

# Attachment 2

The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended as follows:

Amending 603(d)(2)(D) as follows:

(D) a communication described in either subsection (o) or (q).

Adding at the end of Section 603 the following new subsection as 603(q):

- (q) A communication is described in this subsection if it is a communication:
- (1) that, but for subsection (d)(2)(D) would be a consumer report;
  - (2) that is made to an employer for the purpose of conducting a good faith investigation of alleged misconduct relating to employment or compliance with federal, state or local laws and regulations;
  - (3) that is not made for the purpose of investigating a consumer's credit worthiness, credit standing, or credit capacity;
  - (4) this is not provided to any person except the employer or prospective employer of the consumer, or as required by law, or pursuant to Section 608;
  - (5) with respect to which, if adverse action is taken based in whole or in part on the communication, the employer will disclose to the consumer a summary containing the nature and substance of the communication upon which the adverse action is based.