

111TH CONGRESS  
2D SESSION

# H. R. 4538

To amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 2010

Mr. COHEN (for himself, Mr. THOMPSON of Mississippi, Mr. GUTIERREZ, Mr. NADLER of New York, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CLAY, Mr. DELAHUNT, Mr. DOGETT, Ms. KAPTUR, Mr. McDERMOTT, Mr. RANGEL, Mr. STARK, Mr. TOWNS, Ms. VELÁZQUEZ, and Mr. WATT) introduced the following bill; which was referred to the Committee on Financial Services

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## A BILL

To amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, 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 “Fair Access to Credit  
5       Scores Act of 2010”.

1 **SEC. 2. CREDIT SCORES INCLUDED IN FREE ANNUAL DIS-**  
2 **CLOSURES.**

3 Section 609 of the Fair Credit Reporting Act (15  
4 U.S.C. 1681g) is amended—

5 (1) in subsection (a)(1), by adding at the end  
6 the following flush sentence:

7 “Notwithstanding subparagraph (B), all consumer  
8 reporting agencies described in section 603(p) shall  
9 disclose any information in the consumer’s file at the  
10 time of the request concerning credit scores or any  
11 other risk scores or predictors relating to the con-  
12 sumer if such request is made in connection with a  
13 free annual disclosure made pursuant to section  
14 612(a).”; and

15 (2) in subsection (f), by amending paragraph  
16 (6) to read as follows:

17 “(6) MAINTENANCE OF CREDIT SCORES.—All  
18 consumer reporting agencies described in section  
19 603(p) shall maintain information in the consumer’s  
20 file concerning credit scores or any other risk scores  
21 or predictors relating to the consumer for a period  
22 of no less than 1 year from the date on which such  
23 information is placed in the consumer’s file.”.

24 **SEC. 3. BANKRUPTCY RISK SCORE STUDY.**

25 (a) GAO STUDY.—The Comptroller General of the  
26 United States shall carry out a study of bankruptcy risk

1 scores used by consumer reporting agencies. Such study  
2 shall include an analysis of—

3 (1) the factors used to determine bankruptcy  
4 risk scores;

5 (2) how bankruptcy risk scores impact the abil-  
6 ity of consumers to receive loans;

7 (3) actions that consumers can take to improve  
8 their bankruptcy risk score; and

9 (4) such other factors as the Comptroller Gen-  
10 eral determines to be appropriate.

11 (b) REPORT.—Not later than the end of the 6-month  
12 period beginning on the date of the enactment of this Act,  
13 the Comptroller General shall submit a report to the Con-  
14 gress containing all findings and determinations made in  
15 carrying out the study required under subsection (a).

16 (c) BANKRUPTCY RISK SCORE DEFINED.—For pur-  
17 poses of this section, the term “bankruptcy risk score”  
18 means a numerical value or a categorization derived from  
19 a statistical tool or modeling system used to predict the  
20 likelihood of whether a consumer will file for bankruptcy.

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