

Press Releases

June 8, 2004

OTS 04-19 - Proper Disposal of Consumer Information Under the Fair and Accurate Credit Transactions Act of 2003

Office of Thrift Supervision

FOR RELEASE at 11:30 A.M. EDT

For further information

Tuesday, June 8, 2004

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OTS 04-19

202/906-6677

Agencies Propose Rules on Disposal of Consumer Information

The federal bank and thrift regulatory agencies today invited public comment on an interagency proposal to require financial institutions to adopt measures for properly disposing of consumer information derived from credit reports.

Current law requires financial institutions to protect customer information by implementing information security programs. The proposed rules would require institutions to make adjustments to their information security programs to properly dispose of the types of consumer information that are not already protected. This would include information from credit reports about a financial institution's employee or about an individual whose application for a product or service is denied.

The agencies' proposal implements section 216 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act). While not imposing significant additional burden, the proposed rules would make amendments to include this new statutory requirement in the Interagency Guidelines Establishing Standards for Safeguarding Customer Information, which were adopted in 2001. The agencies' proposed rules add a new definition of "consumer information" and a provision to require financial institutions to implement appropriate measures to properly dispose of consumer information.

The proposal would take effect three months after a final rule is adopted.

Comments on the proposed guidance are requested within 45 days of its publication in the Federal Register, which is expected shortly. The Federal Register notice is attached.

Proper Disposal of Consumer Information Under the Fair and Accurate Credit Transactions Act of 2003 - <http://www.occ.gov/static/news-issuances/ots/press-releases/ots-pr-2004-19a.pdf>

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The Office of Thrift Supervision (OTS), a bureau of the U.S. Treasury, regulates and supervises the nation's thrift industry. OTS's mission is to ensure the safety and soundness of thrift institutions and to support their role as home mortgage lenders and providers of other community credit and financial services. For copies of news releases or other documents visit the OTS web page at www.ots.treas.gov.