AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 5332

OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

- 2 (a) SHORT TITLE.—This Act may be cited as the
- 3 "Protecting Your Credit Score Act of 2019".
- 4 (b) Table of Contents for
- 5 this Act is as follows:
 - Sec. 1. Short title; table of contents.
 - Sec. 2. Establishment of online consumer portal landing page for consumer access to certain credit information.
 - Sec. 3. Accuracy in consumer reports.
 - Sec. 4. Improved Dispute Process for Consumer Reporting Agencies.
 - Sec. 5. Injunctive relief.
 - Sec. 6. Increased transparency.
 - Sec. 7. Consumer reporting agency registry.
 - Sec. 8. Authority of Bureau with respect to consumer reporting agencies.
 - Sec. 9. Bureau standards for protecting nonpublic information.
 - Sec. 10. Report on data security risk assessments in examinations of consumer reporting agencies.
 - Sec. 11. GAO study on the use of social security numbers.

6 SEC. 2. ESTABLISHMENT OF ONLINE CONSUMER PORTAL

- 7 LANDING PAGE FOR CONSUMER ACCESS TO
- 8 CERTAIN CREDIT INFORMATION.
- 9 (a) IN GENERAL.—Section 612(a)(1) of the Fair
- 10 Credit Reporting Act (15 U.S.C. 1681j(a)(1)) is amended
- 11 by adding at the end the following:

| 1 | "(D) Online consumer portal landing |
|----|---|
| 2 | PAGE.— |
| 3 | "(i) IN GENERAL.—Not later than 1 |
| 4 | year after the date of enactment of this |
| 5 | subparagraph, each consumer reporting |
| 6 | agency described in section 603(p) shall |
| 7 | jointly develop an online consumer portal |
| 8 | landing page that gives each consumer un- |
| 9 | limited free access to— |
| 10 | "(I) the consumer report of the |
| 11 | consumer; |
| 12 | "(II) the means by which the |
| 13 | consumer may exercise the rights of |
| 14 | the consumer under subparagraph (E) |
| 15 | and section 604(e); |
| 16 | "(III) the ability to initiate a dis- |
| 17 | pute with the consumer reporting |
| 18 | agency regarding the accuracy or |
| 19 | completeness of any information in a |
| 20 | report in accordance with section |
| 21 | 611(a) or 623(a)(8); |
| 22 | "(IV) the ability to place and re- |
| 23 | move a security freeze on a consumer |
| 24 | report for free under section 605A(i) |
| 25 | and (j); |

| 1 | "(V) if the consumer reporting |
|----|--|
| 2 | agency offers a product to consumers |
| 3 | to prevent access to the consumer re- |
| 4 | port of the consumer for the purpose |
| 5 | of preventing identity theft, a disclo- |
| 6 | sure to the consumer regarding the |
| 7 | differences between that product and |
| 8 | a security freeze as defined under sec- |
| 9 | tion 605A(i) or (j); |
| 10 | "(VI) information on who has |
| 11 | accessed the consumer report of the |
| 12 | consumer over the last 24 months, |
| 13 | and, as available, for what permissible |
| 14 | purpose the consumer report was fur- |
| 15 | nished in accordance with section 604 |
| 16 | and section 609; and |
| 17 | "(VII) the credit score of the |
| 18 | consumer in accordance with section |
| 19 | 609(f)(7). |
| 20 | "(ii) No waiver.—A consumer re- |
| 21 | porting agency described in section 603(p) |
| 22 | may not require a consumer to waive any |
| 23 | legal or privacy rights to access— |
| 24 | "(I) a portal established under |
| 25 | this subparagraph; or |

| 1 | "(II) any of the services de- |
|----|--|
| 2 | scribed in clause (i) that are provided |
| 3 | through a portal established under |
| 4 | this subparagraph. |
| 5 | "(iii) No advertising or solicita- |
| 6 | TIONS.—A portal established under this |
| 7 | subparagraph may not contain any adver- |
| 8 | tising, marketing offers, or other solicita- |
| 9 | tions. |
| 10 | "(iv) Extension.—The Bureau may |
| 11 | allow the consumer reporting agencies an |
| 12 | extension of 1 year to develop the online |
| 13 | consumer portal landing page required |
| 14 | under clause (i). |
| 15 | "(v) Rule of construction.— |
| 16 | Nothing in this subparagraph may be con- |
| 17 | strued as requiring a consumer reporting |
| 18 | agency to disclose confidential proprietary |
| 19 | information through the online consumer |
| 20 | portal landing page. |
| 21 | "(E) OPT-OUT OPTION.— |
| 22 | "(i) IN GENERAL.—If a consumer re- |
| 23 | porting agency sells consumer information |
| 24 | in a manner that is not included in a con- |
| 25 | sumer report, the consumer reporting |

| 1 | agency shall provide each consumer with a |
|----|---|
| 2 | method (through a website, by phone, or in |
| 3 | writing) by which the consumer may elect, |
| 4 | free of charge, to not have the information |
| 5 | of the consumer so sold. |
| 6 | "(ii) No expiration.—An election |
| 7 | made by a consumer under clause (i) shall |
| 8 | expire on the date on which the consumer |
| 9 | expressly revokes the election through a |
| 10 | website, by phone, or in writing.". |
| 11 | (b) Conforming Amendment.—Section 612(f)(1) |
| 12 | of the Fair Credit Reporting Act (15 U.S.C. $1681j(f)(1)$) |
| 13 | is amended, in the matter preceding subparagraph (A), |
| 14 | by adding "or that is made through the online consumer |
| 15 | portal landing page established under subsection |
| 16 | (a)(1)(D)," after "subsections (a) through (d),". |
| 17 | SEC. 3. ACCURACY IN CONSUMER REPORTS. |
| 18 | Section 607(b) of the Fair Credit Reporting Act (15 |
| 19 | U.S.C. 1681e) is amended to read as follows: |
| 20 | "(b) Ensuring Accuracy.— |
| 21 | "(1) In general.—In preparing a consumer |
| 22 | report, each consumer reporting agency shall follow |
| 23 | reasonable procedures to assure maximum possible |
| 24 | accuracy of the information concerning the consumer |
| 25 | to whom the report relates. |

| 1 | "(2) Matching information in a file.—In |
|----|---|
| 2 | assuring the maximum possible accuracy under |
| 3 | paragraph (1), each consumer reporting agency de- |
| 4 | scribed in section 603(p) shall ensure that, when in- |
| 5 | cluding information in the file of a consumer, the |
| 6 | consumer reporting agency— |
| 7 | "(A) matches all 9 digits of the social se- |
| 8 | curity number of the consumer with the infor- |
| 9 | mation that the consumer reporting agency is |
| 10 | including in the file; or |
| 11 | "(B) if a consumer does not have a social |
| 12 | security number, matches information that in- |
| 13 | cludes the full legal name, date of birth, current |
| 14 | address, and at least one former address of the |
| 15 | consumer. |
| 16 | "(3) Periodic Audits.—Each consumer re- |
| 17 | porting agency shall perform periodic audits, on a |
| 18 | schedule determined by the Bureau, on a representa- |
| 19 | tive sample of consumer reports of the agency to |
| 20 | check for accuracy.". |
| 21 | SEC. 4. IMPROVED DISPUTE PROCESS FOR CONSUMER RE- |
| 22 | PORTING AGENCIES. |
| 23 | (a) Responsibilities of Furnishers of Infor- |
| 24 | MATION TO CONSUMER REPORTING AGENCIES.—Section |

| 1 | 623 of the Fair Credit Reporting Act (15 U.S.C. 1681s- |
|----|--|
| 2 | 2) is amended— |
| 3 | (1) in subsection (a)(8)— |
| 4 | (A) in subparagraph (E)(ii), by inserting |
| 5 | "and consider" after "review"; and |
| 6 | (B) in subparagraph (F)— |
| 7 | (i) in clause (i)(II), by inserting ", |
| 8 | and does not include any new or additional |
| 9 | information that would be relevant to a re- |
| 10 | investigation" before the period at the end; |
| 11 | and |
| 12 | (ii) by adding at the end the following |
| 13 | new clause: |
| 14 | "(iv) New or additional informa- |
| 15 | TION.—For purposes of clause (i)(II), the |
| 16 | term 'new or additional information'— |
| 17 | "(I) means information of a type |
| 18 | designated by the Bureau; and |
| 19 | "(II) does not include informa- |
| 20 | tion previously provided to the per- |
| 21 | son."; and |
| 22 | (2) in subsection (b)(1), by inserting "and con- |
| 23 | sider" after "review". |
| 24 | (b) Bureau Credit Reporting Ombudsperson.— |
| 25 | Section 611(a) of the Fair Credit Reporting Act (15 |

| 1 | U.S.C. 1681i(a)) is amended by adding at the end the fol- |
|----|---|
| 2 | lowing: |
| 3 | "(8) Bureau credit reporting |
| 4 | OMBUDSPERSON.— |
| 5 | "(A) In General.—Not later than 180 |
| 6 | days after the date of enactment of this para- |
| 7 | graph, the Bureau shall establish the position |
| 8 | of credit reporting ombudsperson, whose spe- |
| 9 | cific duties shall include carrying out the Bu- |
| 10 | reau's responsibilities with respect to— |
| 11 | "(i) resolving persistent errors that |
| 12 | are not resolved in a timely manner by a |
| 13 | consumer reporting agency; and |
| 14 | "(ii) enhancing oversight of consumer |
| 15 | reporting agencies by— |
| 16 | "(I) advising the Director of the |
| 17 | Bureau, in consultation with the Of- |
| 18 | fice of Enforcement and the Office of |
| 19 | Supervision of the Bureau, on any po- |
| 20 | tential violations of paragraph (5) or |
| 21 | any other applicable law by a con- |
| 22 | sumer reporting agency, including ap- |
| 23 | propriate corrective action for such a |
| 24 | violation; and |

| 1 | "(II) making referrals to the Of- |
|----|--|
| 2 | fice of Supervision for supervisory ac- |
| 3 | tion or the Office of Enforcement for |
| 4 | enforcement action, as appropriate, in |
| 5 | response to violations of paragraph |
| 6 | (5) or any other applicable law by a |
| 7 | consumer reporting agency. |
| 8 | "(B) Report.—The ombudsperson shall |
| 9 | submit to the Committee on Financial Services |
| 10 | of the House of Representatives and the Com- |
| 11 | mittee on Banking, Housing, and Urban Affairs |
| 12 | of the Senate an annual report including statis- |
| 13 | tics and analysis on consumer complaints the |
| 14 | Bureau receives relating to consumer reports, |
| 15 | as well as a summary of the supervisory actions |
| 16 | and enforcement actions taken with respect to |
| 17 | consumer reporting agencies during the year |
| 18 | covered by the report.". |
| 19 | (c) Responsibilities of Consumer Reporting |
| 20 | AGENCIES.—Section 611 of the Fair Credit Reporting Act |
| 21 | (15 U.S.C. 1681i) is amended— |
| 22 | (1) in subsection (a)— |
| 23 | (A) in paragraph (1), by adding at the end |
| 24 | the following: |

| 1 | "(D) Obligations of consumer re- |
|----|---|
| 2 | PORTING AGENCIES RELATING TO REINVES- |
| 3 | TIGATIONS.—Commensurate with the volume |
| 4 | and complexity of disputes about which a con- |
| 5 | sumer reporting agency receives notice, or rea- |
| 6 | sonably anticipates to receive notice, under this |
| 7 | paragraph, each consumer reporting agency |
| 8 | shall— |
| 9 | "(i) maintain sufficient personnel to |
| 10 | conduct reinvestigations of those disputes; |
| 11 | and |
| 12 | "(ii) provide training with respect to |
| 13 | the personnel described in clause (i)."; |
| 14 | (B) in paragraph (6)(B)— |
| 15 | (i) by amending clause (ii) to read as |
| 16 | follows: |
| 17 | "(ii) a copy of the consumer's file and |
| 18 | a consumer report that is based upon such |
| 19 | file as revised, including a description of |
| 20 | the specific modification or deletion of in- |
| 21 | formation, as a result of the reinvestiga- |
| 22 | tion;"; |
| 23 | (ii) by striking clause (iii) and redes- |
| 24 | ignating clauses (iv) and (v) as clauses (vi) |
| 25 | and (vii), respectively; |

| 1 | (iii) by inserting after clause (ii) the |
|----|---|
| 2 | following: |
| 3 | "(iii) a description of the actions |
| 4 | taken by the consumer reporting agency |
| 5 | regarding the dispute; |
| 6 | "(iv) if applicable, contact information |
| 7 | for any furnisher involved in responding to |
| 8 | the dispute and a description of the role |
| 9 | played by the furnisher in the reinvestiga- |
| 10 | tion process; |
| 11 | "(v) the options available to the con- |
| 12 | sumer if the consumer is dissatisfied with |
| 13 | the result of the reinvestigation, includ- |
| 14 | ing— |
| 15 | "(I) submitting documents in |
| 16 | support of the dispute; |
| 17 | "(II) adding a consumer state- |
| 18 | ment of dispute to the file of the con- |
| 19 | sumer pursuant to subsection (b); |
| 20 | "(III) filing a dispute with the |
| 21 | furnisher pursuant to section |
| 22 | 623(a)(8); and |
| 23 | "(IV) submitting a complaint |
| 24 | against the consumer reporting agen- |
| 25 | cy or furnishers through the consumer |

| 1 | complaint database of the Bureau or |
|----|--|
| 2 | the State attorney general for the |
| 3 | State in which the consumer resides;"; |
| 4 | and |
| 5 | (C) by striking paragraph (7) and redesig- |
| 6 | nating paragraph (8) as paragraph (7); and |
| 7 | (D) in paragraph (7), as so redesignated, |
| 8 | by striking "paragraphs (2), (6), and (7)" and |
| 9 | inserting "paragraphs (2) and (6)"; and |
| 10 | (2) by adding at the end the following new sub- |
| 11 | section: |
| 12 | "(h) Notification of Deletion of Informa- |
| 13 | TION.—A consumer reporting agency described in section |
| 14 | 603(p) shall communicate with other consumer reporting |
| 15 | agencies described in section 603(p) to ensure that a dis- |
| 16 | pute initiated with one consumer reporting agency is noted |
| 17 | in a file maintained by such other consumer reporting |
| 18 | agencies.". |
| 19 | SEC. 5. INJUNCTIVE RELIEF. |
| 20 | The Fair Credit Reporting Act (15 U.S.C. 1681 et |
| 21 | seq.) is amended— |
| 22 | (1) in section 616 (15 U.S.C. 1681n)— |
| 23 | (A) in subsection (a), by amending the |
| 24 | subsection heading to read as follows: "DAM- |
| 25 | AGES"; |

| 1 | (B) by redesignating subsections (c) and |
|----|--|
| 2 | (d) as subsections (d) and (e), respectively; and |
| 3 | (C) by inserting after subsection (b) the |
| 4 | following: |
| 5 | "(c) Injunctive Relief.— |
| 6 | "(1) IN GENERAL.—In addition to any other |
| 7 | remedy under this section, a court may award in- |
| 8 | junctive relief to require compliance with the re- |
| 9 | quirements imposed under this title with respect to |
| 10 | any consumer. |
| 11 | "(2) Costs and attorney's fees.—In the |
| 12 | event of any successful action for injunctive relief |
| 13 | under this subsection, a court may award to the pre- |
| 14 | vailing party costs and reasonable attorney's fees (as |
| 15 | determined by the court) incurred by the prevailing |
| 16 | party during the action."; and |
| 17 | (2) in section 617 (15 U.S.C. 1681o)— |
| 18 | (A) in subsection (a), in the subsection |
| 19 | heading, by striking "(a) In General.—" and |
| 20 | inserting "(a) Damages.—"; |
| 21 | (B) by redesignating subsection (b) as sub- |
| 22 | section (e); and |
| 23 | (C) by inserting after subsection (a) the |
| 24 | following: |
| 25 | "(b) Injunctive Relief.— |

| 1 | "(1) In General.—In addition to any other |
|----|--|
| 2 | remedy under this section, a court may award in- |
| 3 | junctive relief to require compliance with the re- |
| 4 | quirements imposed under this title with respect to |
| 5 | any consumer. |
| 6 | "(2) Costs and attorney's fees.—In the |
| 7 | event of any successful action for injunctive relief |
| 8 | under this subsection, a court may award to the pre- |
| 9 | vailing party costs and reasonable attorney's fees (as |
| 10 | determined by the court) incurred by the prevailing |
| 11 | party during the action.". |
| 12 | (3) Enforcement.—Section 615(h)(8) of the |
| 13 | Fair Credit Reporting Act (15 U.S.C. 1681m(h)(8)) |
| 14 | is amended— |
| 15 | (A) in subparagraph (A), by striking "sec- |
| 16 | tion" and inserting "subsection"; and |
| 17 | (B) in subparagraph (B), by striking "This |
| 18 | section" and inserting "This subsection". |
| 19 | SEC. 6. INCREASED TRANSPARENCY. |
| 20 | (a) Disclosures to Consumers.—Section 609 of |
| 21 | the Fair Credit Reporting Act (15 U.S.C. 1681g) is |
| 22 | amended— |
| 23 | (1) in subsection $(a)(3)(B)$ — |
| 24 | (A) in clause (i), by striking "and" at the |
| 25 | end; and |

| 1 | (B) by striking clause (ii) and inserting the |
|----|---|
| 2 | following: |
| 3 | "(ii) the address and telephone number of |
| 4 | the person; and |
| 5 | "(iii) the permissible purpose, as available, |
| 6 | of the person for obtaining the consumer re- |
| 7 | port, including the specific type of credit prod- |
| 8 | uct that is extended, reviewed, or collected, as |
| 9 | described in section 604(a)(3)(A)."; |
| 10 | (2) in subsection (f)— |
| 11 | (A) by amending paragraph (7)(A) to read |
| 12 | as follows: |
| 13 | "(A) supply the consumer with a credit |
| 14 | score through the portal established under sec- |
| 15 | tion 612(a)(1)(D) or upon request by the con- |
| 16 | sumer, as applicable, that— |
| 17 | "(i) is derived from a credit scoring |
| 18 | model that is widely distributed to users by |
| 19 | that consumer reporting agency for the |
| 20 | purpose of any extension of credit or other |
| 21 | transaction designated by the consumer |
| 22 | who is requesting the credit score; or |
| 23 | "(ii) is widely distributed to lenders of |
| 24 | common consumer loan products and pre- |

| 1 | dicts the future credit behavior of the con- |
|----|---|
| 2 | sumer; and"; and |
| 3 | (B) in paragraph (8), by inserting ", ex- |
| 4 | cept that a credit score shall be provided free |
| 5 | of charge to the consumer if requested in con- |
| 6 | nection with a free annual consumer report de- |
| 7 | scribed in section 612(a) or through the online |
| 8 | consumer portal landing page established under |
| 9 | section 612(a)(1)(D)" before the period at the |
| 10 | end; and |
| 11 | (3) in subsection $(g)(1)$ — |
| 12 | (A) in subparagraph (A)(ii)— |
| 13 | (i) in the clause heading, by striking |
| 14 | "SUBPARAGRAPH (D)" and inserting "SUB- |
| 15 | PARAGRAPH (C)"; and |
| 16 | (ii) by striking "subparagraph (D)" |
| 17 | and inserting "subparagraph (C)"; |
| 18 | (B) in subparagraph (B)(ii), by striking |
| 19 | "consistent with subparagraph (C)"; |
| 20 | (C) by striking subparagraph (C); and |
| 21 | (D) by redesignating subparagraphs (D) |
| 22 | through (G) as subparagraphs (C) through (F), |
| 23 | respectively. |
| 24 | (b) Notification Requirements.— |
| 25 | (1) Adverse information notification.— |

| 1 | (A) IN GENERAL.—The Fair Credit Re- |
|----|---|
| 2 | porting Act (15 U.S.C. 1681 et seq.) is amend- |
| 3 | ed — |
| 4 | (i) in section 612 (15 U.S.C. 1681j), |
| 5 | by striking subsection (b) and inserting the |
| 6 | following: |
| 7 | "(b) Free Disclosure After Notice of Ad- |
| 8 | VERSE ACTION OR OFFER OF CREDIT ON MATERIALLY |
| 9 | Less Favorable Term.—Not later than 30 days after |
| 10 | the date on which a consumer reporting agency receives |
| 11 | a notification under subsection (a)(2) or (h)(6) of section |
| 12 | 615, or from a debt collection agency affiliated with the |
| 13 | consumer reporting agency, the consumer reporting agen- |
| 14 | cy shall make to a consumer, without charge to the con- |
| 15 | sumer, all disclosures that are made to a user of a con- |
| 16 | sumer report in accordance with the rules prescribed by |
| 17 | the Bureau."; and |
| 18 | (ii) in section 615(a) (15 U.S.C. |
| 19 | 1681m(a))— |
| 20 | (I) by redesignating paragraphs |
| 21 | (2), (3), and (4) as paragraphs (3), |
| 22 | (4), and (5), respectively; |
| 23 | (II) by inserting after paragraph |
| 24 | (1) the following: |

| 1 | "(2) direct the consumer reporting agency that |
|----|---|
| 2 | provided the consumer report that was used in the |
| 3 | decision to take the adverse action to provide the |
| 4 | consumer with the disclosures described in section |
| 5 | 612(b);"; and |
| 6 | (III) in paragraph (5), as so re- |
| 7 | designated— |
| 8 | (aa) in the matter preceding |
| 9 | subparagraph (A), by striking |
| 10 | "of the consumer's right"; |
| 11 | (bb) by striking subpara- |
| 12 | graph (A) and inserting the fol- |
| 13 | lowing: |
| 14 | "(A) that the consumer shall receive a |
| 15 | copy of the consumer report with respect to the |
| 16 | consumer, free of charge, from the consumer |
| 17 | reporting agency that furnished the consumer |
| 18 | report; and"; and |
| 19 | (cc) in subparagraph (B), by |
| 20 | inserting "of the right of the con- |
| 21 | sumer" before "to dispute". |
| 22 | (B) Conforming Amendment.—Section |
| 23 | 604(b)(2)(B)(i) of the Fair Credit Reporting |
| 24 | Act $(15 \text{ U.S.C. } 1681b(b)(2)(B)(i))$ is amended |

| 1 | by striking "section 615(a)(3)" and inserting |
|----|--|
| 2 | "section 615(a)(4)". |
| 3 | (2) Notification in cases of less favor- |
| 4 | ABLE TERMS.—Section 615(h) of the Fair Credit |
| 5 | Reporting Act (15 U.S.C. 1681m(h)) is amended— |
| 6 | (A) in paragraph (1), by striking "para- |
| 7 | graph (6)" and inserting "paragraph (7)"; |
| 8 | (B) in paragraph (2), by striking "para- |
| 9 | graph (6)" and inserting "paragraph (7)"; |
| 10 | (C) in paragraph (5)(C), by striking "may |
| 11 | obtain" and inserting "shall receive"; |
| 12 | (D) by redesignating paragraphs (6), (7), |
| 13 | and (8) as paragraphs (7), (8), and (9), respec- |
| 14 | tively; and |
| 15 | (E) by inserting after paragraph (5) the |
| 16 | following: |
| 17 | "(6) Reports provided to consumers.—A |
| 18 | person who uses a consumer report as described in |
| 19 | paragraph (1) shall notify and direct the consumer |
| 20 | reporting agency that provided the consumer report |
| 21 | to provide the consumer with the disclosures de- |
| 22 | scribed in section 612(b).". |
| 23 | (3) Notification of subsequent submis- |
| 24 | SIONS OF NEGATIVE INFORMATION.—Section |
| 25 | 623(a)(7)(A)(ii) of the Fair Credit Reporting Act |

| 1 | (15 U.S.C. $1681s-2(a)(7)(A)(ii)$) is amended by |
|----|--|
| 2 | striking "with respect to" and all that follows |
| 3 | through the period at the end and inserting "without |
| 4 | providing additional notice to the consumer, unless |
| 5 | another person acquires the right to repayment con- |
| 6 | nected to the additional negative information. The |
| 7 | acquiring person shall be subject to the requirements |
| 8 | of this paragraph and shall be required to send con- |
| 9 | sumers the written notices described in this para- |
| 10 | graph, if applicable.". |
| 11 | SEC. 7. CONSUMER REPORTING AGENCY REGISTRY. |
| 12 | Section 621 of the Fair Credit Reporting Act (15 |
| 13 | U.S.C. 1681s) is amended by adding at the end the fol- |
| 14 | lowing: |
| 15 | "(h) Consumer Reporting Agency Registry.— |
| 16 | "(1) Establishment of registry.—Not later |
| 17 | than 180 days after the date of enactment of this |
| 18 | subsection, the Bureau shall establish a publicly |
| 19 | available registry of consumer reporting agencies |
| 20 | that includes— |
| 21 | "(A) each consumer reporting agency that |
| 22 | compiles and maintains files on consumers on a |
| 23 | nationwide basis; |
| 24 | "(B) each nationwide specialty consumer |
| 25 | reporting agency; |

| 1 | "(C) all other consumer reporting agencies |
|----|--|
| 2 | that are not included under section 603(p) or |
| 3 | 603(x); and |
| 4 | "(D) links to any relevant websites of a |
| 5 | consumer reporting agency described under |
| 6 | subparagraphs (A) through (C). |
| 7 | "(2) Registration requirement.—The Bu- |
| 8 | reau shall establish a deadline, which shall be not |
| 9 | later than 270 days after the date of the enactment |
| 10 | of this subsection, by which each consumer reporting |
| 11 | agency described in paragraph (1) shall be required |
| 12 | to register in the registry established under such |
| 13 | paragraph.". |
| 14 | SEC. 8. AUTHORITY OF BUREAU WITH RESPECT TO CON- |
| 15 | SUMER REPORTING AGENCIES. |
| 16 | Section 1024(a)(1) of the Dodd-Frank Wall Street |
| 17 | Reform and Consumer Protection Act (12 U.S.C. |
| 18 | 5514(a)(1)) is amended— |
| 19 | (1) in subparagraph (D), by striking "or" at |
| 20 | the end; |
| 21 | (2) in subparagraph (E), by striking the period |
| 22 | at the end and inserting "; or"; and |
| 23 | (3) by adding at the end the following new sub- |
| 24 | paragraph: |

| 1 | "(F) is a consumer reporting agency de- |
|----|---|
| 2 | scribed under section 603(p) of the Fair Credit |
| 3 | Reporting Act.". |
| 4 | SEC. 9. BUREAU STANDARDS FOR PROTECTING NON- |
| 5 | PUBLIC INFORMATION. |
| 6 | Title V of the Gramm-Leach-Bliley Act (15 U.S.C. |
| 7 | 6801 et seq.) is amended— |
| 8 | (1) in section 501, by adding at the end the fol- |
| 9 | lowing new subsection: |
| 10 | "(c) Consumer Reporting Agency Safe- |
| 11 | GUARDS.—The Bureau of Consumer Financial Protection |
| 12 | shall establish, by rule, appropriate standards for con- |
| 13 | sumer reporting agencies described under section 603(p) |
| 14 | of the Fair Credit Reporting Act relating to administra- |
| 15 | tive, technical, and physical safeguards to protect records |
| 16 | and information as described in paragraphs (1) through |
| 17 | (3) of subsection (b)."; |
| 18 | (2) in section 504(a)(1)(A), by striking ", ex- |
| 19 | cept that the Bureau of Consumer Financial Protec- |
| 20 | tion shall not have authority to prescribe regulations |
| 21 | with respect to the standards under section 501"; |
| 22 | and |
| 23 | (3) in section 505(a)(8), by inserting ", other |
| 24 | than under subsection (c) of section 501" after "sec- |
| 25 | tion 501" |

| 1 | SEC. 10. REPORT ON DATA SECURITY RISK ASSESSMENTS |
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| 2 | IN EXAMINATIONS OF CONSUMER REPORT- |
| 3 | ING AGENCIES. |
| 4 | Not later than 90 days after the date of the enact- |
| 5 | ment of this Act, the Director of the Bureau of Consumer |
| 6 | Financial Protection shall assess whether examinations |
| 7 | conducted by the Director of consumer reporting agencies |
| 8 | described under section 603(f) of the Fair Credit Report- |
| 9 | ing Act (15 U.S.C. 1681a(f)) include sufficient processes |
| 10 | to addresses any data security risks to the consumers of |
| 11 | such agencies on which such agencies maintain and com- |
| 12 | pile files. Along with the first semiannual report required |
| 13 | under section 1016(b) of the Consumer Financial Protec- |
| 14 | tion Act of 2010 (12 U.S.C. 5496(b)) to be submitted |
| 15 | after the 90-day period after the date of the enactment |
| 16 | of this Act, the Director shall submit to Congress a report |
| 17 | containing the results of such assessment that includes— |
| 18 | (1) recommendations for improving the proc- |
| 19 | esses to addresses any such data security risks; and |
| 20 | (2) the progress of the Director on making any |
| 21 | improvements described under paragraph (1). |
| 22 | SEC. 11. GAO STUDY ON THE USE OF SOCIAL SECURITY |
| 23 | NUMBERS. |
| 24 | (a) STUDY.—The Comptroller General of the United |
| 25 | States shall carry out a study on the feasibility and means |
| 26 | of consumer reporting agencies replacing the use of social |

- 1 security numbers as identifiers with another type of Fed-
- 2 eral identification.
- 3 (b) Report.—Not later than the end of the 2-year
- 4 period beginning on the date of the enactment of this Act,
- 5 the Comptroller General shall issue a report to the Con-
- 6 gress containing all findings and determinations made in
- 7 carrying out the study required under subsection (a).

