

114TH CONGRESS
1ST SESSION

H. R. 1262

To amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require the Bureau of Consumer Financial Protection to notify and obtain permission from consumers before collecting nonpublic personal information about such consumers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2015

Mr. DUFFY (for himself, Mr. NEUGEBAUER, and Mr. BARR) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to require the Bureau of Consumer Financial Protection to notify and obtain permission from consumers before collecting nonpublic personal information about such 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 “Consumer Right to
5 Financial Privacy Act of 2015”.

1 **SEC. 2. REQUIREMENT OF THE BUREAU OF CONSUMER FI-**
 2 **NANCIAL PROTECTION TO OBTAIN PERMIS-**
 3 **SION BEFORE COLLECTING NONPUBLIC PER-**
 4 **SONAL INFORMATION.**

5 (a) REQUIRED NOTIFICATION AND PERMISSION.—
 6 Section 1022(c)(9)(A) of the Dodd-Frank Wall Street Re-
 7 form and Consumer Protection Act (12 U.S.C.
 8 5512(c)(9)(A)) is amended—

9 (1) by striking “may not obtain from a covered
 10 person or service provider” and inserting “may not
 11 request, obtain, access, collect, use, retain, or dis-
 12 close”;

13 (2) by striking “personally identifiable finan-
 14 cial” and inserting “nonpublic personal”; and

15 (3) by striking “from the financial records” and
 16 all that follows through the period at the end and
 17 inserting “unless—

18 “(i) the Bureau clearly and conspicu-
 19 ously discloses to the consumer, in writing
 20 or in an electronic form, what information
 21 will be requested, obtained, accessed, col-
 22 lected, used, retained, or disclosed; and

23 “(ii) before such information is re-
 24 quested, obtained, accessed, collected, used,
 25 retained, or disclosed, the consumer in-
 26 forms the Bureau that such information

1 may be requested, obtained, accessed, col-
2 lected, used, retained, or disclosed.”.

3 (b) APPLICATION OF REQUIREMENT TO CONTRAC-
4 TORS OF THE BUREAU OF CONSUMER FINANCIAL PRO-
5 TECTION.—Section 1022(c)(9)(B) of such Act (12 U.S.C.
6 5512(c)(9)(B)) is amended to read as follows:

7 “(B) APPLICATION OF REQUIREMENT TO
8 CONTRACTORS OF THE BUREAU OF CONSUMER
9 FINANCIAL PROTECTION.—Subparagraph (A)
10 shall apply to any person directed or engaged
11 by the Bureau to collect information to the ex-
12 tent such information is being collected on be-
13 half of the Bureau.”.

14 (c) DEFINITION OF NONPUBLIC PERSONAL INFOR-
15 MATION.—Section 1022(c)(9) of such Act (12 U.S.C.
16 5512(c)(9)) is amended by adding at the end the fol-
17 lowing:

18 “(C) DEFINITION OF NONPUBLIC PER-
19 SONAL INFORMATION.—In this paragraph, the
20 term ‘nonpublic personal information’ has the
21 meaning given the term in section 509 of the
22 Gramm-Leach-Bliley Act (15 U.S.C. 6809).”.

1 **SEC. 3. REMOVAL OF EXEMPTION FOR THE BUREAU OF**
2 **CONSUMER FINANCIAL PROTECTION FROM**
3 **THE RIGHT TO FINANCIAL PRIVACY ACT.**

4 Section 1113 of the Right to Financial Privacy Act
5 of 1978 (12 U.S.C. 3413) is amended by striking sub-
6 section (r).

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