

December 9, 2003

Miguel Avila, Manager/CEO
Chicanos Por La Causa Federal Credit Union
P.O. Box 20525
Phoenix, Arizona 85036

Re: Individual Taxpayer Identification and Matricula Consular Numbers
for Credit Reporting Purposes.

Dear Mr. Avila:

Regional Director Jane Walters asked us to respond to your letter that asks if it permissible for a federal credit union (FCU) to provide lending services to members who use individual taxpayer identification numbers (ITINs) and the matricula consular identification card or state identification card, rather than a social security number. We see no legal impediment to this plan, but note an FCU must be sure to identify and address any risks associated with this initiative.

Your board of directors recently approved a plan to assist members who lack social security numbers in establishing a credit history and to provide lending services to them. You indicate that for several years La Causa FCU has accepted the matricula consular and ITIN as identification from new members opening share and share draft accounts. Under the new plan, we understand these members may also use the matricula consular and ITIN to apply for loans. La Causa FCU will perform credit checks and report borrower activity to credit reporting agencies for these members based on their ITIN or matricula consular numbers. We are aware of no law that prohibits a creditor from reporting borrower data by an identification number other than the social security number. Further, although the credit reporting agencies more frequently maintain information by an individual's social security number, we know of no law that prohibits them from maintaining information by another identification number as long as they comply with the Fair Credit Reporting Act's provisions requiring that they have reasonable procedures to assure the information's maximum possible accuracy. 15 U.S.C. §1681e(b).

In connection with the new plan, La Causa FCU's board of directors must also ensure that its policies and procedures identify and address any risks associated with the new lending activities.

Sincerely,

Sheila A. Albin
Associate General Counsel
OGC/DMS:bhs
03-0964
cc: Region V Director