

110TH CONGRESS
1ST SESSION

H. R. 513

IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 2007

Received; read twice and referred to the Committee on Veterans' Affairs

AN ACT

To amend the Servicemembers Civil Relief Act to enhance the protection of credit ratings of members of the reserve component who serve on active duty in support of a contingency operation, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Heroes Credit
3 Protection Act”.

4 **SEC. 2. PROTECTION OF CREDIT RATINGS OF MEMBERS OF**
5 **THE RESERVE COMPONENTS DEPLOYED IN**
6 **SUPPORT OF CONTINGENCY OPERATIONS.**

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

10 **“SEC. 208. PROTECTION OF CREDIT RATINGS OF MEMBERS**
11 **OF RESERVE COMPONENTS DEPLOYED IN**
12 **SUPPORT OF CONTINGENCY OPERATIONS.**

13 “(a) REQUEST FOR MILITARY SERVICE DEPLOY-
14 MENT EXPLANATION.—At any time during or after serv-
15 ing on active duty in support of a contingency operation,
16 an eligible servicemember may request that a consumer
17 reporting agency include a military service deployment ex-
18 planation with respect to a qualifying account in the file
19 of that servicemember at the consumer reporting agency.

20 “(b) RESPONSIBILITIES OF CONSUMER REPORTING
21 AGENCIES.—Upon receiving a request from an eligible
22 servicemember under subsection (a), a consumer reporting
23 agency shall—

24 “(1) include a military service deployment ex-
25 planation with respect to a qualifying account in the
26 file of that servicemember and provide the military

1 service deployment explanation to each person who
2 requests the credit score or consumer report of the
3 servicemember;

4 “(2) develop and maintain procedures for the
5 referral to other such agencies of any military serv-
6 ice deployment explanation received by the agency;
7 and

8 “(3) notify the servicemember in writing that
9 the inclusion of any explanation or notation in the
10 file of the servicemember could potentially negatively
11 affect the credit rating of the servicemember and
12 may not mitigate a low credit score.

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

19 “(d) ACKNOWLEDGMENT OF MILITARY SERVICE DE-
20 PLOYMENT EXPLANATION.—Any prospective user of a
21 consumer credit report containing a military service de-
22 ployment explanation shall acknowledge such military
23 service deployment explanation.

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

1 “(1) The term ‘eligible servicemember’ means a
2 member of a reserve component who serves on active
3 duty outside the continental United States in sup-
4 port of a contingency operation under a call or order
5 specifying a period of such service of not less than
6 180 days (or who enters such service under a call or
7 order specifying a period of 180 days or less and
8 who, without a break in service, receives orders ex-
9 tending the period of such service to a period of not
10 less than 180 days).

11 “(2) The term ‘military service deployment ex-
12 planation’ means a code generated by a consumer
13 reporting agency that is delivered in conjunction
14 with a consumer report or credit score to a user of
15 the consumer report or credit score to indicate that
16 the consumer report or credit score of the consumer
17 was adversely affected during a period in which the
18 consumer was a servicemember serving on active
19 duty outside the continental United States in sup-
20 port of a contingency operation.

21 “(3) The term ‘contingency operation’ has the
22 meaning given that term under section 101(a)(13) of
23 title 10, United States Code.

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

4 “(5) The term ‘consumer reporting agency’ has
5 the meaning given that term under section 603 of
6 the Fair Credit Reporting Act.

7 “(6) The term ‘reseller’ has the meaning given
8 that term under section 603 of the Fair Credit Re-
9 porting Act.

10 “(7) The term ‘qualifying account’ means an
11 account that was opened by a servicemember before
12 the date on which the servicemember was deployed
13 outside the continental United States in support of
14 a contingency operation, but only with respect to ob-
15 ligations incurred before such date.”.

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

 “Sec. 208. Protection of credit ratings of certain servicemembers.”.

19 (c) MILITARY SERVICE DEPLOYMENT EXPLANATION
20 NOT TO AFFECT CERTAIN FUTURE TRANSACTIONS.—
21 Section 108 of such Act (50 U.S.C. App. 518) is amended
22 in the matter preceding paragraph (1), by inserting after
23 “liability of that servicemember” the following: “, or the
24 inclusion of a military service deployment explanation in

1 a file of the servicemember at a consumer reporting agen-
2 cy pursuant to section 208,”.

Passed the House of Representatives November 5,
2007.

Attest: LORRAINE C. MILLER,
Clerk.