

111TH CONGRESS
2D SESSION

H. R. 5048

To amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of servicemembers serving on active duty, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2010

Mr. BRADY of Pennsylvania (for himself, Mr. BARTLETT, and Mr. SPRATT) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of servicemembers serving on active duty, 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 “National Heroes Credit
5 Protection Act”.

1 **SEC. 2. PROTECTION OF CREDIT RATINGS OF**
2 **SERVICEMEMBERS SERVING ON ACTIVE**
3 **DUTY.**

4 (a) IN GENERAL.—Title II of the Servicemembers
5 Civil Relief Act (50 U.S.C. App. 521 et seq.) is amended
6 by adding at the end the following new section:

7 **“SEC. 208. PROTECTION OF CREDIT RATINGS OF**
8 **SERVICEMEMBERS SERVING ON ACTIVE**
9 **DUTY.**

10 “(a) REQUEST FOR MILITARY SERVICE DEPLOY-
11 MENT ALERT.—After serving on active duty for a period
12 of more than 180 days, a servicemember may submit a
13 request directly to a consumer reporting agency that it
14 include a military service deployment alert in the file of
15 that servicemember at the consumer reporting agency.

16 “(b) RESPONSIBILITIES OF CONSUMER REPORTING
17 AGENCIES.—Upon receiving a request from a servicemem-
18 ber under subsection (a), a consumer reporting agency
19 shall perform the following:

20 “(1) Include a military service deployment alert
21 in the file of that servicemember and provide the
22 military service deployment alert to each person who
23 requests the credit score or consumer report of the
24 servicemember until the date that is the earlier of—

1 “(A) the date that is seven years after the
2 date on which the servicemember requests the
3 military service deployment alert; or

4 “(B) the date on which—

5 “(i) the servicemember submits di-
6 rectly to the consumer reporting agency a
7 request stating that such military service
8 deployment alert be removed from such
9 file; and

10 “(ii) the agency receives proof of the
11 identity of the servicemember making such
12 request.

13 “(2) Develop and maintain procedures for the
14 referral to other such agencies of any military serv-
15 ice deployment alert received by the agency.

16 “(c) DUTY OF RESELLER TO RECONVEY MILITARY
17 SERVICE DEPLOYMENT ALERT.—A reseller shall include
18 in any consumer report of the reseller on a servicemember
19 any military service deployment alert placed in the file of
20 that servicemember by another consumer reporting agency
21 pursuant to this section.

22 “(d) ACKNOWLEDGMENT OF MILITARY SERVICE DE-
23 PLOYMENT ALERT.—Any prospective user of a consumer
24 credit report containing a military service deployment

1 alert shall acknowledge to the servicemember the receipt
2 of such military service deployment alert.

3 “(e) DEFINITIONS.—For the purposes of this section:

4 “(1) The term ‘active duty’ has the meaning
5 given that term under section 101(d)(1) of title 10,
6 United States Code.

7 “(2) The term ‘consumer reporting agency’ has
8 the meaning given the term ‘consumer reporting
9 agency that compiles and maintains files on con-
10 sumers on a nationwide basis’ under section 603(p)
11 of the Fair Credit Reporting Act (15 U.S.C.
12 1681a(p)).

13 “(3) The term ‘military service deployment
14 alert’ means a code generated by a consumer report-
15 ing agency that is delivered in conjunction with a
16 consumer report or credit score to a user of the con-
17 sumer report or credit score to indicate that the con-
18 sumer report or credit score of the consumer may
19 have been adversely affected during a period in
20 which the consumer was a servicemember serving on
21 active duty.

22 “(4) The term ‘reseller’ has the meaning given
23 that term under section 603(u) of the Fair Credit
24 Reporting Act (15 U.S.C. 1681a(u)).”.

1 (b) CLERICAL AMENDMENT.—The table of contents
2 in section 1(b) of such Act is amended by inserting after
3 the item relating to section 207 the following new item:

“Sec. 208. Protection of credit ratings of servicemembers serving on active
duty.”.

4 (c) MILITARY SERVICE DEPLOYMENT ALERT NOT
5 TO AFFECT CERTAIN FUTURE TRANSACTIONS.—Section
6 108 of such Act (50 U.S.C. App. 518) is amended in the
7 matter preceding paragraph (1) by inserting after “liabil-
8 ity of that servicemember” the following: “, or the inclu-
9 sion of a military service deployment alert in a file of the
10 servicemember at a consumer reporting agency pursuant
11 to section 208,”.

12 (d) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on the date that is 180 days
14 after the date of the enactment of this Act.

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