

## BOARD ACTION MEMORANDUM

**TO:** NCUA Board

**DATE:** April 23, 2009

**FROM:** Office of General Counsel

**SUBJ:** Final Rule, 12 C.F.R. Part 717,  
Subpart E §§717.40-717.43 and Appendix E.

**ACTION REQUESTED:** Board approval of a final rule, applicable to federal credit unions, adding to 12 C.F.R. Part 717, Subpart E §§717.40 - 717.43 and Appendix E. The rule is part of an interagency final rule entitled "Procedures to Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies."

**DATE ACTION REQUESTED:** May 21, 2009.

**OTHER OFFICE CONSULTED:** Office of Examination and Insurance.

**VIEWS OF OFFICE CONSULTED:** Concur.

**SUBMITTED TO INSPECTOR GENERAL FOR REVIEW:** Yes.

**BUDGET IMPACT, IF ANY:** None.

**RESPONSIBLE STAFF MEMBERS:** Linda Dent and Regina Metz, Staff Attorneys.

**SUMMARY:** The federal banking agencies, NCUA, and Federal Trade Commission (the Agencies) are issuing rules required by section 312 of the Fair and Accurate Credit Transactions (FACT) Act, amending the Fair Credit Reporting Act. These rules follow an advance notice of proposed rulemaking and a proposed rule on section 312. 71 Fed. Reg. 14,419 (Mar. 27, 2006); 72 Fed. Reg. 70,944 (Dec. 13, 2007).

The Agencies are issuing guidelines for use by entities that furnish information about consumers to a consumer reporting agency regarding the accuracy and integrity of the information they furnish. The regulations require each entity to establish reasonable policies and procedures for implementing the guidelines. Additionally, the rules allow consumers to dispute inaccuracies about certain information reflected on their consumer reports directly with the furnishers of that information.

**RECOMMENDED ACTION:** Recommend the Board approve the final rule. After approval of the final rules by all the Agencies, the Agencies will jointly publish them in the Federal Register. The effective date will be the first day of the first calendar quarter following one calendar year from the date of publication.

**ATTACHMENT:** Final rule with the other Agencies' regulation text omitted.