

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5402
OFFERED BY MRS. KIM OF CALIFORNIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Credit Access and In-
3 clusion Act of 2026”.

4 SEC. 2. FULL-FILE REPORTING PERMITTED.

5 (a) IN GENERAL.—Section 623 of the Fair Credit
6 Reporting Act (15 U.S.C. 1681s–2) is amended by adding
7 at the end the following:

8 “(f) FULL-FILE CREDIT REPORTING.—

9 “(1) DEFINITIONS.—In this subsection:

10 “(A) ENERGY UTILITY FIRM.—The term
11 ‘energy utility firm’ means an entity that pro-
12 vides gas or electric utility services to the pub-
13 lic.

14 “(B) UTILITY OR TELECOMMUNICATION
15 FIRM.—The term ‘utility or telecommunication
16 firm’ means an entity that provides utility serv-
17 ices to the public through pipe, wire, landline,
18 wireless, cable, or other connected facilities, or

1 radio, electronic, or similar transmission (in-
2 cluding the extension of such facilities).

3 “(2) INFORMATION RELATING TO LEASE
4 AGREEMENTS, UTILITIES, AND TELECOMMUNI-
5 CATIONS SERVICES.—Subject to the limitations in
6 paragraph (3), and notwithstanding any other provi-
7 sion of law, a person or the Secretary of Housing
8 and Urban Development may furnish to a consumer
9 reporting agency information relating to the per-
10 formance of a consumer in making payments—

11 “(A) under a lease agreement with respect
12 to a dwelling, including such a lease in which
13 the Department of Housing and Urban Devel-
14 opment provides subsidized payments for occu-
15 pancy in a dwelling; or

16 “(B) pursuant to a contract for a utility or
17 telecommunications service.

18 “(3) LIMITATION.—Information about the
19 usage by a consumer of any utility service provided
20 by a utility or telecommunication firm may be fur-
21 nished to a consumer reporting agency only to the
22 extent that the information relates to the payment
23 by the consumer for the service of the utility or tele-
24 communication service or other terms of the provi-
25 sion of the services to the consumer, including any

1 deposit, discount, or conditions for interruption or
2 termination of the service.

3 “(4) PAYMENT PLAN.—An energy utility firm
4 may not report payment information to a consumer
5 reporting agency with respect to an outstanding bal-
6 ance of a consumer as late if—

7 “(A) the energy utility firm and the con-
8 sumer have entered into a payment plan (in-
9 cluding a deferred payment agreement, an ar-
10 rearage management program, or a debt for-
11 giveness program) with respect to such out-
12 standing balance; and

13 “(B) the consumer is meeting the obliga-
14 tions of the payment plan, as determined by the
15 energy utility firm.”.

16 (b) LIMITATION ON LIABILITY.—Section 623(c) of
17 the Fair Credit Reporting Act (15 U.S.C. 1681s–2(c)) is
18 amended—

19 (1) in paragraph (2), by striking “or” at the
20 end;

21 (2) by redesignating paragraph (3) as para-
22 graph (4); and

23 (3) by inserting after paragraph (2) the fol-
24 lowing:

1 “(3) subsection (f) of this section, including any
2 regulations issued thereunder; or”.

3 (c) GAO STUDY AND REPORT.—Not later than 2
4 years after the date of the enactment of this Act, the
5 Comptroller General of the United States shall submit to
6 the Congress a report—

7 (1) on the impact that furnishing information
8 pursuant to subsection (f) of section 623 of the Fair
9 Credit Reporting Act (15 U.S.C. 1681s–2), as added
10 by subsection (a) of this section, has had on con-
11 sumers; and

12 (2) that analyzes the effect on consumer credit
13 scores of reporting consumer cash flow data to con-
14 sumer credit agencies.

