



Federal Deposit Insurance Corporation
550 17th Street NW, Washington, D.C. 20429-9990

Financial Institution Letter
FIL-100-2007
November 15, 2007

IDENTITY THEFT RED FLAGS

Interagency Final Regulation and Guidelines

Summary: The FDIC, along with the other federal financial institution regulatory agencies and the Federal Trade Commission, has issued the attached final rule and guidelines on identity theft “red flags” and address discrepancies. The rule requires that financial institutions and creditors implement a written identity theft prevention program, that card issuers assess the validity of change of address requests, and that users of consumer reports reasonably verify the identity of the subject of a consumer report in the event of a notice of address discrepancy.

Distribution:

FDIC-Supervised Banks (Commercial and Savings)

Suggested Routing:

Chief Executive Officer
Chief Information Security Officer

Related Topics:

- FIL-22-2006, Prohibition Against Discrimination in Credit Transactions, issued March 9, 2006
- FIL-27-2005, Guidance on Response Programs for Unauthorized Access to Customer Information and Customer Notice, issued April 1, 2005
- FIL-7-2005, Guidelines Requiring the Proper Disposal of Consumer Information, issued February 2, 2005
- FIL-22-2001, Guidelines Establishing Standards for Safeguarding Customer Information, issued March 14, 2001

Attachment:

Interagency Final Rule Regarding Identity Theft Red Flags and Address Discrepancies

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Note:

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Highlights:

- The regulation and guidelines implement sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003.
- The regulation requires financial institutions and creditors to implement a written identity theft prevention program.
- The regulation requires card issuers to assess the validity of change of address requests before issuing additional or replacement debit or credit cards.
- The regulation requires users of consumer reports to reasonably verify the identity of the subject of a consumer report in the event the user receives a notice of address discrepancy from the consumer reporting agency.
- The guidelines are intended to assist financial institutions in implementing the regulation.
- Supplement A to the guidelines contains a list of 26 “red flags” that financial institutions and creditors may consider incorporating into their identity theft prevention programs.
- The regulation and guidelines are effective on January 1, 2008, and mandatory compliance is required by November 1, 2008.

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