

118TH CONGRESS
2D SESSION

S. 5543

AN ACT

To amend the Fair Credit Reporting Act to prohibit consumer reporting agencies from furnishing consumer reports containing adverse items of information about a consumer that resulted from that consumer being unlawfully or wrongfully detained abroad or held hostage abroad.

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 “Fair Credit for Amer-
 5 ican Hostages Act”.

6 **SEC. 2. ADVERSE INFORMATION ABOUT CONSUMERS UN-**
 7 **LAWFULLY OR WRONGFULLY DETAINED**
 8 **ABROAD OR HELD HOSTAGE ABROAD.**

9 (a) IN GENERAL.—The Fair Credit Reporting Act
 10 (15 U.S.C. 1681 et seq.) is amended by inserting after
 11 section 605C the following:

12 **“§ 605D. Adverse information about consumers un-**
 13 **lawfully or wrongfully detained abroad**
 14 **or held hostage abroad**

15 “(a) DEFINITIONS.—In this section:

16 “(1) COVERED CONSUMER.—The term ‘covered
 17 consumer’ means an individual who has been—

18 “(A) a United States national unlawfully
 19 or wrongfully detained abroad, as determined
 20 under section 302(a) of the Robert Levinson
 21 Hostage Recovery and Hostage-Taking Ac-
 22 countability Act (22 U.S.C. 1741(a)); or

23 “(B) a United States national taken hos-
 24 tage abroad, as determined by the Hostage Re-

1 covery Fusion Cell established by section 304
2 that Act (22 U.S.C. 1741b).

3 “(2) DETENTION OR HOSTAGE DOCUMENTA-
4 TION.—The term ‘detention or hostage documenta-
5 tion’ means documentation that—

6 “(A) certifies a consumer is a covered con-
7 sumer under this section;

8 “(B) identifies the time period during
9 which the covered consumer was unlawfully or
10 wrongfully detained abroad or held hostage
11 abroad; and

12 “(C) is authenticated by—

13 “(i) the Special Presidential Envoy for
14 Hostage Affairs established by section 303
15 of the Robert Levinson Hostage Recovery
16 and Hostage-Taking Accountability Act
17 (22 U.S.C. 1741a); or

18 “(ii) the Hostage Recovery Fusion
19 Cell established by section 304 of that Act
20 (22 U.S.C. 1741b).

21 “(b) ADVERSE INFORMATION.—If a consumer report-
22 ing agency described in section 603(p) is able to authen-
23 ticate detention or hostage documentation provided by a
24 covered consumer, the consumer reporting agency may not
25 furnish a consumer report containing any adverse item of

1 information about the covered consumer dating during the
2 time period the covered consumer was unlawfully or
3 wrongfully detained abroad or held hostage abroad.”.

4 (b) TECHNICAL AND CONFORMING AMENDMENT.—
5 The table of contents of the Fair Credit Reporting Act
6 is amended by inserting after the item relating to section
7 605C the following:

“605D. Adverse information about consumers unlawfully or wrongfully detained
abroad or held hostage abroad.”.

Passed the Senate December 16, 2024.

Attest:

Secretary.

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