

115TH CONGRESS
1ST SESSION

S. 1810

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2017

Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

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”.

6 **SEC. 2. PROVIDES ACCESS TO FREE CREDIT FREEZES FOR**

7 **ALL CONSUMERS.**

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

1 “(i) CREDIT FREEZE FEES.—

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

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

19 “(B) A person, or the person’s subsidiary,
20 affiliate, agent, subcontractor, or assignee, to
21 whom access has been granted pursuant to a
22 request by the consumer for purposes of facili-
23 tating the extension of credit or other permis-
24 sible use.

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

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

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

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

13 “(G) Any person or entity for insurance
14 purposes, including use in setting or adjusting
15 a rate, adjusting a claim, or underwriting.

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

19 “(2) PROHIBITION ON FEES.—A consumer re-
20 porting agency described in section 603(p) may not
21 charge a consumer a fee to place, temporarily lift, or
22 fully remove a credit freeze.”.

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