



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

Financial Institution Letter
FIL-115-2007
December 21, 2007

FAIR AND ACCURATE CREDIT TRANSACTIONS ACT

Proposed Procedures to Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies

Summary: The FDIC, the other federal financial institution regulatory agencies, and the Federal Trade Commission (the agencies) have jointly published for comment the attached proposed regulations and guidelines on the accuracy and integrity of information furnished to consumer reporting agencies (CRAs) and proposed regulations on direct disputes to furnishers of this information. The agencies are proposing to adopt these guidelines and regulations to satisfy the requirements of section 312 of the Fair and Accurate Credit Transactions Act (FACT Act), which amended section 623 of the Fair Credit Reporting Act (FCRA). Comments on the proposals are due by February 11, 2008.

Distribution:

FDIC-Supervised Banks (Commercial and Savings)

Suggested Routing:

Chief Executive Officer
Compliance Officer

Related Topics:

- FDIC Part 334 – Fair Credit Reporting
- FCRA – Section 623

Attachment:

Interagency Notice of Proposed Rulemaking

Contact:

John Jackwood, Senior Policy Analyst (Compliance), at (202) 898-3991 or jackwood@fdic.gov; or
Richard Schwartz, Counsel, at (202) 898-7424 or rischwartz@fdic.gov

Note:

FDIC financial institution letters (FILs) may be accessed from the FDIC's Web site at www.fdic.gov/news/news/financial/2007/index.html.

To receive FILs electronically, please visit <http://www.fdic.gov/about/subscriptions/fil.html>.

Paper copies of FDIC financial institution letters may be obtained through the FDIC's Public Information Center, 3501 Fairfax Drive, E-1102, Arlington, VA 22226 (1-877-275-3342 or 202-416-6940).

Highlights:

- Section 623 of the FCRA describes the responsibilities of persons that furnish information about consumers (furnishers) to CRAs, and, as amended by the FACT Act, contains provisions designed to enhance the accuracy and integrity of information in consumer reports.
- The proposed accuracy and integrity regulations require furnishers to establish reasonable policies and procedures for implementing the proposed accuracy and integrity guidelines. The proposed guidelines discuss the (1) nature, scope and objectives of a furnisher's policies and procedures, (2) duties that relate to the accuracy and integrity of the information about consumers that furnishers provide to CRAs, (3) steps that furnishers should take when establishing policies and procedures, and (4) specific components that should be addressed in policies and procedures.
- FCRA does not define the terms "accuracy" and "integrity." The agencies are proposing two alternative approaches to defining the terms in the regulatory text or in the guidelines.
- The proposed direct dispute regulations identify the circumstances under which a furnisher must reinvestigate disputes concerning the accuracy of information about the consumer contained in a consumer report, based on a direct request by the consumer.