



June 29, 2026

Hon. French Hill, Chairman
Hon. Maxine Waters, Ranking Member
U.S. House Financial Services Committee
Washington, DC 20515

Re: *Recommended votes on H.R. 5775, H.R. 8141, and H.R. 9330*

Dear Chairman Hill, Ranking Member Waters, and Members of the Committee:

The National Association of Consumer Advocates, a nonprofit organization actively engaged in promoting a fair and open marketplace that forcefully protects the rights of consumers, particularly those of modest means, is deeply concerned about bills under consideration in the Committee. We urge your opposition to H.R. 5775, the "FCRA Liability Harmonization Act," H.R. 8141, the "Fair Credit Reporting Reseller Accuracy Act," and H.R. 9330, the "Earned Wage Access Consumer Protection Act." These proposals if passed will disrupt individuals' privacy and financial protections. They will remove essential safeguards that foster safe practices and accountability in credit reporting and consumer lending. In a time of escalating costs, individuals and families would become even more vulnerable to suffering from financial burdens that would emerge from these proposals. Please reject these bills.

VOTE NO on H.R. 5775, the *FCRA Liability Harmonization Act*.

This bill would amend the Fair Credit Reporting Act (FCRA) to restrict remedies for millions of people against companies who recklessly distort their credit reports and background check reports. Careless and inaccurate credit reporting and data collection can devastate a person's well-being and financial health. They cause consumers to lose their access to credit, including mortgages, car loans, rental housing, or ability to obtain employment. Yet, this bill would remove punitive damages, a specific remedy that the FCRA authorizes to punish and deter severe credit reporting misconduct. The bill would also revise the law to restrict remedies for similarly harmed individuals who band together in class actions. This change would enable widespread and systemic credit reporting violations to go unaddressed and unpunished. Individuals will lose their access to justice for losses caused by poor credit reporting and data practices.

Liability for wrongful acts is a proven incentive for companies to comply with the law. This bill would remove these incentives and would embolden credit reporting and background check agencies to flout longstanding protections. The legislation will cause havoc in the credit market

because bad actors will be able to wrongfully label people using incorrect information without fear of being held accountable. It also would contaminate the marketplace with defective data and incorrect personal information on millions of people.

Moreover, companies in the consumer reporting and data collection sector consistently are among the most complained-about companies in the marketplace, and most complaints involve incorrect information on consumers' credit reports.¹ If anything, Congress should pass additional tools to bolster private enforcement to deter unlawful privacy and data practices, not reduce them.

VOTE NO on H.R. 8141, the *Fair Credit Reporting Reseller Accuracy Act*.

H.R. 8141 would unjustifiably shield resellers of consumer data from liability. Resellers are a type of consumer reporting agency that “assembles and merges information” from other consumer reporting agencies and sells the personal data to other parties, such as landlords, lenders, and employers.² The bill purports to create accuracy standards for resellers but shifts into a legal immunity shield for resellers if they convey inaccurate information from other sources. The bill’s “limitation of liability” section clears resellers of legal responsibility if they send inaccurate information received from other consumer reporting agencies.

Numerous circumstances exist where a reseller knew or should have known that personal information from the original consumer reporting agency was either inaccurate or warranted further investigation. Information from the original consumer reporting agencies can be contradictory, inconsistent, or illogical. Warning signs about data inaccuracy should spur resellers into investigation. Resellers should not escape responsibility for passing on inaccurate information received from other companies. H.R. 8141 would further harm the consumer reporting market by excusing conduct that incites increased circulation of junk data.

VOTE NO on H.R. 9330, the *Earned Wage Access Consumer Protection Act*.

Despite its title, H.R. 9330 would achieve the opposite result. It would eradicate lending protections for consumers who take out earned wage access loans. The bill would provide a framework governing earned wage advances, or loans made to workers ahead of payday that are repaid on payday. Some earned wage advances are offered through employers, usually with fees, while others have no connection to wages or payroll and are repaid by debiting bank accounts, and collect “tips.” Both models push fast cash and the fees associated with repeat borrowing can “result in triple-digit APRs and extract hundreds of dollars per year from borrowers.”³

The bill insists that earned wage access loans are not to be considered loans or credit. By designating that these products are not loans, the legislation would exempt earned wage payday

¹ Cooper, Cheryl R.; Tufts, Graham C., *CFPB Consumer Complaints: U.S. and Congressional District Data*, Feb. 2, 2024, <https://www.congress.gov/crs-product/IN12315>. “Credit reporting is by far the most common product category about which consumers complain, accounting for 80.5% of the complaints.”

² 15 USC 1681a.

³ Center for Responsible Lending, *Payday Loan Apps: A Very Expensive Form of Credit*, <https://www.responsiblelending.org/sites/default/files/nodes/files/research-publication/crl-pla-one-pager-mar2026.pdf>.

loans from the Truth in Lending Act, the Military Lending Act (MLA), the Equal Credit Opportunity Act, and other federal protections. Exempting earned wage payday loans from TILA would obscure the relative cost of these cash advances. Consumers would be unable to compare high-cost earned wage advances to other credit options. So far, 14 out of 14 courts have rejected company claims that the products are not credit or an extension of credit under TILA, other federal statutes, or applicable state lending laws.⁴ In addition, several courts have held that the MLA applies to these products to protect servicemembers.

The bill would also prohibit every state from passing laws to protect its residents from the most harmful elements of payday loan apps. State regulators, such as the Conference of State Bank Supervisors, are right to object to the bill's broad preemption of their respective state laws.⁵ Federal legislation should not create loopholes that allow earned wage advance providers to avoid lending laws or override stronger state consumer protection laws. This bill fails to protect workers and families, and in fact would exacerbate the hazards of earned wage access loan products.

Thank you for considering our views.

Christine Hines
Senior Policy Director

⁴ National Consumer Law Center, Courts Reject Claims that Payday Loan Apps Don't Offer Loans, <https://www.nclc.org/resources/courts-reject-claims-that-payday-loan-apps-dont-offer-loans/>

⁵ CSBS Comment Letter: Earned Wage Access Consumer Protection Act, Feb. 26, 2026, <https://www.csbs.org/node/560156>.