

113TH CONGRESS
2D SESSION

H. R. 5843

To amend the Fair Credit Reporting Act to create protected credit reports for minors and protect the credit of minors, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2014

Mr. LANGEVIN (for himself, Ms. CLARK of Massachusetts, and Ms. SHEA-PORTER) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Fair Credit Reporting Act to create protected credit reports for minors and protect the credit of minors, 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. PROTECTIONS FOR CREDIT REPORTS OF MI-**
4 **NORS.**

5 (a) IN GENERAL.—The Fair Credit Reporting Act
6 (15 U.S.C. 1681 et seq.) is amended by inserting after
7 section 605B the following new section:

1 **“SEC. 605C. ADDITIONAL PROTECTIONS FOR CREDIT RE-**
2 **PORTS OF MINOR CONSUMERS.**

3 “(a) IN GENERAL.—A consumer reporting agency de-
4 scribed in section 603(p) shall, upon request by a covered
5 guardian of a minor consumer, create a blocked file for
6 the minor consumer or convert a file of the minor con-
7 sumer already in existence to a blocked file.

8 “(b) REQUIREMENTS.—The Bureau, by rule, shall es-
9 tablish procedures—

10 “(1) for a consumer reporting agency described
11 in section 603(p) to properly identify the covered
12 guardian and the minor consumer prior to creating,
13 converting, or unblocking a blocked file for such
14 minor consumer;

15 “(2) for such a consumer reporting agency to
16 create a blocked file for a minor consumer or to con-
17 vert a file of a minor consumer already in existence
18 to a blocked file; and

19 “(3) consistent with subsection (c), for a cov-
20 ered guardian to unblock a file.

21 “(c) UNBLOCKING A FILE.—

22 “(1) IN GENERAL.—A consumer reporting
23 agency described in section 603(p) shall unblock a
24 blocked file upon request by a covered guardian or
25 on the date of the 18th birthday of the minor con-
26 sumer.

1 “(2) ALERT STATEMENT.—An alert statement
2 shall be included in a file unblocked pursuant to
3 paragraph (1) if the minor consumer was a victim
4 of fraud or identity theft before the date of the 18th
5 birthday of the minor consumer as follows:

6 “(A) For a file unblocked upon request by
7 a covered guardian, for a period of time begin-
8 ning on the date such file is unblocked and end-
9 ing on the date that is 1 year after the date of
10 the 18th birthday of the minor consumer.

11 “(B) For a file unblocked on the date of
12 the 18th birthday of the minor consumer, for a
13 period of 1 year after such date.

14 “(3) DUTY OF RESELLER.—With respect to in-
15 formation concerning a consumer whose file contains
16 an alert statement, a reseller shall include such alert
17 statement when furnishing such information.

18 “(d) FEES.—

19 “(1) IN GENERAL.—The Bureau shall deter-
20 mine if a fee may be charged, and the amount of the
21 fee charged, by a consumer reporting agency de-
22 scribed in section 603(p) to create, convert, or
23 unblock a file.

24 “(2) FEES PROHIBITED.—A consumer report-
25 ing agency described in section 603(p) may not

1 charge a fee to a minor consumer who was a victim
2 of fraud or identity theft prior to the date of the mi-
3 nor's 18th birthday, to create, convert, or unblock a
4 file.

5 “(e) EXCEPTIONS.—No provision of this section shall
6 be construed as requiring a consumer reporting agency de-
7 scribed in section 603(p) to prevent a Federal, State, or
8 local law enforcement agency from accessing a blocked file.

9 “(f) DEFINITIONS.—In this section the following defi-
10 nitions shall apply:

11 “(1) ALERT STATEMENT.—The term ‘alert
12 statement’ means a statement that—

13 “(A) notifies all prospective users of a con-
14 sumer report relating to the consumer that the
15 consumer may be a victim of fraud, including
16 identity theft; and

17 “(B) is presented in a manner that facili-
18 tates a clear and conspicuous view of the state-
19 ment described in subparagraph (A) by any
20 person requesting such consumer report.

21 “(2) BLOCKED FILE.—The term ‘blocked file’
22 means a file of a minor consumer in which, pursuant
23 to this section, a consumer reporting agency—

24 “(A) maintains a file with the name, social
25 security number, date of birth, and, if applica-

1 ble, any credit information of the minor con-
2 sumer;

3 “(B) may not provide any person with a
4 consumer report of the minor consumer; and

5 “(C) blocks the input of any information
6 into the file, except with permission from a cov-
7 ered guardian of the minor consumer.

8 “(3) COVERED GUARDIAN.—The term ‘covered
9 guardian’ means—

10 “(A) the legal guardian of a minor child;

11 “(B) the custodian of a minor child; or

12 “(C) in the case of a child in foster care,
13 the State agency or Indian tribe or tribal orga-
14 nization responsible for the child’s foster care.

15 “(4) MINOR CONSUMER.—The term ‘minor con-
16 sumer’ means an consumer who has not attained 18
17 years of age.”.

18 (b) TABLE OF CONTENTS AMENDMENT.—The table
19 of contents of the Fair Credit Reporting Act (15 U.S.C.
20 1681 et seq.) is amended by inserting after the item re-
21 lated to section 605B the following new item:

 “605C. Additional protections for credit reports of minor consumers.”.

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