

113TH CONGRESS
2D SESSION

H. R. 4672

To amend the Fair Credit Reporting Act to provide protections for active duty military consumers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 19, 2014

Ms. LINDA T. SÁNCHEZ of California (for herself and Mr. LAMBORN) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Fair Credit Reporting Act to provide protections for active duty military 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. NOTICE OF STATUS AS AN ACTIVE DUTY MILI-**
4 **TARY CONSUMER.**

5 The Fair Credit Reporting Act (15 U.S.C. 1681 et
6 seq.) is amended—

7 (1) in section 605, by adding at the end the fol-
8 lowing:

1 “(i) NOTICE OF STATUS AS AN ACTIVE DUTY MILI-
 2 TARY CONSUMER.—With respect to an item of adverse in-
 3 formation about a consumer, if the action or inaction that
 4 gave rise to the item occurred while the consumer was an
 5 active duty military consumer, the consumer may provide
 6 appropriate proof, including official orders, to a consumer
 7 reporting agency that the consumer was an active duty
 8 military consumer at the time such action or inaction oc-
 9 curred, and any consumer report provided by the con-
 10 sumer reporting agency that includes such item of infor-
 11 mation shall clearly and conspicuously disclose that the
 12 consumer was an active duty military consumer when the
 13 action or inaction that gave rise to the item occurred.”;

14 (2) in section 605A(c)—

15 (A) by striking “Upon” and inserting the
 16 following:

17 “(1) IN GENERAL.—Upon”;

18 (B) by redesignating paragraphs (1), (2),
 19 and (3) as subparagraphs (A), (B), and (C),
 20 and moving such redesignated subparagraphs 2
 21 ems to the right; and

22 (C) by adding at the end the following:

23 “(2) NEGATIVE INFORMATION ALERT.—Any
 24 time a consumer reporting agency receives an item
 25 of adverse information about a consumer, if the con-

sumer has provided appropriate proof that the consumer is an active duty military consumer, the consumer reporting agency shall promptly notify the consumer—

“(A) that the agency has received such item of adverse information, along with a description of the item; and

“(B) the method by which the consumer can dispute the validity of the item.

“(3) CONTACT INFORMATION FOR ACTIVE DUTY MILITARY CONSUMERS.—With respect to any consumer that has provided appropriate proof to a consumer reporting agency that the consumer is an active duty military consumer, if the consumer provides the consumer reporting agency with separate contact information to be used when communicating with the consumer while the consumer is an active duty military consumer, the consumer reporting agency shall use such contact information for all communications while the consumer is an active duty military consumer.

“(4) SENSE OF CONGRESS.—It is the sense of Congress that any person making use of a consumer report containing an item of adverse information should, if the action or inaction that gave rise to the

1 item occurred while the consumer was an active duty
2 military consumer, take such fact into account when
3 evaluating the creditworthiness of the consumer.”;
4 and

5 (3) in section 611(a)(1), by adding at the end
6 the following:

7 “(D) NOTICE OF DISPUTE RELATED TO
8 ACTIVE DUTY MILITARY CONSUMERS.—With re-
9 spect to any item of information described
10 under subparagraph (A) that is under dispute,
11 if the consumer has notified the consumer re-
12 porting agency, and provided appropriate proof,
13 that the consumer was an active duty military
14 consumer at the time the action or inaction that
15 gave rise to the disputed item occurred, the
16 consumer reporting agency shall include such
17 fact in the consumer’s file and shall indicate
18 that fact in each consumer report that includes
19 the disputed item.”.

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