

117TH CONGRESS
1ST SESSION

S. 2040

To prohibit consumer reporting agencies from furnishing a consumer report containing any adverse item of information about a consumer if the consumer is a victim of trafficking, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2021

Mr. CORNYN introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To prohibit consumer reporting agencies from furnishing a consumer report containing any adverse item of information about a consumer if the consumer is a victim of trafficking, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Debt Bondage Repair
5 Act”.

1 **SEC. 2. ADVERSE INFORMATION IN CASES OF TRAF-**
 2 **FICKING.**

3 (a) IN GENERAL.—The Fair Credit Reporting Act
 4 (15 U.S.C. 1681 et seq.) is amended by inserting after
 5 section 605B the following:

6 **“§ 605C. Adverse information in cases of trafficking**

7 “(a) DEFINITIONS.—In this section:

8 “(1) TRAFFICKING DOCUMENTATION.—The
 9 term ‘trafficking documentation’ means—

10 “(A) documentation of—

11 “(i) a determination by a Federal or
 12 State governmental entity that a consumer
 13 is a victim of trafficking; or

14 “(ii) a determination by a court of
 15 competent jurisdiction that a consumer is
 16 a victim of trafficking; and

17 “(B) documentation that identifies items
 18 of adverse information that should not be fur-
 19 nished by a consumer reporting agency because
 20 the items resulted from the severe form of traf-
 21 ficking in persons or sex trafficking of which
 22 the consumer is a victim.

23 “(2) VICTIM OF TRAFFICKING.—The term ‘vic-
 24 tim of trafficking’ means a person who is a victim
 25 of a severe form of trafficking in persons or sex traf-
 26 ficking, as those terms are defined in section 103 of

1 the Trafficking Victims Protection Act of 2000 (22
2 U.S.C. 7102).

3 “(b) ADVERSE INFORMATION.—A consumer report-
4 ing agency may not furnish a consumer report containing
5 any adverse item of information about a consumer that
6 resulted from a severe form of trafficking in persons or
7 sex trafficking if the consumer has provided trafficking
8 documentation to the consumer reporting agency.

9 “(c) RULEMAKING.—

10 “(1) IN GENERAL.—Not later than 180 days
11 after the date of the enactment of this section, the
12 Director shall promulgate regulations to implement
13 subsection (a).

14 “(2) CONTENTS.—The regulations issued pur-
15 suant to paragraph (1) shall establish a method by
16 which consumers shall submit trafficking docu-
17 mentation to consumer reporting agencies.”.

18 (b) TABLE OF CONTENTS AMENDMENT.—The table
19 of contents of the Fair Credit Reporting Act is amended
20 by inserting after the item relating to section 605B the
21 following:

“605C. Adverse information in cases of trafficking.”.

22 (c) APPLICABILITY.—The amendments made by this
23 section shall apply to any trafficking documentation, as
24 defined in section 605C(a) of the Fair Credit Reporting
25 Act, as added by subsection (a) of this section, provided

1 on or after the date that is 30 days after the date on which
2 the Director of the Bureau of Consumer Financial Protec-
3 tion promulgates regulations pursuant to subsection (c) of
4 section 605C.

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