

117TH CONGRESS
1ST SESSION

H. R. 4078

To establish requirements relating to credit scores and educational credit scores, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2021

Mrs. BEATTY introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To establish requirements relating to credit scores and educational credit scores, 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 “Free Credit Scores
5 for Consumers Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) While nationwide consumer reporting agen-
9 cies (“CRAs”) are required by law to supply con-
10 sumers with a free copy of their credit report annu-

1 ally, they can charge consumers to obtain a credit
2 score disclosure.

3 (2) A July 2011 report by the Consumer Fi-
4 nancial Protection Bureau (“Consumer Bureau”) ti-
5 tled “The Impact of Differences between Consumer-
6 and Creditor-Purchased Credit Scores” found that
7 the credit scores made available to and purchased by
8 consumers from CRAs are unlikely to be the same
9 credit scores used by creditors and lenders to evalu-
10 ate consumers’ creditworthiness.

11 (3) That report found that the scarcity of pub-
12 lic educational tools to inform consumers of the dif-
13 ferences among credit scores, the large combined
14 market share and brand recognition of FICO credit
15 scores, and the marketing practices of some credit
16 score sellers may perpetuate consumers’ confusion
17 about credit scores. As a result, some consumers
18 may be purchasing an educational credit score or
19 subscribing to a credit monitoring service sold by a
20 CRA, without realizing the limitations and useful-
21 ness of these products and services.

22 (4) Similarly, a September 2012 Consumer Bu-
23 reau report titled “Analysis of Differences between
24 Consumer- and Creditor-Purchased Credit Scores”
25 found that consumers do not know before they pur-

1 chase a credit score from a CRA whether this credit
2 score will closely track or vary significantly from the
3 credit score sold to creditors or lenders. Given the
4 lack of transparency about the usefulness of credit
5 scores that are marketed for purchase by consumers
6 from CRAs and the resulting consumer confusion,
7 the Consumer Bureau recommended that companies
8 selling scores to consumers clearly inform consumers
9 that the scores marketed to consumers for purchase
10 by CRAs can vary, sometimes substantially, from
11 the scores that are actually sold to and used by
12 creditors and lenders.

13 (5) A February 2011 study by Consumer Fed-
14 eration of America and VantageScore also found
15 that half of the consumers surveyed did not know
16 that a credit score is designed to indicate the risk
17 of not repaying a credit obligation. Consumers also
18 did not know who makes credit scores available,
19 what numerical range constitutes excellent credit
20 standing, or the financial implications of having a
21 low credit score.

22 (6) Many consumers do not realize that they
23 have more than just “one” credit score. Because the
24 submission of credit information to CRAs is vol-
25 untary and not all furnishers submit information to

1 every CRA, the information contained in a report
2 also varies among CRAs. As a result, the credit
3 score generated by each CRA is also likely to vary,
4 resulting in potentially different credit decisions
5 based on an evaluation of different credit reports ob-
6 tained from different CRAs.

7 (7) A February 2015 Consumer Bureau report
8 titled “Consumer Voices on Credit Reports and
9 Scores” found that consumers had questions about
10 what actions to take to improve their scores once
11 they had seen them, suggesting that additional dis-
12 closures and educational content would be helpful to
13 consumers. The Consumer Bureau found that con-
14 sumers were confused by conflicting advice on how
15 to improve their scores.

16 (8) That report also noted that consumers
17 found the process for obtaining consumer reports
18 and credit scores confusing. Consumers also were
19 uncertain about whether, and under what cir-
20 cumstances, they could obtain a consumer report for
21 free.

22 **SEC. 3. DEFINITIONS.**

23 (a) IN GENERAL.—Section 603 of the Fair Credit
24 Reporting Act (15 U.S.C. 1681a) is amended by adding
25 at the end the following new subsection:

1 “(bb) CREDIT SCORE AND EDUCATIONAL CREDIT
2 SCORE DEFINITIONS.—

3 “(1) CREDIT SCORE.—The term ‘credit score’
4 means a numerical value or a categorization derived
5 from a statistical tool or modeling system used by a
6 person who makes or arranges a loan or extends
7 credit to predict the likelihood of certain credit be-
8 haviors, including default, as determined by the Bu-
9 reau.

10 “(2) EDUCATIONAL CREDIT SCORE.—The term
11 ‘educational credit score’ means a numerical value or
12 categorization derived from a statistical tool or mod-
13 eling system based upon information from a con-
14 sumer report that assists consumers in under-
15 standing how a lender or creditor may view the con-
16 sumer’s creditworthiness in deciding whether to
17 make a loan or extend credit to that consumer.

18 “(3) KEY FACTORS.—The term ‘key factors’
19 means relevant elements or reasons affecting the
20 credit score for the particular individual, listed in
21 the order of importance based on the effect of each
22 element or reason on the credit score or educational
23 credit score.

24 “(4) CREDIT SCORING MODEL.—The term
25 ‘credit scoring model’ means a scoring algorithm,

1 formula, model, program, or mechanism used to gen-
 2 erate a credit score or an educational credit score.”.

3 (b) CONFORMING AMENDMENTS.—The Fair Credit
 4 Reporting Act (15 U.S.C. 1681 et seq.) is amended—

5 (1) in section 605(d)(2), by striking “(as de-
 6 fined in section 609(f)(2)(B))”; and

7 (2) in section 615—

8 (A) by striking “as defined in section
 9 609(f)(2)(A)” each place that term appears;
 10 and

11 (B) by striking “set forth in subpara-
 12 graphs (B) through (E) of section 609(f)(1)”
 13 and inserting “with respect to a credit score de-
 14 scribed in section 609(f)(2), if available” each
 15 place that term appears.

16 **SEC. 4. EXPANDS EXPLANATORY INFORMATION GIVEN TO**
 17 **CONSUMERS ABOUT HOW SCORES ARE CAL-**
 18 **CULATED.**

19 Section 609(f) of the Fair Credit Reporting Act (15
 20 U.S.C. 1681g(f)) is amended to read as follows:

21 “(f) DISCLOSURE OF CREDIT SCORE AND EDU-
 22 CATIONAL CREDIT SCORE BY CONSUMER REPORTING
 23 AGENCIES.—

24 “(1) IN GENERAL.—Upon the request of a con-
 25 sumer for a credit score or educational credit score,

1 a consumer reporting agency shall supply to the con-
2 sumer a statement—

3 “(A) containing—

4 “(i) a current credit score at the time
5 of the request generated using a commonly
6 used credit scoring model to generate cred-
7 it scores, subject to regulations of the Bu-
8 reau;

9 “(ii) an educational credit score at the
10 time of the request, if it is not practicable
11 to generate such a credit score, as deter-
12 mined by the Bureau; or

13 “(iii) an explanation that the con-
14 sumer’s file does not have sufficient infor-
15 mation from which to generate such a
16 credit score or educational credit score;
17 and

18 “(B) with respect to each previous credit
19 score in the file of the consumer—

20 “(i) the date on which the credit score
21 was generated;

22 “(ii) the name of any entity that the
23 credit score was provided to; and

24 “(iii) the credit score itself.

1 “(2) REQUIREMENTS.—A statement provided
2 under clause (i) or (ii) of paragraph (1)(A) shall in-
3 clude—

4 “(A) a minimum of 4 key factors, if avail-
5 able, that adversely affected the credit score or
6 educational credit score, except that if one of
7 the key factors consists of the number of
8 enquiries made with respect to a consumer re-
9 port, that factor shall be provided to the con-
10 sumer in addition to the factors required by
11 this subparagraph;

12 “(B) to the extent possible, specific actions
13 a consumer could take with respect to each key
14 factor listed in subparagraph (A) to improve
15 the consumer’s credit score or educational cred-
16 it score;

17 “(C) a minimum of 4 key factors, if avail-
18 able, that positively affected the credit score or
19 educational credit score;

20 “(D) the range of possible credit scores or
21 educational credit scores under the credit scor-
22 ing model used;

23 “(E) the distribution of credit scores or
24 educational credit scores among consumers who
25 are scored under the same credit scoring model

1 by the consumer reporting agency, and using
2 the same scale as that of the score that is pro-
3 vided to a creditor or consumers—

4 “(i) in the form of a bar graph con-
5 taining a minimum of 6 bars that illus-
6 trates the percentage of consumers with
7 credit scores or educational credit scores
8 within the range of scores represented by
9 each bar; or

10 “(ii) by another clear and readily un-
11 derstandable graphical depiction, state-
12 ment, or illustration comparing the con-
13 sumer’s credit score or educational credit
14 score to the scores of other consumers, as
15 determined by the Bureau;

16 “(F) the date on which the credit score or
17 educational credit score was created; and

18 “(G) the name of the person that devel-
19 oped the credit scoring model on which the
20 credit score or educational credit score was
21 based.

22 “(3) APPLICABILITY TO CERTAIN USES.—This
23 subsection shall not be construed so as to compel a
24 consumer reporting agency to—

1 “(A) develop or disclose a credit score if
2 the agency does not distribute credit scores
3 used by a person who makes or arranges a loan
4 or extends credit to predict the likelihood of
5 certain credit behaviors; or

6 “(B) develop or disclose an educational
7 credit score if the agency does not develop edu-
8 cational credit scores that assist in under-
9 standing the general credit behavior of a con-
10 sumer and predicting the future credit behavior
11 of the consumer.

12 “(4) MAINTENANCE OF CREDIT SCORES.—

13 “(A) IN GENERAL.—All consumer report-
14 ing agencies shall maintain in the consumer’s
15 file credit scores relating to the consumer for a
16 period of 2 years from the date on which such
17 information is generated.

18 “(B) DISCLOSURE ONLY TO CON-
19 SUMERS.—A past credit score maintained in a
20 consumer’s file pursuant to subparagraph (A)
21 may only be provided to the consumer to which
22 the credit score relates and may not be included
23 in a consumer report or used as a factor in gen-
24 erating a credit score or educational credit
25 score.

1 “(C) REMOVAL OF PAST CREDIT
 2 SCORES.—A past credit score maintained in a
 3 consumer’s file pursuant to subparagraph (A)
 4 shall be removed from the consumer’s file after
 5 the end of the 2-year period described under
 6 subparagraph (A).”.

7 **SEC. 5. REQUIRES CONSUMER REPORTING AGENCIES TO**
 8 **DISCLOSE PROMINENTLY THE DIFFERENCES**
 9 **BETWEEN AND LIMITATIONS OF CREDIT**
 10 **SCORES AND EDUCATIONAL CREDIT SCORES**
 11 **REQUIRED PRIOR TO A CONSUMER OBTAIN-**
 12 **ING SUCH SCORES.**

13 Section 609(f) of the Fair Credit Reporting Act (15
 14 U.S.C. 1681g(f)), as amended by section 3, is further
 15 amended by adding at the end the following new para-
 16 graphs:

17 “(5) WEBSITE DISCLAIMER.—A consumer re-
 18 porting agency that generates or provides credit
 19 scores or educational credit scores shall clearly and
 20 conspicuously display on the home page of the agen-
 21 cy’s Internet website, and as part of any application,
 22 solicitation, or marketing material or media pro-
 23 viding information related to a credit score or edu-
 24 cational credit score, the following notice, in boldface

1 type of 18-point font or larger and in a text box
2 with boldface outer borders:

3 **“CREDIT SCORE DISCLAIMER.**

4 “‘There is no “one” credit score. There are many
5 scoring formulas derived from a wide variety of models
6 available to a consumer and used by lenders and creditors.
7 Different lenders and creditors use different scoring for-
8 mulas to determine whether to extend credit or make a
9 loan to you, and the terms of the credit or loan. An edu-
10 cational credit score is not a credit score that a person
11 who makes a loan or extends credit to you is likely to use.
12 Educational credit scores are merely intended to be used
13 as an educational tool to help consumers understand how
14 the information contained in a consumer report may affect
15 the terms and conditions of a loan or extension of credit
16 that may be available to a consumer. Lenders and credi-
17 tors may also rely on information not contained in your
18 consumer report and not reflected in the calculation of
19 your credit score.’.

20 “(6) ADDITIONAL REQUIREMENTS FOR EDU-
21 CATIONAL CREDIT SCORES.—

22 “(A) DISCLAIMER.—If an educational
23 credit score is provided pursuant to paragraph
24 (1), a consumer reporting agency shall clearly
25 and conspicuously include in a prominent loca-

1 tion on the statement, in boldface type of 18-
2 point font or larger, and in a text box with
3 boldface outer borders, the following notice:

4 **“EDUCATIONAL CREDIT SCORE DISCLAIMER.**

5 “ “The educational credit score provided to you is not
6 a credit score that a lender or creditor is likely to use to
7 make a loan or extend credit to you. There are many dif-
8 ferent credit scores derived from a wide variety of models
9 used by lenders and creditors. An educational credit score
10 is merely an educational tool. It is intended to provide con-
11 sumers with a basic understanding of how the information
12 contained in a consumer report may affect the terms and
13 conditions of credit that are available. The credit scores
14 you receive directly from different lenders and creditors
15 may not be the same as an educational credit score. There
16 are a number of reasons for this:

17 “(1) Each company may use a different for-
18 mula for calculating credit scores and the differences
19 in the formulas may lead to differences in your
20 scores.

21 “(2) Companies may produce scores that give
22 results on different scales.

23 “(3) Not all lenders or creditors report to
24 every consumer reporting agency, and therefore the
25 information contained in your consumer report that

1 the consumer reporting agencies use to calculate
2 your educational credit score may differ among
3 agencies.’.

4 “(B) PROHIBITION ON MISLEADING REP-
5 RESENTATIONS.—A consumer reporting agency
6 may not refer to an educational credit score as
7 a credit score in any application, solicitation,
8 marketing, or other informational materials or
9 media.

10 “(7) MODIFICATION OF DISCLAIMERS.—The
11 Bureau may modify the content, format, and man-
12 ner of the disclaimers required under paragraphs (5)
13 and (6), if warranted, after conducting consumer
14 testing or research.”.

15 **SEC. 6. PROVIDES CONSUMERS WITH FREE CREDIT SCORE**
16 **DISCLOSURES WITH THEIR FREE ANNUAL**
17 **CONSUMER REPORTS UPON REQUEST AND**
18 **CREATES INSTANCES WHEN CONSUMERS**
19 **AUTOMATICALLY RECEIVE FREE CONSUMER**
20 **REPORTS AND CREDIT SCORES.**

21 (a) IN GENERAL.—Section 612 of the Fair Credit
22 Reporting Act (15 U.S.C. 1681j) is amended—

23 (1) in subsection (a)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (A), by inserting
2 after “section 609” the following: “(includ-
3 ing the disclosure of a credit score or edu-
4 cational credit score under subsection (f)
5 of such section)”;

6 (ii) in subparagraph (C)—

7 (I) by striking “Commission”
8 each place such term appears and in-
9 serting “Bureau”; and

10 (II) by inserting “, credit scores,
11 and educational credit scores (as ap-
12 plicable)” after “consumer reports”
13 each place that term appears;

14 (B) in paragraph (2)—

15 (i) by striking “15 days” and insert-
16 ing “3 business days”; and

17 (ii) by inserting “, credit score, or
18 educational credit score” after “consumer
19 report”;

20 (C) in paragraph (3), by inserting “, credit
21 score, or educational credit score” after “con-
22 sumer report”; and

23 (D) in paragraph (4), by inserting “, credit
24 scores, or educational credit scores” after “con-
25 sumer reports”;

1 (2) in subsection (b), by inserting “(including
2 the disclosure of a credit score or educational credit
3 score, as applicable, under subsection (f) of such sec-
4 tion)” after “section 609”;

5 (3) in subsection (c)—

6 (A) by inserting “(including the disclosure
7 of a credit score or educational credit score
8 under subsection (f) of such section)” after
9 “pursuant to section 609”;

10 (B) in paragraph (2), by striking “; or”
11 and inserting a semicolon;

12 (C) in paragraph (3), by striking the pe-
13 riod at the end and inserting a semicolon; and

14 (D) by adding at the end the following new
15 paragraphs:

16 “(4) has disputed information, or submitted an
17 appeal of an investigation or reinvestigation of such
18 information, under section 611 or 623, regardless of
19 whether the consumer has already received a credit
20 report, credit score, or educational credit score
21 under section 611 or 623; or

22 “(5) has had information that was previously
23 deleted under section 611(a)(5) reinserted into the
24 consumer’s file, regardless of whether the consumer

1 has already received a credit report, credit score, or
2 educational credit score under such section.”;

3 (4) in subsection (d), by inserting “(including
4 the disclosure of a credit score or educational credit
5 score under subsection (f) of such section)” after
6 “section 609”;

7 (5) in subsection (f)(1)—

8 (A) by striking “reasonable charge” and
9 all that follows through “section 609” and in-
10 serting “reasonable charge on a consumer for
11 providing a consumer report to a consumer”;

12 (B) by striking subparagraph (B);

13 (C) by redesignating clauses (i) and (ii) as
14 subparagraphs (A) and (B), respectively (and
15 conforming the margins accordingly); and

16 (D) in subparagraph (B) (as so redesign-
17 ated), by striking “disclosure; and” and insert-
18 ing “disclosure.”; and

19 (6) by adding at the end the following new sub-
20 sections:

21 “(h) CENTRALIZED SOURCE FOR OBTAINING FREE
22 COPY OF CONSUMER REPORT AND SCORES.—

23 “(1) NATIONWIDE CONSUMER REPORTING
24 AGENCIES.—

1 “(A) IN GENERAL.—Not later than 180
2 days after the date of enactment of this sub-
3 section, each consumer reporting agency de-
4 scribed under subsection (p) of section 603
5 shall prominently display on the home page of
6 the agency’s website—

7 “(i) a hyperlink labeled ‘Get Your
8 Free Annual Credit Reports along with ei-
9 ther your Credit Scores or Educational
10 Credit Scores provided for under Federal
11 Law’ or substantially similar text, as deter-
12 mined by the Bureau; and

13 “(ii) a disclosure titled ‘Consumer’s
14 Right to Free Credit Scores, Educational
15 Credit Scores, and Reports under Federal
16 Law’ or substantially similar text, as deter-
17 mined by the Bureau that includes the fol-
18 lowing statement:

19 “‘All consumers are entitled to obtain a free copy of
20 their consumer report and credit score or educational cred-
21 it score annually from each of the nationwide consumer
22 reporting agencies. Under Federal law, a consumer is enti-
23 tled to obtain additional free copies of their consumer re-
24 ports, along with a copy of either the consumer’s credit

1 score or educational credit score (under certain cir-
2 cumstances), including:

3 ““(1) When a consumer is unemployed and in-
4 tends to apply for employment within 60 days.

5 ““(2) When a consumer is a recipient of public
6 welfare assistance.

7 ““(3) When a consumer has a reasonable belief
8 that their report contains inaccuracies as a result of
9 fraud.

10 ““(4) When a consumer asserts in good faith a
11 suspicion that the consumer has been or is about to
12 become a victim of identity theft, fraud, or a related
13 crime, or harmed by the unauthorized disclosure of
14 the consumer’s financial or personally identifiable in-
15 formation.

16 ““(5) When a consumer files a dispute or an
17 appeal of the results of a dispute with a consumer
18 reporting agency or a person who furnished informa-
19 tion to the consumer reporting agency regarding the
20 accuracy or completeness of the information con-
21 tained on their report.

22 ““(6) After a furnisher of information discovers
23 it has furnished inaccurate or incomplete informa-
24 tion to a consumer reporting agency, and the fur-
25 nisher notifies the agency of the error.

1 “(7) After an adverse action is taken against
2 a consumer or a consumer receives a risk-based pric-
3 ing notice.

4 “(8) When a mortgage lender, private edu-
5 cational lender, indirect auto lender, or motor vehicle
6 lender obtains and uses a consumer’s reports or
7 scores for underwriting purposes.’.

8 “(B) HYPERLINK REQUIREMENTS.—The
9 hyperlink described in subparagraph (A)(i) shall
10 be prominently located on the top of the home
11 page and should link directly to the website of
12 the centralized source established pursuant to
13 section 211(d) of the Fair and Accurate Credit
14 Transactions Act of 2003 (15 U.S.C. 1681j
15 note).

16 “(C) MODIFICATIONS.—The Bureau may
17 modify the disclosure described in subparagraph
18 (A)(ii) as necessary to include other cir-
19 cumstances under which a consumer has the
20 right to receive a free consumer report, credit
21 score, or educational credit score.

22 “(2) NATIONWIDE SPECIALTY CONSUMER RE-
23 PORTING AGENCIES.—

24 “(A) IN GENERAL.—Not later than 180
25 days after the date of enactment of this sub-

1 section, each nationwide specialty consumer re-
2 porting agency shall prominently display on the
3 Internet home webpage of the agency a disclo-
4 sure titled ‘Consumer’s Right to Free Con-
5 sumer Reports and Credit Score or Educational
6 Credit Score (as applicable) under Federal
7 Law’. Such disclosure shall include the fol-
8 lowing statement:

9 “‘Upon request, all consumers are entitled to obtain
10 a free copy of their consumer report and credit score or
11 educational credit score (as applicable) during any 12-
12 month period from each of the nationwide specialty con-
13 sumer reporting agencies. Federal law also provides fur-
14 ther circumstances under which a consumer is entitled to
15 obtain additional free copies of their consumer report and
16 credit score or educational credit score (as applicable) in-
17 cluding:

18 “‘(1) When a consumer is unemployed and in-
19 tends to apply for employment within 60 days.

20 “‘(2) When a consumer is a recipient of public
21 welfare assistance.

22 “‘(3) When a consumer has a reasonable belief
23 that their report contains inaccuracies as a result of
24 fraud.

1 “(4) When a consumer files a dispute or an
2 appeal of the results of a dispute with a consumer
3 reporting agency or a person who furnished informa-
4 tion to the consumer reporting agency regarding the
5 accuracy or completeness of the information con-
6 tained on their report.

7 “(5) After a furnisher of information discovers
8 it has furnished inaccurate or incomplete informa-
9 tion to a consumer reporting agency, and the fur-
10 nisher notifies the agency of the error.

11 “(6) After an adverse action is taken against
12 a consumer or a consumer receives a risk-based pric-
13 ing notice.

14 “(7) When a mortgage lender, private edu-
15 cational lender, indirect auto lender, or motor vehicle
16 lender obtains and uses a consumer’s reports or
17 scores for underwriting purposes.’.

18 “(B) MODIFICATIONS.—The Bureau may
19 modify the disclosure described in subparagraph
20 (A) as necessary to include other circumstances
21 under which a consumer has the right to receive
22 a free consumer report and credit score or edu-
23 cational credit score (as applicable).

24 “(C) TOLL-FREE TELEPHONE ACCESS.—
25 The information described in this paragraph

1 shall also be made available via a toll-free tele-
2 phone number. Such number shall be promi-
3 nently displayed on the home page of the
4 website of each nationwide specialty consumer
5 reporting agency. Each of the circumstances
6 under which a consumer may obtain a free con-
7 sumer report and credit score or educational
8 credit score (as applicable) shall be presented in
9 an easily understandable format and consumers
10 shall be directed to an individual who is a cus-
11 tomer service representative not later than 2
12 minutes after the initial phone connection is
13 made by the consumer. Information provided
14 through such telephone number shall comply
15 with the requirements of section 633.

16 “(D) ONLINE CONSUMER REPORTS; EX-
17 EMPTION.—Upon receipt of a request by a con-
18 sumer for a consumer report, each nationwide
19 specialty consumer reporting agency shall pro-
20 vide access to such report electronically on the
21 Internet website described in section 611(h).

22 “(i) AUTOMATIC PROVISION OF FREE CONSUMER
23 REPORTS AND CREDIT SCORES OR EDUCATIONAL CREDIT
24 SCORES.—A consumer reporting agency shall provide to

1 a consumer a free copy of the file and credit score or edu-
 2 cational credit score of the consumer who—

3 “(1) obtains a fraud alert, extended alert, active
 4 duty alert, or security freeze as described in section
 5 605A; or

6 “(2) has disputed information, or submitted an
 7 appeal of an investigation or reinvestigation of such
 8 information, under section 611 or 623.”.

9 (b) TECHNICAL AMENDMENT.—Section 615(h)(7) of
 10 such Act (15 U.S.C. 1681m(h)(7)) is amended by striking
 11 “section” and inserting “subsection”.

12 **SEC. 7. REQUIRES PRIVATE EDUCATIONAL LENDERS TO**
 13 **PROVIDE CONSUMERS WITH FREE COPIES OF**
 14 **ANY CONSUMER REPORTS AND CREDIT**
 15 **SCORES THAT THEY USED FOR UNDER-**
 16 **WRITING BEFORE CONSUMERS SIGN LOAN**
 17 **AGREEMENTS.**

18 Section 609 of the Fair Credit Reporting Act (15
 19 U.S.C. 1681g) is amended by adding at the end the fol-
 20 lowing new subsection:

21 “(h) DISCLOSURE OF CONSUMER REPORTS AND
 22 CREDIT SCORES BY PRIVATE EDUCATIONAL LENDERS.—

23 “(1) IN GENERAL.—If a private educational
 24 lender obtains a copy of any consumer reports or
 25 credit scores and uses such reports or scores in con-

1 nection with an application of a consumer for a pri-
2 vate education loan, the private educational lender
3 shall provide to the consumer, not later than 3 busi-
4 ness days after obtaining such reports or scores and
5 before the date on which the consumer enters into
6 a loan agreement with the private educational lend-
7 er, a copy of any such reports or scores, along with
8 the statement described under subsection (f)(2).

9 “(2) COSTS.—None of the costs to the private
10 educational lender associated with procuring con-
11 sumer reports or credit scores under this subsection
12 may be charged, directly or indirectly, to the con-
13 sumer.

14 “(3) RULE OF CONSTRUCTION.—Nothing in
15 this subsection shall be construed to eliminate any
16 requirement for creditors and lenders to provide
17 credit score disclosures, including the statement de-
18 scribed under subsection (f)(2), to consumers as
19 part of an adverse action or risk-based pricing no-
20 tice.”.

1 **SEC. 8. REQUIRES MOTOR VEHICLE LENDERS OR INDIRECT**
2 **AUTO LENDERS TO PROVIDE CONSUMERS**
3 **WITH FREE COPIES OF ANY CONSUMER RE-**
4 **PORTS AND CREDIT SCORES THAT THEY**
5 **USED FOR UNDERWRITING BEFORE CON-**
6 **SUMERS SIGN LEASE OR LOAN AGREEMENTS.**

7 Section 609 of the Fair Credit Reporting Act (15
8 U.S.C. 1681g), as amended by section 6, is further
9 amended by adding at the end the following new sub-
10 section:

11 “(i) DISCLOSURE OF CONSUMER REPORTS AND
12 CREDIT SCORES USED BY MOTOR VEHICLE LENDERS OR
13 INDIRECT AUTO LENDERS.—

14 “(1) IN GENERAL.—If a motor vehicle lender or
15 indirect auto lender obtains a copy of any consumer
16 reports or credit scores and uses such reports or
17 scores in connection with an application of a con-
18 sumer for a motor vehicle loan or lease, the motor
19 vehicle lender or indirect auto lender shall provide to
20 the consumer a document, separate from the con-
21 sumer’s lease or purchase agreement and before the
22 consumer enters into a lease or purchase agreement,
23 disclosing any consumer reports and credit scores,
24 including the statement described in subsection
25 (f)(2), used by the lender to determine whether to
26 extend credit to the consumer.

1 “(2) COSTS.—None of the costs to the motor
2 vehicle lender or indirect auto lender associated with
3 procuring consumer reports or credit scores under
4 this subsection may be charged, directly or indi-
5 rectly, to the consumer.

6 “(3) RULE OF CONSTRUCTION.—Nothing in
7 this subsection shall be construed to eliminate any
8 requirement for creditors and lenders to provide
9 credit score disclosures, including the statement de-
10 scribed under subsection (f)(2), to consumers as
11 part of an adverse action or risk-based pricing no-
12 tice.

13 “(4) DEFINITIONS.—

14 “(A) INDIRECT AUTO LENDER.—The term
15 ‘indirect auto lender’ has the meaning given the
16 term by the Bureau, and shall include a person
17 extending a loan made with respect to a car,
18 boat, motorcycle, recreational vehicle, or other
19 similar vehicle used primarily for personal or
20 household purposes.

21 “(B) MOTOR VEHICLE LENDER.—The
22 term ‘motor vehicle lender’ has the meaning
23 given the term by the Board of Governors of
24 the Federal Reserve System, and shall include
25 a person extending a loan made with respect to

1 a car, boat, motorcycle, recreational vehicle, or
2 other similar vehicle used primarily for personal
3 or household purposes.”.

4 **SEC. 9. REQUIRES RESIDENTIAL MORTGAGE LENDERS TO**
5 **PROVIDE CONSUMERS WITH FREE COPIES OF**
6 **ANY CONSUMER REPORTS AND CREDIT**
7 **SCORES THAT THEY USED FOR UNDER-**
8 **WRITING BEFORE CONSUMERS SIGN LOAN**
9 **AGREEMENTS.**

10 Section 609(g) of the Fair Credit Reporting Act (15
11 U.S.C. 1681g(g)) is amended—

12 (1) by redesignating paragraph (2) as para-
13 graph (5);

14 (2) in paragraph (1)—

15 (A) by striking “a consumer credit score”
16 and inserting “any consumer reports or credit
17 scores”;

18 (B) by striking “, as defined in subsection
19 (f),”;

20 (C) by striking “the following to the con-
21 sumer as soon as reasonably practicable:” and
22 inserting “, not later than 3 business days after
23 using such reports or scores, a document dis-
24 closing any consumer reports and credit scores
25 used by the lender to determine whether to ex-

1 tend credit to the consumer along with the
2 statement described in subsection (f)(2).”;

3 (D) by striking subparagraphs (A), (B),
4 (C), (E), and (F);

5 (E) by redesignating subparagraph (D) as
6 paragraph (3) (and adjusting the margins ac-
7 cordingly); and

8 (F) by redesignating subparagraph (G) as
9 paragraph (4) (and adjusting the margins ac-
10 cordingly);

11 (3) by inserting before paragraph (3) (as so re-
12 designated) the following new paragraph:

13 “(2) RULE OF CONSTRUCTION.—Nothing in
14 this subsection shall be construed to eliminate any
15 requirement for lenders to provide credit score dis-
16 closures, including the statement described under
17 subsection (f)(2), to consumers as part of an adverse
18 action or risk-based pricing notice.”;

19 (4) in paragraph (3) (as so redesignated), in
20 the quoted material—

21 (A) by inserting “, free of charge,” after
22 “disclose to you”; and

23 (B) by striking “affecting your credit
24 scores” and inserting “affecting your credit
25 score or scores”;

1 (5) in paragraph (5) (as so redesignated) by in-
2 serting “or scores” after “credit score” each place
3 such term appears; and

4 (6) by adding at the end the following new
5 paragraphs:

6 “(6) ACTIONS NOT REQUIRED.—This subsection
7 shall not require any person to disclose any credit
8 score or related information obtained by the person
9 after a loan has closed.

10 “(7) NO PROCUREMENT COSTS.—None of the
11 costs to the creditor or lender associated with pro-
12 curing any consumer reports or scores under this
13 subsection may be charged, directly or indirectly, to
14 the consumer.”.

15 **SEC. 10. RULEMAKING.**

16 Not later than the end of the 2-year period beginning
17 on the date of the enactment of this Act, the Bureau of
18 Consumer Financial Protection shall issue final rules to
19 implement the amendments made by this Act.

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