

114TH CONGRESS
1ST SESSION

H. R. 2363

To provide for the removal of default information from a borrower’s credit report with respect to certain rehabilitated education loans, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 15, 2015

Mr. CARNEY (for himself and Mr. FINCHER) introduced the following bill;
which was referred to the Committee on Financial Services

A BILL

To provide for the removal of default information from a borrower’s credit report with respect to certain rehabilitated education loans, 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 “Federal Adjustment
5 in Reporting Student Credit Act of 2015” or the “FAIR
6 Student Credit Act of 2015”.

1 **SEC. 2. REHABILITATION OF QUALIFIED EDUCATION**
2 **LOANS.**

3 Section 623(a) of the Fair Credit Reporting Act (15
4 U.S.C. 1681s-2(a)(1)) is amended by adding at the end
5 the following:

6 “(10) REHABILITATION OF QUALIFIED EDU-
7 CATION LOANS.—

8 “(A) IN GENERAL.—Notwithstanding any
9 other provision of this section, a consumer may
10 request to remove a previously reported default
11 regarding a qualified education loan from the
12 consumer report relating to the consumer, and
13 such request shall not be considered inaccurate,
14 if the consumer to whom such loan relates suc-
15 cessfully and voluntarily meets the requirements
16 of a private loan rehabilitation program in
17 which the number of consecutive on-time
18 monthly payments (in accordance with the
19 terms and conditions of the loan or any valid
20 and legally binding modification thereto) is
21 equal to the number of payments specified
22 under section 428F(a)(1)(A) of the Higher
23 Education Act of 1965 (20 U.S.C. 1078-
24 6(a)(1)(A)).

25 “(B) LIMITATION.—A consumer may ob-
26 tain the benefits available under this subsection

1 with respect to rehabilitating a loan only one
2 time per loan.

3 “(C) QUALIFIED EDUCATION LOAN DE-
4 FINED.—For purposes of this subparagraph,
5 the term ‘qualified education loan’ has the
6 meaning given such term under section 221(d)
7 of the Internal Revenue Code of 1986.”.

8 **SEC. 3. GAO STUDY.**

9 (a) STUDY.—The Comptroller General of the United
10 States shall carry out a study on—

11 (1) the implementation of section 623(a)(1)(E)
12 of the Fair Credit Reporting Act, as added by sec-
13 tion 2; and

14 (2) any challenges borrowers experience with
15 the private loan rehabilitation program.

16 (b) REPORT.—Not later than the end of the 18-
17 month period beginning on the date of the enactment of
18 this Act, the Comptroller General shall issue a report to
19 the Congress containing the findings and determinations
20 made in carrying out the study required under subsection
21 (a).

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