

113TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to consumers, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. SANDERS (for himself, Mrs. BOXER, Mrs. FEINSTEIN, Mr. MENENDEZ, and Mr. LAUTENBERG) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend the Fair Credit Reporting Act to require the inclusion of credit scores with free annual credit reports provided to 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 “Fair Access to Credit  
5 Scores Act of 2013”.

6 **SEC. 2. CREDIT SCORES INCLUDED IN FREE ANNUAL DIS-**  
7 **CLOSURES.**

8 (a) IN GENERAL.—Section 609 of the Fair Credit  
9 Reporting Act (15 U.S.C. 1681g) is amended—

1 (1) in subsection (a)(1)—

2 (A) by striking “and” at the end and in-  
3 serting a period;

4 (B) by striking “except that—” and all  
5 that follows through “(A) if the” and inserting  
6 “except that, if the”; and

7 (C) by striking subparagraph (B);

8 (2) in subsection (a), by adding at the end the  
9 following:

10 “(7) All consumer reporting agencies described  
11 in section 603(p) shall disclose a current credit score  
12 generated using the scoring algorithm, formula,  
13 model, program or mechanism that is most fre-  
14 quently used to generate scores sold to creditors,  
15 subject to regulations of the Bureau, along with any  
16 information in the consumer’s file at the time of the  
17 request concerning credit scores or any other risk  
18 scores or predictors relating to the consumer, if such  
19 request is made in connection with a free annual dis-  
20 closure made pursuant to section 612(a).

21 “(8) Such other consumer information as the  
22 Bureau considers appropriate with respect to con-  
23 sumer financial education, including the information  
24 required by subsection (f)(1), information on where  
25 the credit score of the consumer falls with respect to

1 a range of possible credit scores, and the general  
2 factors contributing to the credit scores of con-  
3 sumers.”;

4 (3) in subsection (f)—

5 (A) by striking “Upon the request” and all  
6 that follows through subparagraph (A) and in-  
7 serting the following:

8 “(1) IN GENERAL.—Upon request of a con-  
9 sumer for a credit score or a risk score, a consumer  
10 reporting agency shall supply to the consumer—

11 “(A) any credit score or risk score in the  
12 file of the consumer at the consumer reporting  
13 agency;”;

14 (B) in paragraph (2)—

15 (i) by redesignating subparagraph (B)  
16 as subparagraph (C); and

17 (ii) by striking subparagraph (A) and  
18 inserting the following:

19 “(A) CREDIT SCORE.—The term ‘credit  
20 score’ means a numerical value or a categoriza-  
21 tion derived from a statistical tool or modeling  
22 system used by a person who makes or ar-  
23 ranges a loan to predict the likelihood of certain  
24 credit behaviors, including default.

1           “(B) RISK SCORE.—The term ‘risk score’  
2           means a numerical value or a categorization de-  
3           rived from a statistical tool or modeling system  
4           based upon information from a consumer report  
5           for the purpose of predicting the likelihood of  
6           certain behaviors or outcomes, and includes  
7           scores used for the underwriting of insurance.”;

8           (C) by striking paragraph (6) and insert-  
9           ing the following:

10          “(6) MAINTENANCE OF CREDIT SCORES.—All  
11          consumer reporting agencies shall maintain in the  
12          consumer’s file credit scores or any other risk scores  
13          or predictors relating to the consumer for a period  
14          of no less than 1 year from the date on which such  
15          information is generated.”;

16          (D) by striking paragraph (7); and

17          (E) in paragraph (8), by inserting before  
18          the period at the end the following: “, except  
19          that a consumer reporting agency described in  
20          section 603(p) shall provide a credit score with-  
21          out charge to the consumer if the consumer is  
22          requesting the score in connection with a free  
23          annual disclosure made pursuant to section  
24          612(a)”.

1 (b) INCLUSION IN FREE REPORTS.—Section 612 of  
2 the Fair Credit Reporting Act (15 U.S.C. 1681j) is  
3 amended—

4 (1) in subsection (a)(1)(A), by striking “(w)”  
5 and inserting “(x)”; and

6 (2) in subsection (g)—

7 (A) in paragraph (1)—

8 (i) by striking “free credit report”  
9 and inserting “free or low cost credit re-  
10 port or credit score”; and

11 (ii) by inserting “and free credit  
12 scores” after “free credit reports”; and

13 (B) in paragraph (2)—

14 (i) by striking “televison” and insert-  
15 ing “television”; and

16 (ii) by inserting “or free credit score,  
17 as applicable,” after “free credit report”.

18 (c) TECHNICAL CORRECTIONS.—The Fair Credit Re-  
19 porting Act (15 U.S.C. 1681a et seq.) is amended—

20 (1) in section 603(d)(2)(D) (15 U.S.C.  
21 1681a(d)(2)(D)), by striking “subsection (o) or (x)”  
22 and inserting with “subsection (o) or (y)”;

23 (2) in section 603(i)(1)(C) (15 U.S.C.  
24 1681a(i)(1)(C)), by striking the period at the end  
25 and inserting “; and”

1           (3) in section 609(c)(1) (15 U.S.C.  
2 1681g(c)(1))—

3           (A) in the paragraph heading, by striking  
4 “COMMISSION” and inserting “**BUREAU**”;

5           (B) in subparagraph (A), by striking  
6 “Commission” and inserting “Bureau”;

7           (C) in subparagraph (B)(vi), by striking  
8 “section 603(w)” and inserting “section  
9 603(x)”; and

10          (D) in subparagraph (C), by striking  
11 “Commission” and inserting “Bureau”; and

12          (4) in section 612(a)(1) (15 U.S.C.  
13 1681j(a)(1))—

14          (A) in subparagraph (A), by striking “sub-  
15 sections (p) and (w)” and inserting “sub-  
16 sections (p) and (x)”;

17          (B) in subparagraph (C)(i)—

18           (i) by striking “Commission” and in-  
19 serting “Bureau”; and

20           (ii) by striking “section 603(w)” and  
21 inserting “section 603(x)”;

22          (C) in subparagraph (C)(iii), by striking  
23 “Commission” and inserting “Bureau”; and

1 (D) in subparagraph (C)(iv), by striking  
2 “section 603(w)” and inserting “section  
3 603(x)”.

4 **SEC. 3. RULEMAKING.**

5 Not later than 180 days after the date of enactment  
6 of this Act, the Bureau of Consumer Financial Protection  
7 shall develop regulations establishing a mandatory disclo-  
8 sure format for consumer file disclosures pursuant to sec-  
9 tion 612(a)(1)(B) of the Fair Credit Reporting Act (15  
10 U.S.C. 1681j(a)(1)(B)).

11 **SEC. 4. TECHNICAL CORRECTION.**

12 Section 615(h)(8)(A) of the Fair Credit Reporting  
13 Act (15 U.S.C. 1681m(h)(8)(A)) is amended by striking  
14 “this section” and inserting “this subsection”.