

Credit history - information provided in a consumer report as defined in 15 USC 1681a(d).

15 USC 1681a(d) Consumer Report.—

(1) In general.— The term “consumer report” means any written, oral, or other communication of any information by a consumer reporting agency bearing on a consumer’s credit worthiness,⁽¹⁾ credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer’s eligibility for—

- (A) credit or insurance to be used primarily for personal, family, or household purposes;
- (B) employment purposes; or
- (C) any other purpose authorized under section 1681b of this title.

(2) Exclusions.— Except as provided in paragraph (3), the term “consumer report” does not include—

- (A) subject to section 1681s-3 of this title, any—
 - (i) report containing information solely as to transactions or experiences between the consumer and the person making the report;
 - (ii) communication of that information among persons related by common ownership or affiliated by corporate control; or
 - (iii) communication of other information among persons related by common ownership or affiliated by corporate control, if it is clearly and conspicuously disclosed to the consumer that the information may be communicated among such persons and the consumer is given the opportunity, before the time that the information is initially communicated, to direct that such information not be communicated among such persons;
- (B) any authorization or approval of a specific extension of credit directly or indirectly by the issuer of a credit card or similar device;
- (C) any report in which a person who has been requested by a third party to make a specific extension of credit directly or indirectly to a consumer conveys his or her decision with respect to such request, if the third party advises the consumer of the name and address of the person to whom the request was made, and such person makes the disclosures to the consumer required under section 1681m of this title; or
- (D) a communication described in subsection (o) or (x) of this section.

(3) Restriction on sharing of medical information.— Except for information or any communication of information disclosed as provided in section 1681b (g)(3) of this title, the exclusions in paragraph (2) shall not apply with respect to information disclosed to any person related by common ownership or affiliated by corporate control, if the information is—

- (A) medical information;
- (B) an individualized list or description based on the payment transactions of the consumer for medical products or services; or
- (C) an aggregate list of identified consumers based on payment transactions for medical products or services.

(8) Employment Practices: For any person or employer individually or in concert with others to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to her/his compensation, terms, conditions, or privileges of employment, because of such individual’s protected class membership or credit history...

(8)(i) 7: Discrimination because of credit history is not prohibited if the employer, licensing authority, labor organization, or employment agency can show that:

- a. The circumstances of an individual’s credit history are substantially related to the circumstances of a particular job or licensed activity;
- b. Employment, membership, or licensing depends on the bondability of the individual under a standard fidelity bond or when an equivalent bond is required by the state or federal law, administrative regulation, or established business practice of the employer and the individual may not be bondable due to his or her credit history