

115TH CONGRESS
1ST SESSION

H. R. 3878

To amend the Fair Credit Reporting Act to provide access to free credit freezes for all consumers.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2017

Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. LANGEVIN, Mr. CÁRDENAS, Mr. NADLER, Mr. BEYER, Ms. KAPTUR, Ms. NORTON, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BISHOP of Georgia, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. CAPUANO, Mr. BUTTERFIELD, and Mrs. NAPOLITANO) introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the Fair Credit Reporting Act to provide access to free credit freezes for all consumers.

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 “Free Credit Freeze
5 Act”.

1 **SEC. 2. PROVIDES ACCESS TO FREE CREDIT FREEZES FOR**
2 **ALL CONSUMERS.**

3 Section 605A of the Fair Credit Reporting Act (15
4 U.S.C. 1681c–1) is amended by adding at the end the fol-
5 lowing:

6 “(i) CREDIT FREEZE FEES.—

7 “(1) DEFINITION.—In this subsection, the term
8 ‘credit freeze’ means a restriction placed at the re-
9 quest of a consumer or a personal representative of
10 the consumer, on the consumer report of the con-
11 sumer, that prohibits a consumer reporting agency
12 described in section 603(p) from releasing the con-
13 sumer report for a purpose relating to the extension
14 of credit without the express authorization of the
15 consumer. A credit freeze shall not apply to the use
16 of a consumer report by any of the following:

17 “(A) A person, or the person’s subsidiary,
18 affiliate, agent, subcontractor, or assignee with
19 whom the consumer has, or prior to assignment
20 had, an account, contract, or debtor-creditor re-
21 lationship for the purposes of reviewing the ac-
22 tive account or collecting the financial obliga-
23 tion owed on the account, contract, or debt.

24 “(B) A person, or the person’s subsidiary,
25 affiliate, agent, subcontractor, or assignee, to
26 whom access has been granted pursuant to a

1 request by the consumer for purposes of facili-
2 tating the extension of credit or other permis-
3 sible use.

4 “(C) Any person acting pursuant to a
5 court order, warrant, or subpoena.

6 “(D) A Federal, State, or local govern-
7 ment, or an agent or assignee thereof.

8 “(E) Any person for the sole purpose of
9 providing a credit monitoring or identity theft
10 protection service to which the consumer has
11 subscribed.

12 “(F) Any person for the purpose of pro-
13 viding a consumer with a copy of the consumer
14 report, or credit score of the consumer upon the
15 consumer’s request.

16 “(G) Any person or entity for insurance
17 purposes, including use in setting or adjusting
18 a rate, adjusting a claim, or underwriting.

19 “(H) Any person acting pursuant to an au-
20 thorization from a consumer to use their con-
21 sumer report for employment purposes.

22 “(2) PROHIBITION ON FEES.—A consumer re-
23 porting agency described in section 603(p) may not

- 1 charge a consumer a fee to place, temporarily lift, or
- 2 fully remove a credit freeze.”.

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