensionable—I think it has wide bipartisan support—a suspension-worthy version of this as a stand-alone bill.

I yield to the gentleman from Maryland.

Mr. BROWN of Maryland. Mr. Chairman, I thank the gentleman for yielding.

I don't share the gentleman from New Jersey's pessimism this early in the game, so I will reserve judgment and a response for the appropriate time.

Mr. MCHENRY. Mr. Chairman, reclaiming my time, I thank my new colleague, but bipartisanship is kind of rare to happen around here, so when it is offered, let's just go try to get it, try to work on it. That would be my suggestion, Mr. Chairman. Since this is the language, verbatim, from my substitute, I am trying to be charitable.

But with that, like I said, I am not opposed to the amendment. In fact, I am proud to really have written the contents of what is being offered. I am grateful that the gentleman offered it and the Rules Committee approved it, because they didn't approve my standalone amendment in the nature of a substitute.

Mr. Chairman, we are not going to resolve those broader issues, but I am happy to work with the gentleman if he is ever interested in a bipartisan bill on this measure. I am happy to do that.

I am fine with the passage of this. I think the underlying bill is still deeply flawed. This doesn't tip the balance for me to make an awful bill really good, but it does make an awful bill just slightly less awful.

Mr. Chairman, I yield back the balance of my time.

□ 1615

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. BROWN).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. BROWN of Maryland. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Maryland will be postponed.

AMENDMENT NO. 14 OFFERED BY MR. PANETTA

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 116–383.

Mr. PANETTA. Mr. Chair, I do have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 135, line 21, insert '', including homelessness (as defined by the Secretary of Housing and Urban Development),'' after ''barriers''.

The Acting CHAIR. Pursuant to House Resolution 811, the gentleman from California (Mr. PANETTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PANETTA. Mr. Chair, I thank Mr. LAWSON, Ms. PRESSLEY, and the ranking member for their work on this bill.

I rise to offer an amendment to H.R. 3621, the Student Borrower Credit Improvement Act.

As we all know, this bill that we are considering today strengthens consumer protections for all Americans by making overdue reforms to credit reporting.

Specifically, the Student Borrower Credit Improvement Act gives borrowers facing economic hardship an opportunity to repair their credit profiles and prevent certain prior delinquencies from being reported.

These borrowers, who are working to do everything right, deserve that chance to repair their credit scores. But at times, when a borrower experiences sudden economic hardship, it can be nearly impossible to make payments on time. That is why the legislation in front of us allows borrowers to pause their repayments when they demonstrate undue hardship resulting from an unusual extenuating life circumstance.

My amendment would include homelessness, as defined by HUD, as an extenuating life circumstance demonstrating a hardship, therefore making them eligible for that type of grace period that this legislation allows.

When a borrower experiences homelessness, it is nearly impossible to focus on anything else, and securing a safe place to live becomes a top priority.

This amendment would ensure that a borrower who is experiencing homelessness can focus on finding a place to stay without worrying about missing a payment.

A Federal Reserve study has shown that student loan debt has caused a third of borrowers to move in with their parents after school. But many students with debt lack that type of support system, and faced with a lack of housing options, they do become homeless.

On the central coast of California, where I represent, there are some borrowers who face homelessness even before graduating college. Students at the local university, the University of California at Santa Cruz, many of them have been forced to live in vehicles in the university's parking lots.

By including my amendment in this legislation, we can ensure that borrowers experiencing homelessness are given a temporary reprieve and preserve their ability to repair their credit.

Mr. Chair, I reserve the balance of my time.

Mr. MCHENRY. Mr. Chair, I claim the time in opposition to the amendment, even though I am not opposed to it.

The Acting CHAIR. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. MCHENRY. Mr. Chair, as we all know, homelessness is an issue that has plagued the lives of many Americans across this country, and we know the particular crisis that is in Los Angeles.

I know that the gentleman is trying to deal with the particular issues of his home State, and so I commend him for that. But he is also highlighting something that has been a big debate—not debate, but a big point of discussion, I would say, and shared concern about homelessness that we have in the Financial Services Committee.

I know every committee of jurisdiction has homelessness as a part of their agenda, but we are the committee that does housing, and we are trying to draw some consensus on how we deal with this homelessness crisis.

We have a crisis of affordability across the country, but in particular, in high growth areas. It is a blessing that it is a high-growth area, but there is an enormous number of challenges that come along the way.

It means that commutes get longer for people who are working-class folks. It means that you have folks who are making serious life decisions with a great limitation, right? So that impairs, I think, economic growth.

It is not just in New York or Los Angeles or San Francisco where there is a homelessness crisis. I say this not using it as words of attack to the sponsor of this. It is not. We have a homelessness crisis in every community in America because we have homeless. We have a veterans homelessness crisis because if we have a single veteran who is homeless, that is not in keeping with who we are as America.

So I think it is important to raise this issue of homelessness in every way we can. I think a number of the policies that have been offered this Congress will make things worse, not better.

For the affordability challenge, I feel like national rent control policies and things of that sort will move us in the wrong direction for ensuring that we have enough housing stock for those who seek it. With the changing nature of how people want to live, we have to make sure that housing stock fits with that so you are able to grow housing stock to meet that need, not just for young people, but for old people and everybody in between, as I find out I am getting old, right?

But with this, I appreciate my colleague for offering this amendment. I think it is a thoughtful approach. It gives us the opportunity to have a wider discussion about homelessness and the challenges therein to those experiencing it, to the communities that are struggling with it, and to all of us to come to terms with the best way to approach it.

Look, this doesn't tip the balance in my view of the underlying bill. For those of you who have been paying attention to this debate, I won't repeat myself on this, but this is the final amendment.

I think the bill's sponsor is of goodwill in trying to address this. The underlying bill is still deeply problematic to me, but I commend my colleague for raising that.

Mr. Chair, I reserve the balance of my time.

Mr. PANETTA. Mr. Chair, I thank Mr. MCHENRY for his very thoughtful comments.

Mr. Chair, I yield the remainder of my time to the gentlewoman from Massachusetts (Ms. PRESSLEY).

Ms. PRESSLEY. Mr. Chair, I find very often we tend to stereotype and present a very shallow narrative as to who experiences homelessness or is on the precipice of experiencing it.

The reality is that struggle is certainly not a character flaw, and hardship is transcendent. Many of us have disruptive life events: a layoff, a death, a natural disaster, displacement. I could go on.

The point is that far too many Americans are living on the brink of financial collapse. So while this administration continues to undo basic protections for those experiencing homelessness, we must be working to support them and help them to regain stability.

There is no hierarchy of hurt. As someone who faced multiple eviction notices growing up, I can tell you that losing one's home is every bit as traumatic as losing one's job or being diagnosed with a life-threatening illness.

We should be working to help people find housing, not punishing and criminalizing those without it.

This amendment would make it clear that Americans facing homelessness are able to get relief under our bill. I am proud to support it.

Mr. Chair, I thank my colleague from California for offering this amendment. And in that this is the final amendment, I want to thank Chairwoman WATERS for her leadership; the dedicated Financial Services Committee staff; Representative LAWSON; and my dedicated A Team, specifically Aya Ibrahim, who has been the lead on this bill.

Mr. MCHENRY. Mr. Chair, again, for the overall bill, to put a bow on this, if you will, this bill is about socializing credit scores. If you socialize credit scores, you can socialize credit. If you can socialize credit, then you can have government make the decision about the allocation of credit in the private sector.

This is a larger narrative from the far left in this country, which has now taken the opportunity to attempt to make legislative gains.

The President has said he will not sign this bill, thankfully, which is good for the American consumer. Furthermore, I don't see this seeing the light of day in the Senate.

Having said that, we still need to have a serious bipartisan conversation about how to reform the credit reporting agencies and the law that underlies their regulatory framework.

Mr. Chair, I am grateful for the opportunity to debate here on the House floor. While I am not opposed to this amendment, I remain opposed to the overall bill and will urge my colleagues to vote ''no'' on that. But, again, I commend the gentleman from California (Mr. PANETTA) for his offering of a thoughtful amendment dealing with homelessness and raising this issue, not as a local issue, but as one of national import and one worthy of debate here on the House floor.

Mr. Chair, I yield back the balance of my time.

Mr. PANETTA. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PANETTA).

The amendment was agreed to.

Mr. LAWSON of Florida. Mr. Chair, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PANETTA) having assumed the chair, Mr. PAYNE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3621) to amend the Fair Credit Reporting Act to remove adverse information for certain defaulted or delinquent private education loan borrowers who demonstrate a history of loan repayment, and for other purposes, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 27 minutes p.m.), the House stood in recess.

□ 1759

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. QUIGLEY) at 5 o'clock and 59 minutes p.m.

HOUR OF MEETING ON TOMORROW

Mr. NEGUSE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

STUDENT BORROWER CREDIT IMPROVEMENT ACT

The SPEAKER pro tempore. Pursuant to House Resolution 811 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 3621.

Will the gentlewoman from Colorado (Ms. DEGETTE) kindly take the chair.

□ 1800

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 3621) to amend the Fair Credit Reporting Act to remove adverse information for certain defaulted or delinquent private education loan borrowers who demonstrate a history of loan repayment, and for other purposes, with Ms. DEGETTE (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 14 printed in part B of House Report 116–383 offered by the gentleman from California (Mr. PANETTA) had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 116–383 on which further proceedings were postponed, in the following order:

Amendment No. 4 by Mr. CLAY of Missouri.

Amendment No. 13 by Mr. BROWN of Maryland.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 4 OFFERED BY MR. CLAY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. CLAY) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 231, noes 185, not voting 19, as follows:

[Roll No. 28]

AYES—231

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Case
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hayes
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
Norton
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Plaskett
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rogers (AL)
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sablan
San Nicolas
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Spano
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth
Young

NOES—185

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Budd
Burchett
Burgess
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
González-Colón (PR)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (PA)
King (IA)
King (NY)
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Roe, David P.
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Stauber
Stefanik
Steil
Steube
Stewart
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Zeldin

NOT VOTING—19

Buck	Kinzinger	Radewagen
Byrne	Kirkpatrick	Rooney (FL)
Gabbard	Lewis	Ryan
Hastings	Loudermilk	Speier
Heck	Luria	Stivers
Higgins (LA)	Mullin	
Kelly (MS)	Murphy (NC)	

□ 1840

Mr. HUDSON changed his vote from ''aye'' to ''no.''

Mr. MCNERNEY, Mses. WASSERMAN SCHULTZ, and JACKSON LEE changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 13 OFFERED BY MR. BROWN OF MARYLAND

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Maryland (Mr. BROWN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 376, noes 38, not voting 21, as follows:

[Roll No. 29]

AYES—376

Adams	Cartwright	Demings
Aderholt	Case	DeSaulnier
Aguilar	Casten (IL)	DesJarlais
Allen	Castor (FL)	Deutch
Allred	Castro (TX)	Diaz-Balart
Amodei	Chabot	Dingell
Armstrong	Cheney	Doggett
Axne	Chu, Judy	Doyle, Michael F.
Bacon	Cicilline	Dunn
Baird	Cisneros	Emmer
Balderson	Clark (MA)	Engel
Banks	Clarke (NY)	Escobar
Barr	Clay	Eshoo
Barragán	Cleaver	Espaillat
Bass	Clyburn	Estes
Beatty	Cohen	Evans
Bera	Cole	Finkenauer
Bergman	Collins (GA)	Fitzpatrick
Beyer	Comer	Fleischmann
Bilirakis	Conaway	Fletcher
Bishop (GA)	Connolly	Fortenberry
Bishop (UT)	Cook	Foster
Blumenauer	Cooper	Foxx (NC)
Blunt Rochester	Correa	Frankel
Bonamici	Costa	Fudge
Bost	Courtney	Fulcher
Boyle, Brendan F.	Cox (CA)	Gallagher
Brady	Craig	Gallego
Brindisi	Crawford	Garamendi
Brooks (IN)	Crenshaw	García (IL)
Brown (MD)	Crist	Garcia (TX)
Brownley (CA)	Crow	Gianforte
Buchanan	Cuellar	Gibbs
Bucshon	Cunningham	Golden
Budd	Curtis	Gomez
Burgess	Davids (KS)	Gonzalez (OH)
Bustos	Davis (CA)	Gonzalez (TX)
Butterfield	Davis, Danny K.	González-Colón (PR)
Calvert	Davis, Rodney	Gottheimer
Carbajal	Dean	Granger
Cárdenas	DeFazio	Graves (GA)
Carson (IN)	DeGette	Graves (LA)
Carter (GA)	DeLauro	Graves (MO)
Carter (TX)	DelBene	Green (TN)
Cartwright	Delgado	Green, Al (TX)
Case	Demings	Grijalva
Casten (IL)	DeSaulnier	Grothman
Castor (FL)	DesJarlais	Guest
Castro (TX)	Deutch	Guthrie
Chabot	Diaz-Balart	Haaland
Cheney	Dingell	Hagedorn
Chu, Judy	Doggett	Harder (CA)
Cicilline	Doyle, Michael F.	Hartzler
Cisneros	Dunn	Hayes
Clark (MA)	Emmer	Hern, Kevin
Clarke (NY)	Engel	Herrera Beutler
Clay	Escobar	Hice (GA)
Cleaver	Eshoo	Higgins (NY)
Clyburn	Espaillat	Hill (AR)
Cohen	Estes	Himes
Cole	Evans	Holding
Collins (GA)	Finkenauer	Hollingsworth
Comer	Fitzpatrick	Horn, Kendra S.
Conaway	Fleischmann	Horsford
Connolly	Fletcher	Houlahan
Cook	Fortenberry	Hoyer
Cooper	Foster	Hudson
Correa	Foxx (NC)	Huffman
Costa	Frankel	Hurd (TX)
Courtney	Fudge	Jackson Lee
Cox (CA)	Fulcher	Jayapal
Craig	Gallagher	Jeffries
Crawford	Gallego	Johnson (GA)
Crenshaw	Garamendi	Johnson (LA)
Crist	García (IL)	Johnson (OH)
Crow	Garcia (TX)	Johnson (SD)
Cuellar	Gianforte	Johnson (TX)
Cunningham	Gibbs	Joyce (OH)
Curtis	Golden	Joyce (PA)
Davids (KS)	Gomez	Kaptur
Davis (CA)	Gonzalez (OH)	Katko
Davis, Danny K.	Gonzalez (TX)	Keating
Davis, Rodney	González-Colón (PR)	Keller
Dean	Gottheimer	Kelly (IL)
DeFazio	Granger	Kelly (PA)
DeGette	Graves (GA)	Kennedy
DeLauro	Graves (LA)	Khanna
DelBene	Graves (MO)	Kildee
Delgado	Green (TN)	Kilmer
Demings	Green, Al (TX)	Kim
DeSaulnier	Grijalva	Kind
DesJarlais	Grothman	King (NY)
Deutch	Guest	Krishnamoorthi
Diaz-Balart	Guthrie	Kuster (NH)
Dingell	Haaland	Kustoff (TN)
Doggett	Hagedorn	LaHood
Doyle, Michael F.	Harder (CA)	LaMalfa
Dunn	Hartzler	Lamb
Emmer	Hayes	Lamborn
Engel	Hern, Kevin	Langevin
Escobar	Herrera Beutler	Larsen (WA)
Eshoo	Hice (GA)	Larson (CT)
Espaillat	Higgins (NY)	Latta
Estes	Hill (AR)	Lawrence
Evans	Himes	Lawson (FL)
Finkenauer	Holding	Lee (CA)
Fitzpatrick	Hollingsworth	Lee (NV)
Fleischmann	Horn, Kendra S.	Lesko
Fletcher	Horsford	Levin (CA)
Fortenberry	Houlahan	Levin (MI)
Foster	Hoyer	Lieu, Ted
Foxx (NC)	Hudson	Lipinski
Frankel	Huffman	Loebsack
Fudge	Hurd (TX)	Lofgren
Fulcher	Jackson Lee	Long
Gallagher	Jayapal	Lowenthal
Gallego	Jeffries	Lowey
Garamendi	Johnson (GA)	Lucas
García (IL)	Johnson (LA)	Luetkemeyer
Garcia (TX)	Johnson (OH)	Luján
Gianforte	Johnson (SD)	Lynch
Gibbs	Johnson (TX)	Malinowski
Golden	Joyce (OH)	Maloney, Carolyn B.
Gomez	Joyce (PA)	Maloney, Sean
Gonzalez (OH)	Kaptur	Marshall
Gonzalez (TX)	Katko	Mast
González-Colón (PR)	Keating	Matsui
Gottheimer	Keller	McAdams
Granger	Kelly (IL)	McBath
Graves (GA)	Kelly (PA)	McCarthy
Graves (LA)	Kennedy	McCaul
Graves (MO)	Khanna	McCollum
Green (TN)	Kildee	McEachin
Green, Al (TX)	Kilmer	McGovern
Grijalva	Kim	McHenry
Grothman	Kind	McKinley
Guest	King (NY)	McNerney
Guthrie	Krishnamoorthi	Meadows
Haaland	Kuster (NH)	Meeks
Hagedorn	Kustoff (TN)	Meng
Harder (CA)	LaHood	Meuser
Hartzler	LaMalfa	Miller
Hayes	Lamb	Mitchell
Hern, Kevin	Lamborn	Moolenaar
Herrera Beutler	Langevin	Moore
Hice (GA)	Larsen (WA)	Morelle
Higgins (NY)	Larson (CT)	Moulton
Hill (AR)	Latta	Mucarsel-Powell
Himes	Lawrence	Murphy (FL)
Holding	Lawson (FL)	Nadler
Hollingsworth	Lee (CA)	Napolitano
Horn, Kendra S.	Lee (NV)	Neal
Horsford	Lesko	Neguse
Houlahan	Levin (CA)	Newhouse
Hoyer	Levin (MI)	Norcross
Hudson	Lieu, Ted	Norton
Huffman	Lipinski	Nunes
Hurd (TX)	Loebsack	O'Halleran
Jackson Lee	Lofgren	Ocasio-Cortez
Jayapal	Long	Olson
Jeffries	Lowenthal	Omar
Johnson (GA)	Lowey	Palazzo
Johnson (LA)	Lucas	Pallone
Johnson (OH)	Luetkemeyer	Palmer
Johnson (SD)	Luján	Panetta
Johnson (TX)	Lynch	Pappas
Joyce (OH)	Malinowski	Pascrell
Joyce (PA)	Maloney, Carolyn B.	Payne
Kaptur	Maloney, Sean	Pence
Katko	Marshall	Perlmutter
Keating	Mast	Perry
Keller	Matsui	Peters
Kelly (IL)	McAdams	Peterson
Kelly (PA)	McBath	Phillips
Kennedy	McCarthy	Pingree
Khanna	McCaul	Plaskett
Kildee	McCollum	Pocan
Kilmer	McEachin	Porter
Kim	McGovern	Posey
Kind	McHenry	Pressley
King (NY)	McKinley	Price (NC)
Krishnamoorthi	McNerney	Quigley
Kuster (NH)	Meadows	Raskin
Kustoff (TN)	Meeks	Ratcliffe
LaHood	Meng	Reed
LaMalfa	Meuser	Reschenthaler
Lamb	Miller	Rice (NY)
Lamborn	Mitchell	Richmond
Langevin	Moolenaar	Roby
Larsen (WA)	Moore	Rodgers (WA)
Larson (CT)	Morelle	Rogers (AL)
Latta	Moulton	Rogers (KY)
Lawrence	Mucarsel-Powell	Rose (NY)
Lawson (FL)	Murphy (FL)	Rose, John W.
Lee (CA)	Nadler	Rouda
Lee (NV)	Napolitano	Rouzer
Lesko	Neal	Roybal-Allard
Levin (CA)	Neguse	Ruiz
Levin (MI)	Newhouse	Ruppersberger
Lieu, Ted	Norcross	Rush
Lipinski	Norton	Rutherford
Loebsack	Nunes	Sablan
Lofgren	O'Halleran	San Nicolas
Long	Ocasio-Cortez	Sánchez
Lowenthal	Olson	Sarbanes
Lowey	Omar	Scalise
Lucas	Palazzo	Scanlon
Luetkemeyer	Pallone	Schakowsky
Luján	Palmer	Schiff
Lynch	Panetta	Schneider
Malinowski	Pappas	Schrader
Maloney, Carolyn B.	Pascrell	Schrier
Maloney, Sean	Payne	Schweikert
Marshall	Pence	Scott (VA)
Mast	Perlmutter	Scott, Austin
Matsui	Perry	Scott, David
McAdams	Peters	Sensenbrenner
McBath	Peterson	Serrano
McCarthy	Phillips	Sewell (AL)
McCaul	Pingree	Shalala
McCollum	Plaskett	Sherman
McEachin	Pocan	Sherrill
McGovern	Porter	Shimkus
McHenry	Posey	Simpson
McKinley	Pressley	Sires
McNerney	Price (NC)	Slotkin
Meadows	Quigley	Smith (MO)
Meeks	Raskin	Smith (NJ)
Meng	Ratcliffe	Smith (WA)
Meuser	Reed	Smucker
Miller	Reschenthaler	Soto
Mitchell	Rice (NY)	Spanberger
Moolenaar	Richmond	Spano
Moore	Roby	Stanton
Morelle	Rodgers (WA)	Stauber
Moulton	Rogers (AL)	Stefanik
Mucarsel-Powell	Rogers (KY)	Steil
Murphy (FL)	Rose (NY)	Stevens
Nadler	Rose, John W.	Stewart
Napolitano	Rouda	Suozzi
Neal	Rouzer	Swalwell (CA)
Neguse	Roybal-Allard	Takano
Newhouse	Ruiz	Taylor
Norcross	Ruppersberger	Thompson (CA)
Norton	Rush	Thompson (MS)
Nunes	Rutherford	Thompson (PA)
O'Halleran	Sablan	Thornberry
Ocasio-Cortez	San Nicolas	Timmons
Olson	Sánchez	Tipton
Omar	Sarbanes	Titus
Palazzo	Scalise	Tlaib
Pallone	Scanlon	Tonko
Palmer	Schakowsky	Torres (CA)
Panetta	Schiff	Torres Small (NM)
Pappas	Schneider	Trahan
Pascrell	Schrader	Trone
Payne	Schrier	Turner
Pence	Schweikert	Underwood
Perlmutter	Scott (VA)	Upton
Perry	Scott, Austin	Van Drew
Peters	Scott, David	Vargas
Peterson	Sensenbrenner	Veasey
Phillips	Serrano	Vela
Pingree	Sewell (AL)	Velázquez
Plaskett	Shalala	Visclosky
Pocan	Sherman	Wagner
Porter	Sherrill	Walberg
Posey	Shimkus	Walden
Pressley	Simpson	Walorski
Price (NC)	Sires	Waltz
Quigley	Slotkin	Wasserman Schultz
Raskin	Smith (MO)	Waters
Ratcliffe	Smith (NJ)	Watkins
Reed	Smith (WA)	Watson Coleman
Reschenthaler	Smucker	Webster (FL)
Rice (NY)	Soto	Wenstrup
Richmond	Spanberger	Westerman
Roby	Spano	Wexton
Rodgers (WA)	Stanton	Wild
Rogers (AL)	Stauber	Wilson (FL)
Rogers (KY)	Stefanik	Wilson (SC)
Rose (NY)	Steil	Wittman
Rose, John W.	Stevens	Womack
Rouda	Stewart	Woodall
Rouzer	Suozzi	Yarmuth
Roybal-Allard	Swalwell (CA)	Young
Ruiz	Takano	Zeldin
Ruppersberger	Taylor	
Rush	Thompson (CA)	
Rutherford	Thompson (MS)	
Sablan	Thompson (PA)	
San Nicolas	Thornberry	
Sánchez	Timmons	
Sarbanes	Tipton	
Scalise	Titus	
Scanlon	Tlaib	
Schakowsky	Tonko	
Schiff	Torres (CA)	
Schneider	Torres Small (NM)	
Schrader	Trahan	
Schrier	Trone	
Schweikert	Turner	
Scott (VA)	Underwood	
Scott, Austin	Upton	
Scott, David	Van Drew	
Sensenbrenner	Vargas	
Serrano	Veasey	
Sewell (AL)	Vela	
Shalala	Velázquez	
Sherman	Visclosky	
Sherrill	Wagner	
Shimkus	Walberg	
Simpson	Walden	
Sires	Walorski	
Slotkin	Waltz	
Smith (MO)	Wasserman Schultz	
Smith (NJ)	Waters	
Smith (WA)	Watkins	
Smucker	Watson Coleman	
Soto	Webster (FL)	
Spanberger	Wenstrup	
Spano	Westerman	
Stanton	Wexton	
Stauber	Wild	
Stefanik	Wilson (FL)	
Steil	Wilson (SC)	
Stevens	Wittman	
Stewart	Womack	
Suozzi	Woodall	
Swalwell (CA)	Yarmuth	
Takano	Young	
Taylor	Zeldin	
Thompson (CA)		
Thompson (MS)		
Thompson (PA)		
Thornberry		
Timmons		
Tipton		
Titus		
Tlaib		
Tonko		
Torres (CA)		
Torres Small (NM)		
Trahan		
Trone		
Turner		
Underwood		
Upton		
Van Drew		
Vargas		
Veasey		
Vela		
Velázquez		
Visclosky		
Wagner		
Walberg		
Walden		
Walorski		
Waltz		
Wasserman Schultz		
Waters		
Watkins		
Watson Coleman		
Webster (FL)		
Wenstrup		
Westerman		
Wexton		
Wild		
Wilson (FL)		
Wilson (SC)		
Wittman		
Womack		
Woodall		
Yarmuth		
Young		
Zeldin		

NOES—38

Abraham	Flores	Mooney (WV)
Amash	Gaetz	Norman
Arrington	Gohmert	Rice (SC)
Babin	Gooden	Riggleman
Biggs	Gosar	Roy
Bishop (NC)	Griffith	Smith (NE)
Brooks (AL)	Harris	Steube
Burchett	Huizenga	Walker
Cline	Jordan	Weber (TX)
Cloud	King (IA)	Williams
Davidson (OH)	Marchant	Wright
Duncan	Massie	Yoho
Ferguson	McClintock	

NOT VOTING—21

Buck	Kinzinger	Radewagen
Byrne	Kirkpatrick	Roe, David P.
Gabbard	Lewis	Rooney (FL)
Hastings	Loudermilk	Ryan
Heck	Luria	Speier
Higgins (LA)	Mullin	Stivers
Kelly (MS)	Murphy (NC)	Welch

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There is 1 minute remaining.

□ 1844

Mr. STEUBE changed his vote from ''aye'' to ''no.''

The amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. VEASEY). There being no further amendments, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. DEGETTE) having assumed the chair, Mr. VEASEY, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 3621) to amend the Fair Credit Reporting Act to remove adverse information for certain defaulted or delinquent private education loan borrowers who demonstrate a history of loan repayment, and for other purposes, and, pursuant to House Resolution 811, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HILL of Arkansas. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HILL of Arkansas. I am, in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Hill of Arkansas moves to recommit the bill H.R. 3621 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 161, line 2, strike ''; and'' and insert after such line the following:

''(c) LIMITATION WITH RESPECT TO PROTECTED EXPRESSIONS.—The Bureau may not require, as a condition for a credit scoring model to satisfy the standards established under subsection (a) or as a condition for determining a credit scoring model is appropriate under subsection (b), that a credit

scoring model make use of information related to political opinions, religious expression, or other expression protected by the First Amendment, whether obtained from a social media account of a consumer or other sources.''; and

Mr. HILL of Arkansas (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas is recognized for 5 minutes in support of his motion.

Mr. HILL of Arkansas. Madam Speaker, let me start by saying the spirit of this bill is noble. Finding ways to ensure that all Americans, no matter of race, creed, color, or ZIP Code, have access to affordable credit is a noble pursuit. It is a top priority of the House Financial Services Committee.

In fact, Madam Speaker, it is a personal priority. I have introduced H.R. 4231 that has bipartisan and bicameral support. It facilitates the use of additional data from rental, utility, and telecom payments to help more Americans repair and build their credit score. Thousands more would qualify and have better access to credit.

The reality is that, while this is an issue that faces all Americans, it is communities of color that overwhelmingly face the greatest obstacles when it comes to obtaining access to affordable credit.

Legislating is difficult. It requires good faith negotiation, compromise, and a willingness to take a small degree of political risk that occasionally makes our political lives a little more complicated.

Messaging, Madam Speaker, on the other hand, is easy. It only requires the inherent power of the majority.

There was a bipartisan path that could have been taken, but today, House Democrats chose to detour down the messaging-only path.

With a vote today, the majority is, sadly, seeking to socialize credit, consumer credit ratings, and credit risk. This will jeopardize access to credit for millions of low-income and moderate-income families.

This legislation will inhibit lenders' ability to get the full picture of a consumer's financial health, making risk more difficult to assess. This ultimately increases the cost and decreases the availability for our consumers.

The good news is, Madam Speaker, that Republicans will stand united in opposition to a government takeover of our credit bureaus.

Today, the majority in Congress seeks to socialize our credit system by having credit scoring and credit scoring models taken over by the government, specifically, the unaccountable Consumer Financial Protection Bureau. However, I hope that we can all come together on one major principle.

My amendment will not kill the bill or send it back to committee. It will ensure that we do not allow Federal agencies to pick winners and losers based on political, religious, or other beliefs protected by our Constitution.

Specifically, my friends, we need to ensure that the CFPB does not exploit this newfound power and punish Americans based on their heartfelt First Amendment rights. Simply put, my motion to recommit will prohibit the CFPB from requiring credit scoring models from using information related to Americans' political opinions, their religious beliefs, or other expression that is protected by the First Amendment.

Let's make certain, my friends, that the United States Government doesn't use the tactics now made so popular in Beijing.

In China, Madam Speaker, agencies are collecting enormous amounts of data related to individual financing, social media accounts, health records, and facial recognition. In China, my friends, now we have the social score. It permits rewards and punishments based on each individual's social score.

For example, if you have a higher social score, you might get a discount on your monthly energy bill. If you have a lower score, you might not be able to get on that train or airplane.

According to the Chinese Government, all social scores for 1.4 billion Chinese will be made publicly available this year.

American ideals go against everything the social credit system represents. Supporting this MTR would ensure what is happening in China will never happen in our country.

The CFPB has too much power, and we should make sure that Americans do not lose access to credit based on the decisions of an unaccountable organization. This unaccountable organization has a history of overstepping its bounds.

As policymakers, we need to support measures that increase access to affordable credit and increase accuracy and security of the consumer credit information while remedying concerns about the existing system.

This legislation undermines the fundamental strengths of that credit reporting system and makes it more difficult, more expensive, for lenders to analyze the credit risk of our friends and neighbors across this country.

The United States has the best financial system in the world. I urge my colleagues to vote ''yes'' on this motion to recommit; vote ''no'' on the underlying bill. Help maintain the United States as the most competitive consumer finance system in the world. And I would urge my friends, there is a right way to vote on this MTR and there is a Huawei to vote on this MTR.

Madam Speaker, I yield back the balance of my time.

Mrs. BEATTY. Madam Speaker, I rise to claim the time in opposition.

The SPEAKER pro tempore. The gentlewoman from Ohio is recognized for 5 minutes.

Mrs. BEATTY. Madam Speaker, the current credit reporting system is broken and does not work for consumers, nor does this motion to recommit.

Madam Speaker, I am going to take a few moments to address what my colleague just said, to address his jangling discords of words.

Today, they are trying to slow down this bill. We have had four hearings, two markups in this Congress alone. Never once did this come up. And now they want to make it about false fears? Now they want to make it about free speech and China?

Let me tell you something: We don't have free speech when credit bureaus own our information and it is wrong.

Madam Speaker, the current credit reporting system is rigged in favor of the credit reporting agencies, plain and simple. They have all the power. They are accountable to no one. Ordinary American consumers are not their customers but their products.

In 2017, Madam Speaker, one of the three credit reporting bureaus, Equifax, exposed personal information of more than 148 million Americans—nearly half the country—in the largest data breach ever, and there was nothing that our constituents could have done about it to protect or stop their sensitive personal information from being exposed.

Even the ranking member of the Financial Services Committee admits that the system is broken. But what was the response of my Republican majority colleagues in 2017 when the American people found out that their data was breached?

Did they bring any legislation to the floor to address it? Did they bring anything to fix it? No.

Instead, they tried to repeal protections for people with preexisting conditions in affordable healthcare. Instead, they passed massive tax cuts for the 1 percent.

Well, there is a new Democratic majority in this Congress, and we are acting to fix this broken system with the Comprehensive CREDIT Act.

I thank Congresswoman MAXINE WATERS.

There are few numbers as important to an individual as their credit score. Whether you are applying for a home loan, an auto loan, a credit card, or even applying for a job, a credit score plays a crucial role in the financial lives of all Americans.

Despite its importance, the system is broken. The FTC found that 42 million consumers had errors found in their credit reports, and the Consumer Financial Protection Bureau's complaint database shows that the number one topic by consumers, 39 percent of all complaints, was consumers reporting errors.

Do the credit reporting companies care? No, they do not. Why should they? There is no incentive for them to care, because the consumers have no say.

This package of bills would fundamentally overhaul the broken system and give the power over credit files

back to the consumers where it belongs. This package of bills is For the People.

Madam Speaker, I stand with Congresswoman AYANNA PRESSLEY and her bill to remove predatory private education loan information from credit files.

I stand with Congresswoman TLAIB and her bill to prohibit medical debt to be reported to credit bureaus for 1 year.

I stand with Congressman LYNCH and his bill to give regulators oversight over credit scoring models.

I stand with Congressman LAWSON and his bill to ensure employers don't use credit files to discriminate in hiring decisions.

I stand with Congresswoman ADAMS and her bill to put the power to dispute credit inaccuracies back into the hands of consumers.

And I stand for my bill to give consumers free access to their credit scores directly from the three national credit reporting agencies, with no strings attached.

Madam Speaker, I urge my colleagues to stand with us, stand with the consumers. Support us and your constituents. Vote ''yes'' for this bill and ''no'' on the MTR.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. HILL of Arkansas. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on passage of the bill, if ordered, and the motion to suspend the rules and pass S. 3201.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 201, nays 208, not voting 20, as follows:

[Roll No. 30]

YEAS—201

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Budd
Burchett
Burgess
Calvert
Carter (GA)
Carter (TX)
Case
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Craig
Crawford
Crenshaw
Cunningham
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Golden
Gonzalez (OH)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Hill (AR)
Holding
Hollingsworth
Horn, Kendra S.
Houlahan
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (PA)
King (IA)
King (NY)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Latta
Lesko
Lipinski
Long
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Peterson
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spanberger
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NAYS—208

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Crist
Crow
Cuellar
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Gomez
Gonzalez (TX)
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hayes
Higgins (NY)
Himes
Horsford
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wilson (FL)
Yarmuth

NOT VOTING—20

Buck
Byrne
Gabbard
Hastings
Heck
Higgins (LA)
Kelly (MS)
Kinzinger
Kirkpatrick
Lewis
Loudermilk
Luria
Meadows
Mullin
Murphy (NC)
Roe, David P.
Rooney (FL)
Ryan
Speier
Stivers

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1905

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCHENRY. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 221, nays 189, not voting 19, as follows:

[Roll No. 31]

YEAS—221

Adams
Aguilar
Allred
Axne
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brindisi
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Casten (IL)
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Cisneros
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Cox (CA)
Craig
Crist
Crow
Cuellar
Cunningham
Davids (KS)
Davis (CA)
Davis, Danny K.
Dean
DeFazio
DeGette
DeLauro
DelBene
Delgado
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Escobar
Eshoo
Espaillat
Evans
Finkenauer
Fletcher
Foster
Frankel
Fudge
Gallego
Garamendi
García (IL)
Garcia (TX)
Golden
Gomez
Gonzalez (TX)
Gottheimer
Green, Al (TX)
Grijalva
Haaland
Harder (CA)
Hayes
Higgins (NY)
Himes
Horn, Kendra S.
Horsford
Houlahan
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (TX)
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kildee
Kilmer
Kim
Kind
Krishnamoorthi

Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Levin (CA)
Levin (MI)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Luján
Lynch
Malinowski
Maloney, Carolyn B.
Maloney, Sean
Matsui
McAdams
McBath
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Nadler
Napolitano
Neal
Neguse
Norcross
O'Halleran
Ocasio-Cortez
Omar
Pallone
Panetta
Pappas
Pascrell
Payne
Perlmutter
Peters
Phillips
Pingree
Pocan
Porter
Pressley
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rose (NY)
Rouda
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shalala
Sherman
Sherrill
Sires
Slotkin
Smith (WA)
Soto
Spanberger
Stanton
Stevens
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Underwood
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson Coleman
Welch
Wexton
Wild
Wilson (FL)
Yarmuth

NAYS—189

Abraham
Aderholt
Allen
Amash
Amodei
Armstrong
Arrington
Babin
Bacon
Baird
Balderson
Banks
Barr
Bergman
Biggs
Bilirakis
Bishop (NC)
Bishop (UT)
Bost
Brady
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Budd
Burchett
Burgess
Calvert
Carter (GA)
Carter (TX)
Case
Chabot
Cheney
Cline
Cloud
Cole
Collins (GA)
Comer
Conaway
Cook
Crawford
Crenshaw
Curtis
Davidson (OH)
Davis, Rodney
DesJarlais
Diaz-Balart
Duncan
Dunn
Emmer
Estes
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx (NC)
Fulcher
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Gonzalez (OH)
Gooden
Gosar
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harris
Hartzler
Hern, Kevin
Herrera Beutler
Hice (GA)
Hill (AR)
Holding
Hollingsworth
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keller
Kelly (PA)
King (IA)
King (NY)
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Latta
Lesko
Long
Lucas
Luetkemeyer
Marchant
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
Meadows
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Pence
Perry
Peterson
Posey
Ratcliffe
Reed
Reschenthaler
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose, John W.
Rouzer
Roy
Rutherford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Spano
Stauber
Stefanik
Steil
Steube
Stewart
Taylor
Thompson (PA)
Thornberry
Timmons
Tipton
Turner
Upton
Van Drew
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Watkins
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NOT VOTING—19

Buck
Byrne
Gabbard
Hastings
Heck
Higgins (LA)
Kelly (MS)
Kinzinger
Kirkpatrick
Lewis
Loudermilk
Luria
Mullin
Murphy (NC)
Roe, David P.
Rooney (FL)
Ryan
Speier
Stivers

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1912

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

TEMPORARY REAUTHORIZATION AND STUDY OF THE EMERGENCY SCHEDULING OF FENTANYL ANALOGUES ACT

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and pass the bill (S. 3201) to extend the temporary scheduling order for fentanyl-related substances, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire (Ms. KUSTER) that the House suspend the rules and pass the bill.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 320, nays 88, not voting 21, as follows:

[Roll No. 32]

YEAS—320

Abraham
Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Bishop (UT)
Blunt Rochester
Bost
Brady
Brindisi
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burchett
Burgess
Bustos
Butterfield
Calvert
Carbajal
Carter (GA)
Carter (TX)
Cartwright
Case
Castor (FL)
Chabot
Cheney
Cicilline
Cisneros
Clark (MA)
Cline
Cloud
Cohen
Cole
Collins (GA)
Comer
Conaway
Connolly
Cook
Cooper
Costa
Courtney
Cox (CA)
Craig
Crawford
Crenshaw
Crist
Crow
Cuellar
Cunningham
Curtis
Davids (KS)
Davidson (OH)
Davis (CA)
Davis, Rodney
DeGette
DeLauro
DelBene
Delgado
Demings
DesJarlais
Deutch
Diaz-Balart
Dingell
Duncan
Dunn
Emmer
Eshoo
Estes
Ferguson
Finkenauer
Fitzpatrick
Fleischmann
Fletcher
Flores
Fortenberry
Foxx (NC)
Frankel
Fulcher
Gaetz
Gallagher
Garamendi
Gianforte
Gibbs
Gohmert
Golden
Gonzalez (TX)
Gooden
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green (TN)
Griffith
Grothman
Guest
Guthrie
Hagedorn
Harder (CA)
Harris
Hartzler
Hayes
Hern, Kevin
Herrera Beutler
Hice (GA)
Higgins (NY)
Hill (AR)
Himes
Holding
Hollingsworth
Horn, Kendra S.
Houlahan
Hoyer
Hudson
Huizenga
Hurd (TX)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jordan
Joyce (OH)
Joyce (PA)
Katko
Keating
Keller
Kelly (PA)
Kilmer
Kim
Kind
King (IA)
King (NY)
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawson (FL)
Lee (NV)
Lesko
Levin (CA)
Lipinski
Loebsack
Long
Lowey
Lucas
Luetkemeyer
Luján
Lynch
Malinowski
Maloney, Sean
Marchant
Marshall
Mast
Matsui
McAdams
McBath
McCarthy
McCaul
McClintock
McHenry
McKinley
McNerney
Meuser
Miller
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mucarsel-Powell
Murphy (FL)
Napolitano
Neal
Neguse
Newhouse
Norcross
Norman
Nunes
O'Halleran
Olson
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Pence
Perlmutter
Perry
Peters
Peterson
Phillips
Pingree
Porter
Posey
Price (NC)
Quigley
Ratcliffe
Reed
Reschenthaler
Rice (NY)
Rice (SC)
Riggleman
Roby
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose (NY)
Rose, John W.
Rouda
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rutherford
Sarbanes
Scalise
Schiff
Schrader
Schrier
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Shalala
Sherrill
Shimkus
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smucker
Soto
Spanberger
Spano
Stanton
Stauber
Stefanik
Steil
Steube
Stevens
Stewart
Suozzi
Swalwell (CA)
Taylor
Thompson (CA)
Thompson (PA)
Thornberry
Timmons
Tipton
Titus
Tlaib
Tonko
Torres (CA)
Torres Small (NM)
Trahan
Trone
Turner
Upton
Van Drew
Vela
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Waltz
Wasserman Schultz
Watkins
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Wright
Yoho
Young
Zeldin

NAYS—88

Amash
Bass
Beatty
Blumenauer
Bonamici
Boyle, Brendan F.
Cárdenas
Carson (IN)
Casten (IL)
Castro (TX)
Chu, Judy
Clarke (NY)
Clay
Cleaver
Clyburn
Correa
Davis, Danny K.
Dean
DeFazio
DeSaulnier
Doggett
Doyle, Michael F.
Engel
Escobar
Espaillat
Evans
Foster
Fudge
Gallego
Garcia (IL)
Garcia (TX)
Gomez
Green, Al (TX)
Grijalva
Haaland
Horsford
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kildee
Lawrence
Lee (CA)
Levin (MI)
Lieu, Ted
Lofgren
Lowenthal
Maloney, Carolyn B.
Massie
McCollum
McEachin
McGovern
Meeks
Meng
Nadler
Ocasio-Cortez
Omar
Payne
Pocan
Pressley
Raskin
Richmond
Rush
Sánchez

Scanlon	Smith (WA)	Waters
Schakowsky	Takano	Watson Coleman
Schneider	Thompson (MS)	Wexton
Scott (VA)	Underwood	Wilson (FL)
Serrano	Vargas	Yarmuth
Sewell (AL)	Veasey	
Sherman	Velázquez	

NOT VOTING—21

Buck	Kelly (MS)	Mullin
Byrne	Kinzinger	Murphy (NC)
Gabbard	Kirkpatrick	Roe, David P.
Gonzalez (OH)	Lewis	Rooney (FL)
Hastings	Loudermilk	Ryan
Heck	Luria	Speier
Higgins (LA)	Meadows	Stivers

□ 1920

Ms. MCCOLLUM changed her vote from ''yea'' to ''nay.''

Ms. BLUNT ROCHESTER changed her vote from ''nay'' to ''yea.''

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. BROWN of Maryland. Madam Speaker, during rollcall Vote number 32 on S. 3201, I mistakenly recorded my vote as Yes when I should have voted Nay.

Ms. TLAIB. Madam Speaker, during Roll Call Vote number 32 on S. 3201, I mistakenly recorded my vote as ''yes'' when I should have voted ''no''.

PERSONAL EXPLANATION

Mrs. KIRKPATRICK. Madam Speaker, I was absent today due to a medical emergency. Had I been present, I would have voted: ''yea'' on Roll Call No. 28, ''yea'' on Roll Call No. 29, ''no'' on Roll Call No. 30, ''yea'' on Roll Call No. 31, and ''yea'' on Roll Call No. 32.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Ms. MCCOLLUM) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 2020.

Hon. NANCY PELOSI,
Speaker, House of Representatives, Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on January 29, 2020, at 5:20 p.m., and said to contain a message from the President in accordance with section 904 of title IX of the United States-Mexico-Canada Agreement Implementation Act.

With best wishes, I am,

Sincerely,

CHERYL L. JOHNSON,
Clerk of the House.

DESIGNATION OF FUNDING AS AN EMERGENCY REQUIREMENT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 116–96)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on the Budget and ordered to be printed:

To the Congress of the United States:

In accordance with section 904 of title IX of the United States-Mexico-Canada Agreement Implementation Act (H.R. 5430; the ''Act''), I hereby designate as emergency requirements all funding so designated by the Congress in the Act pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as outlined in the enclosed list of accounts.

The details of this action are set forth in the enclosed memorandum from the Acting Director of the Office of Management and Budget.

DONALD J. TRUMP.
THE WHITE HOUSE, *January 29, 2020.*

HONORING THE LIFE AND SERVICE OF LINDA COZZEN

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Madam Speaker, today I rise to commemorate and dedicate this time to one of our local activists in Tarrant County, Linda Cozzen, who was a great friend of mine.

Linda was born in Canada and became a U.S. citizen at the age of 8 when her grandparents immigrated to the United States.

Linda and her brother were orphans, and their entry into the country in Texas would not have been possible were it not for the great work of the President and Senator from Texas, Lyndon Johnson, who was one of her heroes. President Johnson had a huge impact on Linda's life, which is one of the reasons why she was so active in politics in Fort Worth and Tarrant County.

Over the years, she served on a lot of different committees: The 820 Corridor Democratic Club, the Southwest Democratic Club, Tarrant County Democratic Party, Tarrant County Democratic Club, League of Women Voters. She was a precinct chair, and so many others for over 20 years.

She also served as campaign manager for numerous candidates in local and State elections. And she was a proud alumna of Texas Christian University also in Fort Worth, TCU.

Ms. Cozzen's story highlights the importance of incorporating immigrants into our democracy and providing them with an opportunity to participate in our political system.

Linda was a great friend, and someone who always just had encouraging words for me and so many others. She was at literally every single Democratic event in Tarrant County.

It has really been a sad week when everybody found out about her untimely passing, and our blessings go out to her family and all of her friends who will miss her.

COMMEMORATING 250TH ANNIVERSARY OF BOTETOURT COUNTY, VIRGINIA

(Mr. CLINE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLINE. Madam Speaker, I rise today to recognize the 250th anniversary of Botetourt County, Virginia. When initially founded, Botetourt County extended far and wide, all the way to the banks of the Mississippi River, and encompassed portions of seven present-day States.

Named for Royal Governor Norborne Berkeley, Lord Botetourt, this scenic county serves as a gateway from the Shenandoah Valley into southwest Virginia.

As you walk through the quaint towns within the county's borders, you are filled with a sense of awe, not only because of its beauty, but because of the history that surrounds you.

Thomas Jefferson famously designed an earlier version of the county courthouse in the town of Fincastle, and Lewis and Clark departed on their great expedition westward from within Botetourt County.

Even after exploring the vast western expanse of America, William Clark returned to marry county resident, Judith Hancock, following his journey.

Just as the James River flows through Botetourt County, our citizens will continue to carve out their path toward prosperity with excitement and hope in the centuries to come.

Madam Speaker, may God continue to bless Botetourt County.

HONORING THE MEMORY OF MADISON ELIZABETH WEGENER

(Ms. SLOTKIN asked and was given permission to address the House for 1 minute.)

Ms. SLOTKIN. Mr. Speaker, I rise today to recognize the life of Madison Elizabeth Wegener of Brighton, Michigan, who was 14 when she passed away last Tuesday.

When she was six, Maddie was diagnosed with a rare degenerative disease that currently has no cure.

From all accounts, Maddie was a vivacious and adventurous young woman. She loved Great Danes, taking walks in the woods, and making maple syrup at her grandparents' farm.

Because of her illness, Maddie became an advocate for organ donation at a young age. In her selflessness, upon her death, Maddie was able to save four lives, and also provide the gift of sight through her organ donations. Think about that.

Maddie's generosity of spirit sets a powerful example, as her legacy will live on in her family, in her community, and in those that she helped save.

Maddie was just a freshman at Brighton High School, where her mother teaches English.

I had the privilege to attend the Brighton-Howell basketball game 10

days ago. The students were asked to come onto the court during half time to make a donation and take a free throw for Maddie. Students from both schools, from every social circle, walked onto that court to support her family.

I know that the Brighton community has rallied around her family and today is mourning her loss. Our hearts are with her family as we honor and celebrate the life of this remarkable young woman.

□ 1930

RECOGNIZING ELENI CHRISTOPOULOS

(Mr. BURCHETT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURCHETT. Mr. Speaker, I rise today to recognize Knoxville Catholic High School senior Eleni Christopoulos. Eleni has earned the Girl Scout Gold Award and was recently named to Knox.biz's 20 Under 20 class.

When Eleni was born, she had a serious infection that needed specialized medical care. Fortunately, she overcame her illness, but she knows that not every sick child will get the same outcome. The experience inspired Eleni to start a program at East Tennessee Children's Hospital to comfort families whose children pass away in the neonatal intensive care unit.

Eleni builds and hand-paints memory boxes for grieving families to store cherished keepsakes like photos and footprints. While it is impossible to ease the pain of a lost child, Eleni's memory boxes offer the families a small comfort during a difficult time.

We don't hear enough about our young folks giving back to their communities and taking the initiative to help others, so I congratulate Eleni for making a meaningful difference in the Knoxville community and for being recognized as a young leader in the 20 Under 20 class.

Eleni has a bright future ahead of her, Mr. Speaker, and I know her grandparents and her mom and dad, and they are very proud, as I am.

CONGRATULATING RANKY TANKY ON WINNING A GRAMMY AWARD

(Mr. CUNNINGHAM asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CUNNINGHAM. Madam Speaker, I am proud to rise today to congratulate Charleston's very own Ranky Tanky for winning a Grammy for Best Regional Roots Music Album.

Ranky Tanky was formed in 2016, made their Lowcountry debut in April 2017, and have since issued two albums and toured the world. Despite touring the world and going around the U.S. and playing, they have never forgotten their hometown of Charleston and their Lowcountry roots.

The Gullah culture is a vital part of the Lowcountry and our history. It is in the food we eat and the music we love. Ranky Tanky has shared Gullah tradition with the entire world, and for that, we owe them a debt of gratitude.

Congrats to Quentin, Kevin, Quiana, Clay, and Charlton. I am sure that this journey feels like it has been a fairytale, but I assure them that they are just getting started.

HONORING THE LIFE OF BRIAN KELLY

(Mr. RODNEY DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RODNEY DAVIS of Illinois. Madam Speaker, I rise today to honor the life of my friend Brian Kelly, who passed away on Tuesday, January 21, at 1:21 a.m., after a long and courageous battle with brain cancer.

I first met Brian when we were congressional staffers together in central Illinois. He was infectious to be around with his positive attitude and his perpetual optimism to always help others. We bonded over our mutual friends and experiences in his hometown of Vandalia, Illinois.

Brian was the epitome of what a public servant should strive to be, putting everyone else above himself, even during his fight against this deadly disease. After diagnosis, when I would see him, the smile and accompanying laughs made us sometimes forget the pain that he and his wife, Megan, were experiencing when none of us were around.

Madam Speaker, my friend Brian has no more need to fight, but knowing that does not make it any easier on his loved ones who lost him too soon. My heartfelt prayers go out to his lovely wife, Megan, and the entire Kelly family and all those who were lucky, like me, to know such a kind soul.

RECOGNIZING RUSSELL ''ROOSTER'' VALENTI

(Ms. WILD asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WILD. Madam Speaker, I rise to recognize an extraordinary constituent, a man who, in my community, is known only as Rooster. He really needs no other name, but his given name is Russell Valentini.

Rooster has worked in the Allentown School District for a very long time. His title with the Allentown School District is Home and School Visitor, but it fails to capture the world of difference he has made in the lives of homeless children and families.

For 35 years, Rooster has served as the lifeline for the 600 to 800 students experiencing homelessness in the Allentown School District at any given time. The poems he has written over the years about the children he has encountered reflect the ways that the children have touched his life and in which he has touched theirs.

Even now, Rooster still grows emotional when telling the story of the father who doesn't know if he will be able to get his paycheck in time to make the rent, the family who has lost their home, the child with no bed to sleep in at night.

Rooster, for these many years, has provided school supplies, uniforms, and hygiene items, as well as food, to help these students and their families.

Everywhere in my community there are people whose lives are immeasurably better today because of Rooster.

Rooster prepares to retire at the end of this school year, and I want to congratulate him. We will miss him. We should all draw inspiration from the powerful example he has set.

RECOGNIZING DEMARKUS BOWMAN, MR. FOOTBALL

(Mr. SPANO asked and was given permission to address the House for 1 minute.)

Mr. SPANO. Madam Speaker, I rise today to recognize Lakeland High School's Demarkus Bowman, who was recently named Florida's Mr. Football.

After finishing runner-up last year, Demarkus beat out the competition this year, having run for over 1,600 yards and 24 touchdowns in only 11 games. As a unanimous 5-star running back and the number 16 overall player in the Nation, Demarkus will be taking his talent next season to Clemson University.

Not only is Demarkus a star football player, but Demarkus also excels in track. More importantly, Demarkus is a young man with a grateful heart who is supported by a devoted family and friends.

I am proud of Demarkus and all his Dreadnaught teammates who represent our district so well. Not only do I celebrate their accomplishments on the field, but I also look forward to seeing them take on the mantle of leadership in their generation.

RECOGNIZING JAMES GREGORIUS

(Mr. CARTER of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CARTER of Georgia. Madam Speaker, I rise today to recognize Mr. James Gregorius, the associate director for training at the Federal Law Enforcement Training Center, FLETC, who will be retiring this week after more than 40 years of public service.

Mr. Gregorius began his career in law enforcement as a police officer with the Montgomery County, Maryland, Police Department. From there, he transitioned to Federal policing, where he served as a special agent within both the Drug Enforcement Administration as well as the National Security Agency.

This experience and this expertise positioned him perfectly for a high-level career with the Federal Law Enforcement Training Center, which is headquartered in the First Congressional District of Georgia. During James' time there, he did an exceptional job of managing training operations in Georgia, New Mexico, South Carolina, and the D.C. metropolitan area.

Madam Speaker, I thank Mr. Gregorius for his service to our country and congratulate him on his retirement.

James' presence, leadership, and expertise will all be missed.

RECOGNIZING THE HEROIC ACTION OF ODREN POLK

(Mr. KELLER asked and was given permission to address the House for 1 minute.)

Mr. KELLER. Madam Speaker, today, it is my great pleasure to recognize the heroic action of Odren Polk, a resident of Williamsport, Pennsylvania, in our 12th Congressional District.

Affectionately referred to as ''Mr. O,'' Odren serves his community at Stevens Primary School through STEP AmeriCorps, a national service organization.

On what Odren described as an otherwise usual day in the cafeteria, Mr. O noticed one of the students choking on a grape tomato. Utilizing the first aid training he received at AmeriCorps, Mr. O jumped into action, dislodging the tomato from the student's airway and saving his life.

What Mr. O described as an automatic reaction was possible only because of the training he received at AmeriCorps.

AmeriCorps is a network of national service programs that seeks to improve lives and foster civic engagement. Approximately 75,000 Americans across the country serve their community through AmeriCorps each year.

AmeriCorps members also receive training that prepares them to serve their communities after their AmeriCorps is completed. As in the case with Mr. O, sometimes that training comes in handy sooner rather than later.

PROVIDING NEW EMPLOYMENT OPPORTUNITIES FOR ALL AMERICANS

(Mr. GUEST asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GUEST. Madam Speaker, today, President Trump signed the historic United States-Mexico-Canada trade agreement and fulfilled a campaign promise to modernize trade with two of our largest trading partners.

The USMCA is projected to generate $68 billion in new economic activity and create over 175,000 new jobs for hardworking Americans.

President Trump and Republicans fought to complete the USMCA on behalf of American farmers, ranchers, manufacturers, and small business owners.

As a rural State with strong agricultural, manufacturing, and business sectors, Mississippi stands to benefit greatly from this agreement by expanding markets for high-quality Mississippi poultry and livestock and hundreds of manufacturing products.

This trade agreement will provide a boost to our economy that has grown significantly under Republican leadership and is another example of free market economic principles at work to provide new employment opportunities for all Americans.

WISHING THE KANSAS CITY CHIEFS LUCK IN THE SUPER BOWL

(Mr. MARSHALL asked and was given permission to address the House for 1 minute.)

Mr. MARSHALL. Madam Speaker, it seems like it was just yesterday when I sat down in my family living room with my dad to watch Super Bowl IV. It was an exciting game, watching Hank Stram strut up and down the sideline, Lenny Dawson completing long passes to Otis Taylor.

This weekend, after 50 years in the desert, the Chiefs are back at the Super Bowl. On behalf of the entire delegation, I want to wish Coach Reid and MVP Patrick Mahomes a great day, a great game, wishing that they all do their very best and bring back home that Lombardi Trophy.

HONORING JEAN FERNANDEZ

(Mr. LAMALFA asked and was given permission to address the House for 1 minute.)

Mr. LAMALFA. Madam Speaker, this past weekend was the 75th anniversary of the Battle of the Bulge of World War II in Europe.

I rise today to honor a great lady, Jean Fernandez, who is a veteran of that historic battle and turned 100 very recently.

Living to be 100 years old is an accomplishment on its own, but Jean's story is particularly remarkable.

Arriving after D-Day and before the Battle of the Bulge, Jean is one of the few women veterans who was actually able to serve in that role in our Nation during World War II.

During her time as a nurse at the 179th U.S. Army General Hospital at Rouen in northern France, the hospital was constantly under threat of air attack, and many of the young men she cared for were severely affected by shell shock.

Had it not been for the My Life, My Story program provided by the VA, Jean's story may not have ever been told.

I had the pleasure of stopping by and spending some time with her at her 100th birthday party up in Susanville, and I enjoyed hearing her recount her time in the military as well as her extraordinary life.

What a neat lady. She is an exceptional American, and I am very thankful for her service and really honored to have had a chance to get to know her and spend time with her.

□ 1945

REVIEWING IMPEACHMENT PROCESS

The SPEAKER pro tempore (Ms. SLOTKIN). Under the Speaker's announced policy of January 3, 2019, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the minority leader.

Mr. GOHMERT. Madam Speaker, it has been an interesting day.

I was down in the Senate earlier today. We have reciprocity with the Senate, so we can go onto the Senate floor. It is a very interesting experience, seeing a President who committed no crime, not even perjury, like President Clinton, having an attempt to remove him from office.

An article today by Brent Bozell says: ''One favorite tactic of our 'objective' media during the impeachment of President Donald Trump is to find a clip of the President's legal experts such as Ken Starr and Alan Dershowitz expressing an opinion during the 1998–99 impeachment of Bill Clinton and then show a contrast with the present day. But this is just as easily demonstrated with the press.

''It is not surprising that Democrats and Republicans favor or oppose impeachment based on the party of the President in the dock. It should be surprising that our supposedly nonpartisan journalists flip to whichever talking points are in use by the Democrats. That makes the press a gaggle of hypocrites.

''Back in 1998, Newsweek's Eleanor Clift spoke for the vast majority of the press from her chair on 'The McLaughlin Group.' Before the House voted to impeach Clinton, she warned, 'If the Republicans want to go ahead and do this, I think they disgrace themselves in a more profound way than President Clinton has by abusing the machinery of impeachment, knowing full well that the Senate will hold a sham trial and they will be, in effect, delivered of this ridiculous conclusion.'

''Over and over again, these network 'news' stars lamented that the House impeachment vote and the Senate impeachment trial of President Clinton were a 'sham' and a horrible 'distraction' from the people's business. They said small-minded Republican Clinton haters were obsessed with sex, and never mind the actual charges of perjury and obstruction of justice.''

Obstruction of justice, of course, being a crime and perjury being a crime, whereas obstruction of Congress is more in the nature of maladministration, which the Founders made

clear should not be a basis for impeachment.

''Then there was NBC's Matt Lauer, who brought on former House Speaker Jim Wright, who resigned in disgrace in 1989 over a corrupt scheme of selling crates of his books to lobbying groups.''

As I recall, there were restrictions on getting paid for speeches, so groups would buy thousands of his books that would sit in crates and go nowhere, in many cases, from what was said back then, as a way of getting around that. But he spoke with moral authority in response to Lauer.

''Lauer said: 'Speaker Wright, let me start with you. When you resigned 9 years ago, you had been battered by the right. You called for an end to what you called 'mindless cannibalism.' Nine years later, we are hearing terms like that again and others swirling around the impeachment of Bill Clinton. Have we learned nothing in 9 years?' ''

As the article says, one thing we all do know is Matt Lauer learned absolutely nothing from Bill Clinton about sexual harassment in the workplace. Rather interesting.

There was an article a week ago from Paul Sperry.

Like I say, I was down at the Senate earlier today, and I know the President's lawyers were asking people and their staff, Republicans, not to use the name people have referred to as being the whistleblower.

I have never named the whistleblower. I have named people who I believed were critical fact witnesses, and some in the media lambasted me and said: You named the whistleblower.

Well, I thought we didn't know who the whistleblower was. How do you know who the whistleblower was when I named him if we don't know who the whistleblower is, if you don't know who the whistleblower is?

Anyway, hypocrisy knows no bounds when it comes to some in the Washington media and some here in Congress. But in any event, the request is not to mention the name of the person, the leftwing activist who has been undermining and trying to destroy the Trump Presidency since President Trump got elected, commonly referred to as the whistleblower.

But the article by Paul Sperry says: ''Sources told RealClearInvestigations the staffer with whom'' this leftwing activist trying to destroy the Trump Presidency, also called the whistleblower, ''was speaking was Sean Misko. Both were Obama administration holdovers working in the Trump White House on foreign policy and national security issues. And both expressed anger over Trump's new 'America First' foreign policy, a sea change from President Obama's approach to international affairs.

'' 'Just days after he was sworn in, they were already talking about trying to get rid of him,' said a White House colleague who overheard their conversation. 'They weren't just bent on subverting his agenda,' the former official added. 'They were plotting to actually have him removed from office.' ''

Sean Misko ''left the White House last summer to join House impeachment manager ADAM SCHIFF's committee, where sources say he offered 'guidance' to the whistleblower, who has been officially identified only as an intelligence officer in a complaint against Trump filed under whistleblower laws. Misko then helped run the impeachment inquiry based on that complaint as a top investigator for congressional Democrats.''

That is in the Democrats' part of the Intelligence Committee.

The probe culminated in Trump's impeachment last month, and ''Schiff and other House Democrats last week delivered the Articles of Impeachment to the Senate and are now pressing the case for his removal during the trial, which began last Tuesday'' of last week.

''The coordination between the official believed to be the whistleblower and a key Democratic staffer, details of which are disclosed here for the first time, undercuts the narrative that impeachment developed spontaneously out of what Trump's Democratic antagonists call the 'patriotism' of an 'apolitical civil servant.'

''Two former coworkers said they overheard'' the leftwing activist trying to destroy Trump, sometimes called the whistleblower, ''and Misko, close friends and Democrats, discussing how to 'take out,' or remove, the new President from office within days of Trump's inauguration. These coworkers said the President's controversial Ukraine phone call in July 2019 provided the pretext they and their Democratic allies had been looking for.

'' 'They didn't like his policies,' another former White House official said. 'They had a political vendetta against him from day one.'

''Their efforts were part of a larger pattern of coordination to build a case for impeachment, involving Democratic leaders as well as anti-Trump figures both inside and outside of government.

''All unnamed sources for this article spoke only on condition that they not be further identified or described. Although strong evidence points to'' the leftwing activist trying to destroy President Trump, also known as the whistleblower, ''as the government employee who lodged the whistleblower complaint, he has not been officially identified as such. As a result, this article makes a distinction between public information released about the unnamed whistleblower/CIA analyst and specific information about'' the leftwing activist trying to destroy President Trump, also known as the whistleblower.

''Democrats based their impeachment case on the whistleblower complaint, which alleges that President Trump sought to help his reelection campaign by demanding that Ukraine's leader investigate former Vice President Joe Biden and his son Hunter in exchange for military aid.''

The article goes on: ''The whistleblower's candor is also being called into question. It turns out that the CIA operative failed to report his contacts with Schiff's office to the intelligence community's inspector general who fielded this whistleblower complaint. He withheld the information both in interviews with the inspector general, Michael Atkinson, and in writing, according to impeachment committee investigators. The whistleblower form he filled out required him to disclose whether he had 'contacted other entities'—including 'Members of Congress.' But he left that section blank on the disclosure form he signed.

''The investigators say that details about how the whistleblower consulted with Schiff's staff and perhaps misled Atkinson about those interactions are contained in the transcript of a closed-door briefing Atkinson gave to the House Intelligence Committee last October. However, Schiff has sealed the transcript from public view. It is the only impeachment witness transcript out of 18 that he has not released.''

I think I will pause here at this point. I have continually heard down in the Senate the House managers referring to what is basically a travesty to have a trial without any witnesses. No. Here is the real travesty.

The real travesty was the violation of House rules, not allowing Republicans to have the witnesses we requested. When those weren't agreed to, then under the rules—and, of course, the Democrats are in the majority. They could have changed the rules. They didn't, so we were entitled to a minority day of witnesses to testify, and that was refused as well.

That was the real travesty, when there was no allowance for Republicans to get down to real facts, get down to the bottom of the allegations against the President. That was truly a travesty.

But in the committee of jurisdiction, the Judiciary Committee, we were only allowed to have some law school professors come in and give us their opinions. Two were quite clearly hateful of President Trump. One tried to sound as if he was reluctant to talk about impeachment when he had been busy twittering about impeachment since President Trump had first been elected and sworn in.

It was a very disingenuous hearing, but we had to sit there and listen to the pontificating from people who clearly adjusted their opinions to address their disdain for President Trump. But that was the only live witnesses we were allowed to have.

Instead, we took in all these depositions, all the transcribed depositions. That is what we took in. Those were our witnesses. That is what the House Judiciary Committee and this House Chamber was supposed to have considered in voting on impeachment.

We were told, no, we have all this testimony, lots of witnesses, before the Judiciary Committee vote. We have all these transcripts if you want to read them.

□ 2000

We had all of these transcripts, lots of witnesses. You want to read them. And then people had the gall to go down the hall to the Senate and say: They are not allowing any witnesses.

Well, either there were no witnesses that the Judiciary Committee was able to consider, other than professors—and I thought Professor Turley was outstanding. He and Alan Dershowitz are normally quite liberal, but they care deeply about civil rights, and they care deeply about the Constitution, and they don't let their political persuasions affect what they believe about the Constitution. I admire that in them, even though, like I say, we have some strong disagreements on other things.

But there in the Senate, down the hall, they have all that mass of, what we were told here, was overwhelming evidence. They have got all of those transcripts down there. It is part of the evidence in the Senate, part of it, so either there was no evidence, no witnesses in the House, or there is plenty of evidence from which the Senate can consider and vote down this travesty called an effort to remove President Trump.

In this article it says: ''The investigators say that details about how the whistleblower consulted with Schiff's staff and perhaps misled Atkinson about those interactions are contained in the transcript,'' as I mentioned.

''Schiff has classified the document 'secret,' preventing Republicans who attended the Atkinson briefing from quoting from it. Even impeachment investigators cannot view it outside a highly secured room.''

Anyway, it goes on. It is pretty ridiculous. The article says further on: ''At the time, the CIA operative worked on loan to the White House,'' and they are talking about the leftwing activist trying to destroy President Trump, also known as the whistleblower. He was ''. . . on loan to the White House as a top Ukrainian analyst in the National Security Council, where he had previously served as an adviser on Ukraine to Vice President Biden. The whistleblower complaint cites Biden, alleging that Trump demanded Ukraine's newly elected leader investigate him and his son 'to help the President's 2020 reelection bid.' ''

The thing is, there is no such thing. What basically the House managers are saying is, if somebody is running for President, it doesn't matter how corrupt they have been. It doesn't matter how corrupt they and their family have been, you can't question them if they are running for President because that might be considered political.

Well, if there was corruption—and everybody knew there was plenty of corruption in Ukraine—and, apparently, no entity more corrupt than Burisma, the natural gas company that made Hunter Biden a member of the board, it is kind of important to find out what was at the heart of all this.

It is interesting, the leftwing activist that was trying to destroy President Trump, also known as the whistleblower, and Sean Misko and Abigail Grace, they reportedly have been quite close to the National Security Council. And it was Misko and this leftwing activist trying to destroy the President, also known as the whistleblower, who had been, as the article points out, overheard in the early days of the Trump administration trying to conspire on ways to take him out and get rid of him as President.

But the truth is, it had to—these three, Misko, Abigail Grace, and the leftwing activist that was trying to destroy Trump known as the whistleblower, they had dealings with Ukraine. They had dealings with Biden, and it is certainly worth noting that even in the inspector general's report, there was mention of the name, by name, of this leftwing activist trying to destroy Trump, also known as the whistleblower, as being a guest, being associated with Vice President Biden.

So if Vice President Biden, say, hypothetically, were involved in any bribery or plot to enrich family, then there is a good chance they would at least be witnesses, if not complicit.

So there are plenty of reasons besides disagreeing with President Trump's America First policy to try to stop any investigation into corruption by Vice President Biden because it may implicate them or at least make them witnesses to some of the stuff.

I still was blown away when I got to a Natural Resources Committee hearing one day and the person in charge of the tens of millions, hundreds of millions—whatever it was—dollars that the U.S. was providing to Puerto Rico for hurricane assistance, and the person in charge of doling out this money in Puerto Rico was the same person who had been finance minister in Ukraine when they had all of this money—a billion or whatever it was—that they were dealing with from the Obama administration.

It was amazing. And I asked: ''How do you do that?'' I mean, didn't Ukrainians want—it wasn't the defense minister but finance minister—''Didn't Ukrainians want a finance minister who was Ukrainian?''

''Yes,'' she says. In essence, she said: They swore me in as a citizen of Ukraine the same way they swore me in as finance minister.

How do you get jobs like that? You hear that the United States is going to send a billion, or hundreds of millions of dollars somewhere, and you run and get in front of that so you can get a job making sure the right people get all of that money. How does that happen?

You can get a job handing out that money in Ukraine. You can get a job, same person, run over to Puerto Rico, ''I want to be in charge of the money here in Puerto Rico.'' That is amazing.

I am sure there were other people who would have loved to have had those jobs. How does this same person get that job in Puerto Rico and Ukraine? Maybe it is kind of like Strzok and Page.

We saw in the Horowitz inspector general report from the Department of Justice—another great Obama holdover—he pointed out in his 60-or-so page report about Comey: Yeah, he says, you know, Comey, he took home material that was a violation to take home. He leaked it, got it into the press.

Of course, he was trying, as he said, to get a special counsel appointed, which his conspiracy worked out well. He got a special counsel appointed, his running buddy, Bob Mueller, whom he had said in an article some years back something like: It is great knowing that if he were on a railroad track and a train were coming, that Bob Mueller would be right there with him.

Yeah, well, that is interesting, but nonetheless, Horowitz pointed out that the reason that Comey probably wouldn't be prosecuted, shouldn't be—you know, we referred it—was because the information he leaked and that he took—some would say stole—but he took was classified at such a low level, it was really more of a violation of his employment agreement and the policy manual.

Well, how did it get classified at such a very low level? Well, on page 1 and 2 of the Horowitz report, he is talking about the FBI did this. They reviewed this. The FBI did this and that. Well, you don't know until you get over to page 42 or 43 of this 60-or-so page report when he finally reveals—when he says the FBI on pages 1 and 2, he is talking about two people, Peter Strzok and Lisa Page.

He has the gall to put in there that, in essence, the reason they were so good at doing this classification of the Comey stuff—if they classified it at a higher level, Comey would be prosecuted and go to jail, so classify it at a low level so he wouldn't—but they were so good at classifying the emails of Hillary Clinton, that is why they were so qualified to do this for the Comey material that was withheld, taken home, stolen, whatever you want to call it and leaked.

So it is kind of the same thing here. Gee, these folks are experts. Why? Because they told us they were. That is what Strzok and Page said. You know, we are the best at reviewing and classifying.

But this article from Paul Sperry goes on, and says about this that: ''Two NSC coworkers told RCI''—and I guess that is RealClear Investigations, doing this article—''that they overheard'' the leftwing activist trying to destroy President Trump, also known as the whistleblower, ''and Misko—who was also working at the NSC as an analyst—making anti-Trump remarks to

each other while attending a staff-wide NSC meeting called by then-National Security Adviser Michael Flynn, where they sat together in the south auditorium of the Eisenhower Executive Office Building, part of the White House complex.

''The 'all hands' meeting, held about two weeks into the new administration, was attended by hundreds of NSC employees.''

That has got to change. The President has got to dramatically cut the number of people who are part of the National Security Council. You can't have security with that many people part of the National Security Council.

The article points out: ''They were popping off about how they were going to remove Trump from office.''

This is back right after Trump took office. And this is a quote from the person that disclosed this to Paul Sperry. ''No joke,'' he said, or she, whoever it was.

''A military staffer detailed to the NSC, who was seated directly in front of'' the leftwing activist trying to destroy Trump, also known as the whistleblower, ''and Misko during the meeting, confirmed hearing them talk about toppling Trump during their private conversation, which the source said lasted about one minute. The crowd was preparing to get up to leave the room at the time.

''After Flynn briefed the staff about what 'America First' foreign policy means,'' the leftwing activist trying to destroy President Trump, also known as the whistleblower, ''turned to Misko and commented, 'We need to take him out.' And Misko replied, 'Yeah, we need to do everything we can to take out the President.'

''Added the military detailee, who spoke on condition of anonymity: 'By ''taking him out,'' they meant removing him from office by any means necessary.' ''

Of course, that's this person's impression. Maybe they meant something else by ''taking him out.'' That was his impression, or her impression.

''They were triggered by Trump's and Flynn's vision for the world. This was the first 'all hands' staff meeting where they got to see Trump's national security team, and they were huffing and puffing throughout the briefing any time Flynn said something they didn't like about 'America First'.

''He said he also overheard'' the leftwing activist trying to destroy President Trump, also known as the whistleblower, ''telling Misko, referring to Trump 'We can't let him enact this foreign policy.' ''

And I have got to say, that sounds remarkably like colonel, lieutenant colonel—I gave him a promotion there for a moment—Lieutenant Colonel Vindman.

Reviewing his testimony, as I am going through, I am going: Holy smoke, this guy is more loyal to Ukraine and the Ukrainian President than he is to the UCMJ, to his own Constitution, to his Commander in Chief.

So I was not at all surprised when I found out the President of Ukraine, he noticed the same thing I did, and offered Lieutenant Colonel Vindman—three times he offered him the job of Minister of Defense in Ukraine.

□ 2015

This is just amazing. This guy clearly did not like President Trump, and you could tell he was really offended. He was the expert on Ukraine, he knew what American foreign policy was supposed to be, but he was totally ignorant of the Constitution that basically allows every President—as President Obama said, elections have consequences. When President Trump got elected, he was the new foreign policy, and anyone in the administration who didn't like President Trump's foreign policy needed to leave. If they couldn't follow it, if they couldn't work with it and implement it, then they needed to be honest and honorable, instead of being destructive to our Constitution and our country and resign or ask for reassignment somewhere else. Or in Vindman's case, go ahead and take the job of defense minister of Ukraine.

But, of course, if he had done that, then he wouldn't have looked very good when he came to testify because he wouldn't have been wearing a uniform like he doesn't wear to work, but he needed to hang around to try to destroy President Trump. Of course, there are articles about him potentially being the one who leaked the conversation to the leftwing activist trying to destroy President Trump also known as the whistleblower.

In any event, this article says: ''Alarmed by their conversation, the military staffer immediately reported what he heard to his superiors.

'' 'It was so shocking that they were so blatant and outspoken about their opinion. They weren't shouting it, but they didn't seem to feel the need to hide it.'

''The coworkers didn't think much more about the incident.

'' 'We just thought they were wacky,' the first source said. 'Little did we know.' ''

''A CIA alumnus, Misko had previously assisted Biden's top national security aide Jake Sullivan. Former NSC staffers said Misko was,'' the leftwing activist trying to destroy President Trump, also known as the whistleblower ''closest and most trusted ally in the Trump White House.''

They were '' 'very tight and spent nearly 2 years together at the NSC. . . . Both of them were paranoid about Trump.'

'' 'They were thick as thieves,' added the first NSC source. 'They sat next to each other and complained about Trump all the time. They were buddies. They weren't just colleagues. They were buddies outside the White House.'

''The February 2017 incident wasn't the only time the pair exhibited open hostility toward the President. During the following months, both were accused internally of leaking negative information about Trump to the media.

''But Trump's controversial call to the new president of Ukraine this past summer—in which he asked the foreign leader for help with domestic investigations involving the Obama administration, including Biden—gave them the opening they were looking for.''

I would humbly submit, though, that if they were involved in any of the corruption that was going on over there with Burisma and Ukraine—and though many in the media want to take the talking points from our Democratic folks across the aisle, and one accused me of regurgitating Russian propaganda, when the truth is what the Russians have wanted, what Putin has wanted more than anything else was to divide the United States, because he knew dividing this country pretty much closely in the middle would help do what he has wanted to do since the Soviet Union fell and he was a KGB agent, and that is divide America so that it falls. That is exactly what he wants.

We have heard—people don't want to talk about it—but the truth is, there were some Russian efforts to help Hillary Clinton in that election, which I think makes clear they wanted to divide America and they have been totally successful in dividing America. They have got to feel good about what they do as they watch the impeachment proceedings.

But anyone who would sit here and say I was quoting Russian propaganda, actually, that person would end up being the tool of the Russians because he is dividing America which is what Russia and Putin have wanted to do. He is doing the handiwork of Putin, not me.

So I would still submit, as I have numerous times, that critical fact witnesses don't necessarily need to be heard at this impeachment sham down the hall, but there do need to be witnesses in very rigorous hearings in the Senate. They would be Alexandra Chalupa who worked with Ukraine, Biden, and others, the leftwing activist trying to destroy President Trump also known as the whistleblower, Abigail Grace, and the guy who Chairman SCHIFF hired on July 26, the day after President Trump's good call with the President of Ukraine, Zelensky, the guy who ran on the basis that he was going to stop corruption. That was a great thing.

He said: Why didn't President Trump talk to the Ukrainians sooner about anti-corruption?

It wasn't until 2019 that they elected a new president who said he is going to do something about corruption.

Why would he talk to the previous president who was in corruption up to his eyeballs?

It wouldn't do any good.

But President Trump had hope. Whether it is a Republican or a Democrat in the White House, I hope they

will seek help from any country in which there is corruption that involves American high officials. I hope that happens.

But in the meantime, the impeachment proceeding goes on down the hall, and it is dividing America. It is bad for America. We really need to come together and stop doing Russia's handiwork for them. They want us divided, and the people pushing this stuff are doing their handiwork for them. I am not saying intentionally. They are happy to do it to try to hurt Republicans, especially to hurt President Trump, but this is serious. It is dividing America.

Again, my friends across the aisle, I love that they are quoting the Founders these days, but we should hang together or we will most assuredly hang separately. We need to hang together as a country. We can have our disagreements, but this wanting to criminalize disagreements as they have done with President Trump's America First policy needs to stop. We need to come back together and get some things done.

Madam Speaker, I yield back the balance of my time.

MUSLIM BAN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentlewoman from Michigan (Ms. TLAIB) is recognized for 60 minutes as the designee of the majority leader.

Ms. TLAIB. Madam Speaker, as part of the incredible, large class of members of the Congressional Progressive Caucus, I am really proud to be here helping my colleagues translate a number of policy positions and issues and in being able to translate that into action to various policies and to be able to express that.

So this Special Order is very, very much an integral part of organizing within our caucus, the Congressional Progressive Caucus, on what we call frontline community issues. So I want to thank my colleagues for helping us organize today a Special Order hour to declare loudly and very clearly to every Muslim American and to Muslims around the world that the House of Representatives will not stand idly by as this administration continues to enforce its racist Muslim ban.

So with that I really rise today to send a message to marginalized communities everywhere that through our work to repeal the Muslim ban we are preventing racist bans from ever happening again.

I am so incredibly grateful for Congresswoman CHU's leadership of the National Origin-Based Antidiscrimination for Nonimmigrants Act, or what we call the NO BAN Act. I thank Congresswoman CHU for her leadership and courage to stand up to those who try to target folks based on their faith.

Madam Speaker, I yield to the gentlewoman from California (Ms. JUDY CHU).

Ms. JUDY CHU of California. Madam Speaker, I thank Congresswoman TLAIB for putting this Special Order hour together. I truly appreciate it, especially during this very, very significant week.

Monday marked the third anniversary of the Muslim ban. We had a press conference on that day. It was incredible to see the Senators and the House Members and so many groups of great diverse backgrounds all coming together to say that now is the time to pass H.R. 2214, the NO BAN Act.

The failure of this ban was apparent the day it began. I will never forget that day in January of 2017, just 3 years ago, when Donald Trump announced his first Muslim ban, creating chaos and separating families with no justification. I was on my way to a community event when I received a frantic call about 50 Muslims who were being detained at LAX for hours with no end in sight, despite the fact that they had green cards and were legal.

At that point I decided to drop everything and help in any way I could. I rushed over to LAX to advocate for these people, and once I arrived I found out that indeed there were scores of people there with a legal right to be here kept for hours with little food and blocked from receiving legal advice from an attorney. It was outrageous.

When I pressed Customs and Border Protection for answers, they resisted and blocked me. I even got them on the phone only to have them hang up on me. I had never been more disrespected as a Member of Congress, but disrespect and chaos is what this Muslim ban is all about.

The pain and psychological trauma this travel ban has caused are long lasting, spouses and fiances being separated, weddings, funerals and graduations have been missed. People have not been able to come to take care of sick ones. Over 5,000 adopted children of U.S. citizens cannot join their families. None of these people are a threat to the U.S., and we have every way of knowing that through our extensive vetting process. But they have been made victims of this hateful ban nonetheless.

It just doesn't have to be this way. When the Supreme Court upheld the President's ability to issue these bans, the Court also required the administration to grant waivers to ensure that the program had a legitimate national security interest. But despite that requirement, the State Department has approved only 10 percent of these applicants. That means that the Trump administration believes that 90 percent of all travelers from these countries are threats to our national security, and it renders this waiver process virtually nonexistent.

That is outrageous. That is why we have to fight back, and that is why last spring I introduced the NO BAN Act with Senator Chris Coons, which is the best way to reclaim Congress' power and stop this ban.

First, it would repeal all three versions of President Trump's Muslim ban, putting an immediate end to this family separation.

Second, it requires a report on the total number of waivers that were granted and the total number that were denied, so we know the truth about what has happened.

Third, our bill says that if a President does want to implement such a ban in the future he would actually have to prove actual evidence of a threat. This ensures in the future no individuals are denied entry into the U.S. based solely on their religion.

□ 2030

With the President confirming that he now wants to expand this ban to even more countries, now is the time to act.

The response to the NO BAN Act has been tremendous: 214 Members of Congress have cosponsored the bill in the House, and over 480 groups have endorsed it; 39 Members of the Senate are cosponsors.

In September of 2019, the House Judiciary and Foreign Affairs Committees held a joint hearing that examined how few waivers have been granted to individuals since the ban was issued, even though most people applying for entry into the U.S. pose no threat to our country.

Just this week, Chairman NADLER announced that the bill will be marked up in the Judiciary Committee in 2 weeks, and Speaker PELOSI announced that the NO BAN Act will be brought to the floor for a vote.

This vote cannot happen soon enough for people like Ismail Alghazali, who will be my guest at the State of the Union next week. Ismail is a U.S. citizen who works at a small neighborhood market in New York, and, in 2013, he married his wife, Hend, in Yemen. Hend applied for a visa to join her husband in the U.S., but before her interview at the U.S. Embassy in Djibouti, Trump's hateful Muslim ban went into effect.

Hend was 8 months pregnant, and her pregnancy has been difficult. Doctors had discovered she had a heart condition. Ismail and Hend hoped that that meant that they would be granted a waiver due to medical reasons. But after an interview that lasted just 5 minutes, Hend was denied a visa and left to give birth in Djibouti, while Ismail had to return to the U.S. He was not able to witness the birth of his first child.

Last year, in April, Hend gave birth to another daughter, and Ismail has not been able to even meet his daughter for several months because of the ban. Luckily, however, the family has now been reunited in the United States.

But too many others are left waiting for no reason, other than the President's prejudice.

We have every ability to vet people like Hend as we have done for years.

Leaving families divided by this ban is a choice. That is why we need the NO BAN Act. It is essential that we take away the President's power to put prejudice into policy before more countries and more families are impacted by this hateful ban.

Madam Speaker, I thank all my colleagues who are here tonight for their steadfast support of this bill, and I thank Congresswoman TLAIB.

Ms. TLAIB. Madam Speaker, as one of its first acts, this White House decided to ban Muslims from entering the United States by issuing an executive order prohibiting the entry of nationals of certain Muslim-majority countries.

The people this administration banned are not all the same. They represent a diverse array of countries and cultures, including Arab communities, Black communities, Southeast Asian communities, amongst so many others.

All around our Nation, especially in Michigan's 13th District strong, we understand just how dangerous this administration's racist Muslim ban is for our families. The Muslim ban fuels anti-Muslim violence and discrimination. It promotes the dangerous myth that Muslims are inherently foreign, violent, and pose a threat to the United States.

The Muslim ban also harms children. In the 2 years since it went into effect, countless families have been needlessly separated. People have been denied access to lifesaving medical treatments. Children have been denied their parents, access to their grandparents, and family members have missed births, deaths, weddings, and funerals for loved ones.

I rise today to say that Muslims and Muslim Americans are our friends, our neighbors, and our family members—and, yes, they are also Members of Congress.

This White House might not like that fact very much, because the racist Muslim ban represents the Federal Government's endorsement of an anti-Muslim discrimination culture. The policy endorses a fear-mongering campaign that only serves to dehumanize and divide, and it leads us to question if this White House has any plans for our country that are not centered on hate or greed.

I am extremely troubled that this federally sanctioned discrimination has contributed to a significant spike in hate crimes against American Muslims and attacks on mosques in Muslim communities all across the country.

That is why, as Members of Congress, we must put an end to discrimination by passing the NO BAN Act. We have over 200 Members of Congress who support and cosponsor this NO BAN Act.

As introduced, the NO BAN Act would immediately rescind the Muslim ban and stop discriminatory orders and abuses of authority by this administration, thanks to the leadership of Congresswoman JUDY CHU.

By ending the Muslim ban, the NO BAN Act will also get us close to ending the extreme number of increasing religious discrimination within our immigration system now.

The bill would amend the Immigration and Nationality Act, INA, to prohibit discrimination on the basis of religion and ensure that no President ever again will be able to ban an entire community without accountability.

I urge my colleagues in the House leadership to bring the NO BAN Act to the floor as soon as possible, because our communities cannot wait. Minority communities across our country and, indeed, the international community are eager for action that repeals the Muslim ban.

As someone who is raising two Muslim boys in our country, I can tell you they struggle now even sharing about their faith and even worried about the rhetoric that they hear from various folks in school, but also just in passing, not only through social media, but through different kinds of conversations that they are hearing where they talk about not only folks who are of the Muslim faith, but folks of various immigrant communities. And being two sons of a father who is also an immigrant, they now really struggle very much in feeling that they can be open.

At 9 years old, my son, who is now 14, remembers me—I remember speaking to his father about a terrible ad, a cartoon that was put in USA Today, where it depicted Muslims in a certain way that would evoke violence towards Muslim Americans. I remember talking to his father at that moment and just kind of whispering to him: This is terrible. I can't believe they are doing this. This is just going to invoke people to really hate and even want to kill Muslims.

And my son, who came into the bedroom, said: Don't worry, Mama. If anybody asks if I am Muslim, I will tell them that I am not.

That is the kind of culture that we create by allowing these kinds of discriminatory policies to be placed and for us to allow it to be codified through executive orders and allow it to go without any action.

I ran a campaign to take on hate, which really started in Michigan, but was implemented throughout the country in about 12 communities.

And one of the things that young people understand is you have got to take on hate with action. You can't sit idly back—because people just thought: Well, this doesn't impact me—but really trying to understand that it does connect all of us; because this form of othering in the culture that you see within the administration is real and it is dangerous, and sitting idly by and not doing anything about it, to me, will increase that form of hate towards people of different faiths.

And trust me, it is not just about Muslims. It is about other kinds of faiths, people of different ethnic backgrounds.

This, in essence, is creating this kind of hate culture that we can't see, not only in our American society, but it is also festering within our school culture and with our young people again questioning constantly with identity and allowing this kind of othering to be normalized through acts like this executive order.

When you hear Muslim leaders and those talk about the separation that happens, I remember at Bridging Communities in southwest Detroit, we had a press conference with Congresswoman DEBBIE DINGELL fighting back against the separation of families, and it all stemmed around: Well, I didn't understand there was supposed to have been a waiver.

Well, everyone should know, many of the people we represent who are coming to our offices were not granted waivers.

And we are talking about people who are married, who have legal access through the immigration, but for the Muslim ban, and are not able to reunify with their family members.

I have two young children who can't see their father because of the Muslim ban.

I have folks who had a green card, had access to the United States, but when this got implemented, because it was implemented in a way where there was no notice, no policy, no procedures, no structure in place for folks on the ground to understand what was going on, that is why we saw what we saw, the overwhelming call for action and people showing up to airports all across the country saying: No, not now, not ever.

It is really important that we do it through action within the Congress, and I hope my colleagues understand this should be bipartisan support.

This is religious discrimination. This is one of our core values as Americans. We are founded on religious freedom. And for us to allow, again, targeting of folks solely based on their faith, to me, repeats history. We have done it in the past; and it wasn't right then, and it isn't right now.

And I think I can speak on behalf of Muslim Americans. They do not want to wait for an apology. Apology is not enough. They want action today. They know this is discriminatory. They know this is bias. They know this is targeting Muslims.

And, yes, it is leading to, again, increased hate crimes towards Muslims in huge amounts across the country; and so it is critical that we act, that we don't sit silently by, because doing nothing is not an option anymore. So I urge the House leadership to bring this NO BAN Act forward to the floor as soon as possible.

I really commend the incredible leadership of many of our colleagues, especially my good colleague from Indiana, Congressman ANDRÉ CARSON, whom I lovingly call the dean of the Muslim Caucus.

Yes, we are your neighbors; we are your advocates; we are your doctors, your teachers, and all of those things, and also your Members of Congress.

And so, again, it is really critically important that we push back against this ban.

Madam Speaker, I yield to the gentleman from Indiana (Mr. CARSON).

Mr. CARSON of Indiana. Madam Speaker, I would like to thank Congresswoman TLAIB for her leadership, for her friendship, for all that she does not for just her constituents, but for Muslims, non-Muslims, and Americans.

Madam Speaker, I rise today in support of the NO BAN Act, which was a great opportunity for me to be a co-author, and I urge Congress to swiftly pass this legislation.

Madam Speaker, in the 3 years since President Trump implemented his Muslim ban, its dangerous impact is clearer than ever: Families remain torn apart, America is less respected around the world, and our country isn't any safer.

But for this President and for all of those who crafted this ban, this policy was never about national security. Since his first day in office, he has worked to advance a dangerous white nationalist agenda, and the Muslim ban is its cornerstone.

It is no surprise, then, that he may be planning to expand this ban to even more countries, many in Africa, which he has previously described in some of the most vulgar and offensive ways.

As a Muslim and as a Black man, it pains me to witness this low moment in our country. It is not the only time America has shut its doors to people in need simply because of their race, ethnicity, and nationality; but, thankfully, we can make it the last time. Madam Speaker, that is why it is so important that we pass the NO BAN Act to end the Muslim ban and make sure history no longer repeats itself in this way.

Our legislation has more than 200 cosponsors in the House and the endorsement of nearly 400 diverse civil rights, faith, national security, and community organizations. Americans of all backgrounds are behind this great bill and are demanding Congress to pass it, to take a bold stand against bigotry. So I am extremely pleased that the NO BAN Act is expected to be taken up by the Judiciary Committee next month.

As my colleague, Congresswoman TLAIB said, and I want to reaffirm, Muslims are part of what makes this country great.

□ 2045

Muslims have been a part of this country since the inception of what we now know to be America. Ever since those West African slaves were brought here to America, Muslims have contributed to our country.

Go to any major courtroom, and you will find a Muslim lawyer, maybe a judge. Go to any major hospital in this great country, and you will find a Muslim physician. There are Muslim engineers, Muslim scientists, Muslim educators, Muslim politicians. You have three in Congress. We will see more in the future, God willing.

Madam Speaker, I urge my colleagues and all Americans who believe in equality for all people to support the NO BAN Act. Together, we will get it passed and begin a new chapter in our country's history.

Ms. TLAIB. Madam Speaker, I thank my colleague from Indiana.

I really appreciate the incredible public service that not only stems here but, as you all know, many of our servicemen and women who are of Muslim faith are serving our country every single day.

Again, people need not try to separate us as not being part of this amazing country. The Muslim ban completely tears that down and comes from, again, a place of hate that we need to push back against.

Madam Speaker, I yield to the gentlewoman from Washington (Ms. JAYAPAL), who I really honor and respect, the co-chair of the Congressional Progressive Caucus, my good colleague, one of the fighters within this Chamber every single day for communities of color and marginalized communities.

Ms. JAYAPAL. Madam Speaker, I thank the gentlewoman for her incredible leadership. It has been wonderful working with her not just here in this body and in the Congressional Progressive Caucus, which I am proud to co-chair, but for years we have known each other and worked together. It is wonderful to have her here to talk about this issue and her leadership on this issue, really the kind of leadership that America needs to show by passing the NO BAN Act.

Three years ago, I had just been elected to Congress, and it was within my first weeks here that Donald Trump issued his first Muslim ban. When that happened, I thought back to after 9/11—that is actually when I started becoming very involved in politics as an activist. We faced some similar situations of Muslims, Arab Americans, and others being targeted simply for their religion, their ethnicity, their place of origin.

The good news is that I knew what to do, which is that I immediately rushed to the airport. That Muslim ban created irreparable harm on Muslim families, here at home, but also around the world.

We had generals in our military testify that we desperately need to have our allies and that some of those allies are, in fact, Muslims who help us in other countries.

When I heard the news and rushed to SeaTac Airport, I saw absolute chaos, chaos that was caused by an administration that put forward a Muslim ban with no preparation, no notification, no planning at all for the kind of harm, irreparable harm, that would be caused for American citizens, for lawful residents, and for international visitors.

Today, families remain separated from their loved ones, American businesses, and research institutions. I have many of those research institutions in my district and many American businesses in my district that are not able to recruit the best minds from abroad.

Our Nation's doors are closed to people seeking safety from violence, war, and persecution.

But it wasn't just then. The chaos has not stopped.

Earlier this month, up to 200 Iranian Americans—almost all the ones that we know of are U.S. citizens, legal permanent residents, green-card holders—were unjustly detained at the U.S.-Canada border in my own State of Washington.

In the days after the Muslim ban, I had introduced the Access to Counsel Act, an act that once again was so important as we watched these detentions of Iranian Americans, who, by the way, travel across the border regularly. In fact, some of them travel across the border so much that they have expedited processing.

What that means is that you go through additional security screening so that you can get a card that you hold up at the northern border as you cross the border. You don't need anything else other than that expedited screening, that extra security screening in order to cross the border.

But that day, we believe over 200 Iranian Americans were stopped at the border, U.S. citizens, legal green-card holders, simply because they were of Iranian descent.

The Access to Counsel Act, which we hope to mark up and bring to the floor at the same time as the NO BAN Act, just says that if you were here as a U.S. citizen, a legal permanent resident, or have any legal status and you are put through this unjust secondary screening, that at least you can have access to counsel, not counsel paid for by the government, but just counsel provided either through your own pocket or through nonprofits that provide that service, because people are being deported in an expedited manner.

In fact, that is what happened in Seattle 3 years ago when I rushed to the airport when the Muslim ban was first introduced. We actually were able to, at the airport, get a temporary injunction from a judge that allowed us to essentially go and stop a plane on the tarmac that was ready to take off with some people who should not have been deported.

We were able to stop that plane from taking off, thanks to the courts and the incredible speed of attorneys and nonprofit organizations that came together and filed for a temporary injunction. That allowed us to stop the plane and to stop people from actually being deported.

It is not right that we are seeing U.S. citizens detained by CBP for up to 9 hours without a chance to speak to a lawyer simply because they weren't born here, even though they are United States citizens.

It is not right that students with visas have increasingly been rejected at our airports and deported without a

chance to speak to a lawyer, when people have legal status in the United States.

It is not right that they are subjected to a second loyalty test simply because of their religion or their place of birth or their ethnicity.

Madam Speaker, I am one of only 14 immigrants in the United States Congress, out of 535 naturalized citizens, who have the great honor and privilege of being a United States citizen. I don't want us to think that we have separate loyalty tests that we have to go through. We have examples of that—the Japanese internment, 123,000 Americans of Japanese ancestry who were put into internment camps simply for being Japanese American.

The reality is we need the NO BAN Act to repeal President Trump's Muslim ban and stop any future President from implementing future discriminatory bans.

I am very grateful to my colleague, Congresswoman JUDY CHU, chair of the Congressional Asian Pacific American Caucus, for introducing and championing this critical bill to send an important message to our Muslim brothers and sisters here and abroad that America believes in religious liberty and that we remain committed to welcoming people regardless of their faith, regardless of the country in which they were born.

In recent weeks, we have heard that an expanded Muslim ban may be coming from the Trump administration this week. Let me be very clear: Each iteration of these bans sends a terrible message to Muslims, to those who are targeted, that our foundational value of freedom of religion does not apply to them.

An expanded Muslim ban will only worsen our relationships with countries around the world, and it will not make our country safer. It will harm refugees. It will isolate us from our allies. It will give extremists propaganda for recruitment. It will be a different Muslim ban pushed by the same xenophobic administration, and it will have the same negative ramifications as past versions of the Muslim ban.

Madam Speaker, I just had the opportunity to come back from a codel to Sudan with a number of our Members, Republican and Democrat. This is a country that is transitioning from a 30-year dictatorship to a democracy, a civilian-led government. That was powered by a people's revolution in the streets that inspired us here in the United States and around the world, people who sat and peacefully protested a brutal dictatorship. Over 200 people were shot and killed in those peaceful protests on June 3.

Madam Speaker, Sudan has been supposedly added to this next round of countries that may be added to the Muslim ban. The people of Sudan said to us, Republican and Democratic Representatives of the United States Government: ''Doesn't America believe in democracy, in transition?''

Why would Sudan, with a people's revolution that led to a democratic government through the overthrow of a dictator who has been in power for the last 30 years, why would Sudan be on a list of countries that have these restrictions and be part of this ban? That sends the totally wrong message.

As the vice chair of the Committee on the Judiciary's Subcommittee on Immigration and Citizenship, I will do everything in my power to resist the Muslim ban and demand liberty and justice for all, without any caveats.

We must pass the NO BAN Act to end not just the Muslim ban but other anti-immigrant policies pushed by this administration. Most importantly, we must pass the NO BAN Act to remind ourselves again of who we are as a country, a country that has welcomed people from all over the world, including myself.

I came here as a 16-year-old with nothing in my pockets, by myself, and to now be standing here in the United States Congress, my responsibility—our responsibility as a body is to preserve those foundational values of freedom and justice and religious tolerance.

Madam Speaker, I look forward to passing the NO BAN Act. I thank Representative TLAIB for her friendship, for her leadership, and for all that she does to advance justice. On behalf of the Progressive Caucus, 100-members strong, we are so glad to have her in it.

Ms. TLAIB. Madam Speaker, I thank the gentlewoman. Her incredible leadership and mentorship are so inspiring but also completely fuels my commitment to be centered around social justice and equality.

Madam Speaker, I wanted to make sure that we talk about the fact that because of the Muslim ban and some of the kind of hate agenda policies that we see coming out of the administration, it all has resulted in an increase of hate crimes that still is underreported and has not, I think, truly, under this administration, been documented by the FBI.

Even when the current President just called for a total and complete shutdown on Muslims entering the United States, just days after that report, hate crimes against Muslims and Arabs nationwide spiked up 23 percent.

As we hear about the various kinds of hate crimes, we get some of these complaints and incidents being reported to even our offices. I wanted to make sure that we talk about the fact that the FBI, when it released its report this past year, that Muslim advocates in their statement—which is very accurate, based on what we hear of our community members at home—said that, yet again, the FBI annual statistics on hate crimes show us that the worrying numbers of Muslims, Jews, Sikhs, and Latinos being victimized by hate crimes are not being reported, or the data does not reflect that. It is not a complete, accurate picture of the epidemic of hate that continues to threaten the safety of so many Americans across the country.

Last year, an armed man drove a truck into a convenience store in Louisiana because he suspected the owners were Muslims. Also in March last year, a man deliberately tried to drive his car into a Muslim family in a parking lot in California and managed to strike the father twice.

Both are clear examples of hate crimes. Neither of those were included in the FBI's data on hate crimes.

Madam Speaker, it is completely unacceptable. As we push for the NO BAN Act, I also want to try to encourage my colleagues to try to have hearings and discuss the importance of accurate data around hate crimes increasing across the country. That is why we have to pass the Khalid Jabara and Heather Heyer NO HATE Act to improve the hate crime reporting data collection.

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Many of the organizations that support the NO BAN Act also want to see a much better reflection of the data being reported by the FBI around hate crime.

The only way we are able to promote or push back against these forms of hate that lead to violence, and even death, for so many folks that are impacted by these forms of racist policies and hateful agenda policies, is to be able to document and to push back against it.

So I really appreciate a number of my colleagues, over 200 Members that support the NO BAN Act, and I look forward to finally being able to vote for it on the floor.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. LEWIS (at the request of Mr. HOYER) for January 27 and today.

Mrs. LURIA (at the request of Mr. HOYER) for today after 5:45 p.m. and tomorrow on account of death in the family.

ADJOURNMENT

Ms. TLAIB. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 30, 2020, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3671. A letter from the Secretary, Department of Energy, transmitting the Department's report ''Sustainability Plan for the Solar Regional Test Centers'', pursuant to Public Law 115-244; to the Committee on Appropriations.

3672. A letter from the Secretary, Department of Energy, transmitting the Department's report on Hydrogen and Fuel Cell Activities, Progress and Plans: September 2016 to August 2019, pursuant to 42 U.S.C. 16160(a); Public Law 109-58, Sec. 811(a); (119 Stat. 852); to the Committee on Energy and Commerce.

3673. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Administrative Updates to Personnel References (RIN: 1901-AB50) received January 23, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3674. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's Annual Report of Interdiction of Aircraft Engaged in Illicit Drug Trafficking, pursuant to 22 U.S.C. 2291-4(c); Public Law 103-337, Sec. 1012 (as amended by Public Law 107-108, Sec. 503); (115 Stat. 1405); to the Committee on Foreign Affairs.

3675. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a final report titled ''Enrollment Projections in D.C. Public Schools: Controls Needed to Ensure Funding Equity'', pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Reform.

3676. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a final report titled ''Auditor Certifies Revenues For Issuance of Income Tax Secured Revenue Bonds'', pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Reform.

3677. A letter from the Director, Federal Election Commission, transmitting the Commission's statement that it did not complete or initiate any Sec. 647(a) competitions in FY 2019, nor do they plan to do so in FY 2020, pursuant to the Consolidated Appropriations Act, 2004, Public Law 108-199, pursuant to 31 U.S.C. 501 note; Public Law 108-199, Sec. 647(b); (118 Stat. 361); to the Committee on Oversight and Reform.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2328. Referral to the Committee on Transportation and Infrastructure extended for a period ending not later than February 19, 2020.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. RIGGLEMAN:

H.R. 5699. A bill to prohibit mandatory or compulsory checkoff programs; to the Committee on Agriculture.

By Mr. KIM (for himself, Ms. FINKENAUER, Mr. ROUZER, and Ms. PINGREE):

H.R. 5700. A bill to amend title 23, United States Code, to ensure that Federal-aid highways and bridges are more resilient, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HUDSON (for himself and Miss RICE of New York):

H.R. 5701. A bill to amend title 38, United States Code, to improve assistance and support services for caregivers of veterans; to the Committee on Veterans' Affairs.

By Mr. STEUBE (for himself, Mrs. LESKO, Mr. HAGEDORN, Mr. JOYCE of Pennsylvania, Mr. KING of Iowa, Mr. BANKS, Mr. ROUZER, and Mr. FULCHER):

H.R. 5702. A bill to provide that for purposes of determining compliance with title IX of the Education Amendments of 1972 in athletics, sex shall be determined on the basis of biological sex as determined at birth by a physician; to the Committee on Education and Labor.

By Ms. CASTOR of Florida:

H.R. 5703. A bill to amend the Children's Online Privacy Protection Act of 1998 to update and expand the coverage of such Act, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CHENEY (for herself, Mr. MCKINLEY, and Mrs. MILLER):

H.R. 5704. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a carbon technologies program, and for other purposes; to the Committee on Science, Space, and Technology.

By Ms. CHENEY (for herself, Mr. GOSAR, Mr. MCCLINTOCK, Mr. NEWHOUSE, Mr. NORMAN, Mr. GIANFORTE, Mr. CRAWFORD, and Mr. ARMSTRONG):

H.R. 5705. A bill to amend the Endangered Species Act of 1973 to restrict the Secretary's ability to alter permits, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLINE (for himself, Mr. CORREA, and Mr. COLLINS of Georgia):

H.R. 5706. A bill to amend section 151 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 by allowing danger pay for the U.S. Marshals Service; to the Committee on Foreign Affairs, and in addition to the Committee on Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. LOUDERMILK, Mr. WALKER, Mr. RIGGLEMAN, Mr. HAGEDORN, Mr. CHABOT, Ms. STEFANIK, Mr. KATKO, and Mr. YOUNG):

H.R. 5707. A bill to amend the Help America Vote Act of 2002 to direct the Election Assistance Commission to adopt voluntary guidelines for the use of nonvoting election technology, to require the Director of the National Institute of Standards and Technology to submit semiannual status reports on the extent to which the Director has carried out the Director's responsibilities under such Act and carried out projects requested by the Election Assistance Commission, to establish an Election Cyber Assistance Unit in the Election Assistance Commission, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLAGHER:

H.R. 5708. A bill to amend the Immigration and Nationality Act to clarify the contempt authority of immigration judges, and for other purposes; to the Committee on the Judiciary.

By Mr. NEGUSE (for himself and Mr. ROONEY of Florida):

H.R. 5709. A bill to require the Comptroller General to evaluate and issue a report on the structural and economic impacts of climate resiliency at the Federal Emergency Management Agency, including recommendations on how to improve the building codes and standards that the Agency uses to prepare for climate change and address resiliency in housing, public buildings, and infrastructure such as roads and bridges; to the Committee on Transportation and Infrastructure.

By Mr. PETERS (for himself, Mr. GALLAGHER, and Ms. ESHOO):

H.R. 5710. A bill to prohibit certain noncompete agreements, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PORTER:

H.R. 5711. A bill to designate the facility of the United States Postal Service located at 1 League in Irvine, California, as the ''Tuskegee Airman Lieutenant Colonel Robert J. Friend Memorial Post Office Building''; to the Committee on Oversight and Reform.

By Mr. SHERMAN (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BROWNLEY of California, Mr. CÁRDENAS, Mr. CLAY, Mr. COHEN, Mr. ESPAILLAT, Mr. GARAMENDI, Mr. JOHNSON of Georgia, Ms. JAYAPAL, Ms. KAPTUR, Mr. KHANNA, Mr. KILDEE, Mr. LYNCH, Mr. MCGOVERN, Ms. MOORE, Mr. MOULTON, Ms. NORTON, Ms. OMAR, Mr. PALLONE, Mr. PANETTA, Mr. RASKIN, Ms. ROYBAL-ALLARD, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, Ms. SPEIER, Mr. SWALWELL of California, Mr. VISCLOSKY, Ms. CLARKE of New York, Mr. VEASEY, and Mr. MEEKS):

H.R. 5712. A bill to repeal the authority under the National Labor Relations Act for States to enact laws prohibiting agreements requiring membership in a labor organization as a condition of employment, and for other purposes; to the Committee on Education and Labor.

By Mr. STEUBE (for himself, Mr. YOHO, and Mr. SPANO):

H.R. 5713. A bill to direct the Secretary of Defense to establish an authority to issue permits to certain members of the Armed Forces who seek to carry concealed firearms while on military installations; to the Committee on Armed Services.

By Mr. TIPTON:

H.R. 5714. A bill to direct the Secretary of Defense to conduct a study on the impacts that the expansion of wilderness designations in the Western United States would have on the readiness of the Armed Forces of the United States with respect to aviation training, and for other purposes; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. RIGGLEMAN:

H.R. 5699.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.

By Mr. KIM:

H.R. 5700.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the United States Constitution

By Mr. HUDSON:

H.R. 5701.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 of the Constitution

By Mr. STEUBE:

H.R. 5702.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. CASTOR of Florida:

H.R. 5703.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. CHENEY:

H.R. 5704.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Section 8:

Powers of Congress. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

&

Article I, Section 8, Clause 3:

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Ms. CHENEY:

H.R. 5705.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section VIII, Clause XVIII. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

&

Article IV, Section 111, Clause, II: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mr. CLINE:

H.R. 5706.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. RODNEY DAVIS of Illinois:

H.R. 5707.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. GALLAGHER:

H.R. 5708.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. NEGUSE:

H.R. 5709.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8

By Mr. PETERS:

H.R. 5710.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Ms. PORTER:

H.R. 5711.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. SHERMAN:

H.R. 5712.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. STEUBE:

H.R. 5713.

Congress has the power to enact this legislation pursuant to the following:

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and Post Roads;

To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offenses against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TIPTON:

H.R. 5714.

Congress has the power to enact this legislation pursuant to the following:

section 8 of article I of the Constitution

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. WITTMAN.

H.R. 196: Ms. HAALAND.

H.R. 479: Mr. MARSHALL and Mr. GOODEN.

H.R. 530: Mr. BERA.

H.R. 587: Mr. SCHNEIDER.

H.R. 804: Ms. VELÁZQUEZ.

H.R. 884: Mrs. MILLER.

H.R. 906: Mr. AMODEI, Mr. THOMPSON of Pennsylvania, Mr. MAST, Mr. MCGOVERN, Mr. ALLEN, and Mr. LATTA.

H.R. 924: Mr. CORREA.

H.R. 962: Mr. BISHOP of North Carolina.

H.R. 1002: Mrs. KIRKPATRICK.

H.R. 1043: Mr. WITTMAN and Mr. CASE.

H.R. 1154: Mr. BISHOP of Georgia, Ms. KELLY of Illinois, Mr. SERRANO, and Ms. SPEIER.

H.R. 1175: Mrs. FLETCHER.

H.R. 1334: Ms. NORTON.

H.R. 1355: Mr. BISHOP of Georgia and Ms. CASTOR of Florida.

H.R. 1434: Mr. GROTHMAN, Mr. MAST, and Mr. GALLAGHER.

H.R. 1530: Ms. DEGETTE.
H.R. 1695: Mr. HUFFMAN.
H.R. 1749: Mr. COOK.
H.R. 1754: Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Mr. LOEBSACK, Ms. MOORE, Mr. PERLMUTTER, Ms. WATERS, and Mr. BUTTERFIELD.
H.R. 1766: Mr. RUSH and Mr. BILIRAKIS.
H.R. 1770: Mr. DELGADO.
H.R. 1794: Mr. CRENSHAW.
H.R. 1975: Mr. GUEST, Mr. CRAWFORD, and Mr. ROSE of New York.
H.R. 1978: Ms. WILD and Mr. GRIJALVA.
H.R. 2048: Mr. HASTINGS.
H.R. 2117: Mr. PETERS, Mr. CARBAJAL, and Mr. O'HALLERAN.
H.R. 2146: Mr. TED LIEU of California.
H.R. 2148: Mr. CONNOLLY.
H.R. 2201: Mr. HECK.
H.R. 2215: Mr. THOMPSON of California, Ms. WATERS, and Ms. SPEIER.
H.R. 2225: Mr. GRIJALVA.
H.R. 2256: Miss RICE of New York.
H.R. 2258: Mrs. HARTZLER.
H.R. 2264: Mr. HARDER of California.
H.R. 2293: Ms. WILD.
H.R. 2419: Ms. SCHAKOWSKY.
H.R. 2456: Mr. GARAMENDI, Mr. NEAL, Ms. BASS, Mr. SIRES, Mr. LEWIS, Mr. ROY, Mr. LARSON of Connecticut, Ms. MATSUI, Mr. ROUDA, and Mr. RICHMOND.
H.R. 2491: Mr. LAWSON of Florida and Mr. KILDEE.
H.R. 2562: Mr. TRONE.
H.R. 2594: Mrs. MILLER.
H.R. 2639: Mr. BISHOP of Georgia, Mr. BROWN of Maryland, Mr. CARSON of Indiana, Mr. CLYBURN, Ms. JOHNSON of Texas, Mrs. MCBATH, Mr. MEEKS, Mr. PAYNE, Ms. PLASKETT, Mr. RUSH, Ms. SEWELL of Alabama, and Mr. VEASEY.
H.R. 2651: Mr. HASTINGS.
H.R. 2662: Mr. PAYNE.
H.R. 2733: Mr. PAYNE.
H.R. 2777: Mr. CORREA and Mr. NADLER.
H.R. 2863: Mr. O'HALLERAN and Mr. TAKANO.
H.R. 2868: Mr. SCOTT of Virginia.
H.R. 2891: Mr. GARAMENDI and Mr. THOMPSON of Mississippi.
H.R. 2897: Mr. PERRY, Mr. PAPPAS, Mr. DESAULNIER, and Mr. KELLER.
H.R. 3036: Mrs. AXNE.
H.R. 3241: Mr. WALTZ.
H.R. 3244: Mr. PAPPAS.
H.R. 3255: Mr. NEGUSE.
H.R. 3396: Mr. RUSH.
H.R. 3397: Mr. WITTMAN.
H.R. 3404: Ms. DEAN.
H.R. 3414: Mr. ESPAILLAT and Mr. HASTINGS.
H.R. 3467: Mr. KHANNA and Mr. GALLEGO.
H.R. 3545: Mr. HURD of Texas, Ms. JACKSON LEE, Mr. STIVERS, and Mr. ROSE of New York.
H.R. 3562: Mrs. HAYES.
H.R. 3637: Mr. KRISHNAMOORTHI.
H.R. 3654: Miss RICE of New York and Mr. STEUBE.
H.R. 3657: Mr. DELGADO.
H.R. 3714: Mr. HARDER of California.
H.R. 3716: Mr. YOUNG.
H.R. 3742: Mr. ALLRED and Mr. LYNCH.
H.R. 3760: Mr. CORREA and Mr. HUFFMAN.
H.R. 3771: Mrs. BROOKS of Indiana.
H.R. 3796: Mr. BRINDISI and Ms. SLOTKIN.
H.R. 3798: Mrs. MCBATH.
H.R. 3842: Mr. BRINDISI.
H.R. 3918: Mr. KEATING.
H.R. 3975: Ms. CLARKE of New York.
H.R. 3979: Mr. CASE.
H.R. 4078: Mr. CORREA.
H.R. 4090: Mr. PERRY.
H.R. 4097: Mr. STIVERS.
H.R. 4100: Mrs. BROOKS of Indiana.
H.R. 4144: Ms. BROWNLEY of California.
H.R. 4189: Mr. RIGGLEMAN, Mrs. LESKO, Mr. COLE, and Ms. HERRERA BEUTLER.
H.R. 4194: Mr. HAGEDORN and Mr. POCAN.
H.R. 4228: Mr. THOMPSON of Mississippi.
H.R. 4249: Mr. HASTINGS.
H.R. 4256: Mr. PERRY.
H.R. 4296: Mr. POCAN, Mr. ESPAILLAT, and Mr. MALINOWSKI.
H.R. 4326: Mrs. MILLER and Ms. WILSON of Florida.
H.R. 4347: Ms. SPANBERGER.
H.R. 4350: Mr. BISHOP of Georgia and Mr. SCHWEIKERT.
H.R. 4351: Mrs. TORRES of California.
H.R. 4447: Ms. SPANBERGER.
H.R. 4468: Mr. SMUCKER and Mr. CARTWRIGHT.
H.R. 4527: Ms. SLOTKIN.
H.R. 4542: Mr. YOHO, Mr. POSEY, Mr. SOTO, and Ms. CASTOR of Florida.
H.R. 4555: Mr. MCGOVERN and Mr. THOMPSON of Mississippi.
H.R. 4576: Mr. KILMER and Mr. TRONE.
H.R. 4613: Mr. STEUBE.
H.R. 4644: Mr. GONZALEZ of Texas.
H.R. 4679: Mr. KEATING.
H.R. 4754: Mr. RIGGLEMAN.
H.R. 4800: Mr. MOONEY of West Virginia and Mr. KELLY of Pennsylvania.
H.R. 4820: Mr. PANETTA.
H.R. 4822: Mr. KENNEDY.
H.R. 4867: Mr. BERGMAN, Mr. BACON, Mr. RUTHERFORD, Mr. BARR, Miss RICE of New York, Mr. PANETTA, Mr. COOK, Mr. BOST, Mr. LUCAS, and Mr. SIMPSON.
H.R. 4932: Mr. GRIJALVA and Mrs. LESKO.
H.R. 4963: Mr. SCALISE.
H.R. 5002: Mr. JOHNSON of Ohio, Mr. DUNN, Mr. DAVIDSON of Ohio, Mr. DAVID P. ROE of Tennessee, Mr. JOYCE of Pennsylvania, Mr. YOUNG, and Mrs. WAGNER.
H.R. 5064: Mr. CUELLAR.
H.R. 5117: Ms. FINKENAUER.
H.R. 5138: Mr. LEVIN of California.
H.R. 5195: Ms. CASTOR of Florida.
H.R. 5212: Mr. HOLDING.
H.R. 5233: Mr. MAST.
H.R. 5273: Mr. GONZALEZ of Texas, Miss RICE of New York, and Mr. CORREA.
H.R. 5297: Mr. RATCLIFFE, Mr. BISHOP of Georgia, Mr. NEGUSE, and Mr. PALAZZO.
H.R. 5306: Mr. CARTWRIGHT.
H.R. 5319: Mr. LUCAS.
H.R. 5447: Mr. CRENSHAW.
H.R. 5469: Mr. ENGEL.
H.R. 5534: Ms. BLUNT ROCHESTER, Mr. VISCLOSKY, and Mr. HIGGINS of New York.
H.R. 5543: Mr. SIRES, Mr. ROUDA, Ms. MATSUI, and Mr. KILDEE.
H.R. 5544: Mr. ROONEY of Florida and Ms. FINKENAUER.
H.R. 5549: Mr. ROY and Ms. MCCOLLUM.
H.R. 5552: Ms. PINGREE.
H.R. 5589: Ms. PINGREE.
H.R. 5596: Mr. DAVID P. ROE of Tennessee, Mr. DUNCAN, Mr. GOODEN, Mr. GOHMERT, and Mr. CLINE.
H.R. 5602: Mr. DEUTCH.
H.R. 5626: Ms. SCANLON.
H.R. 5628: Mr. MAST, Mr. DIAZ-BALART, Mr. RUTHERFORD, Mr. POSEY, Mr. LAWSON of Florida, Mr. SPANO, and Mr. ROONEY of Florida.
H.R. 5657: Mr. LOUDERMILK.
H.R. 5659: Ms. PINGREE.
H.R. 5661: Mr. WALTZ.
H.R. 5684: Mr. CARTWRIGHT.
H.R. 5690: Ms. WATERS, Mr. GARAMENDI, and Mr. BLUMENAUER.
H.R. 5695: Mrs. LURIA.
H.R. 5697: Ms. BROWNLEY of California.
H.J. Res. 20: Mr. SPANO.
H.J. Res. 66: Mr. GARCÍA of Illinois and Mr. RUSH.
H. Res. 114: Mr. THOMPSON of Pennsylvania.
H. Res. 189: Mr. DELGADO.
H. Res. 255: Mr. KELLER.
H. Res. 319: Mr. DELGADO.
H. Res. 323: Mr. DELGADO.
H. Res. 374: Ms. WILSON of Florida.
H. Res. 672: Mr. CHABOT.
H. Res. 783: Mr. LUETKEMEYER.
H. Res. 787: Mr. DESAULNIER, Mr. DAVID P. ROE of Tennessee, Mr. CICILLINE, and Mrs. LEE of Nevada.
H. Res. 803: Mr. COLE, Mr. RODNEY DAVIS of Illinois, Mr. GIANFORTE, and Mr. WALTZ.
H. Res. 809: Mr. ALLRED, Mr. VARGAS, and Mr. BERA.
H. Res. 810: Mr. WENSTRUP.
H. Res. 813: Mr. CARTWRIGHT.