

RESCINDED

OCC Bulletin 2007-44| November 8, 2007

Transmittal – See OCC 2020-11

Fair Credit Reporting Affiliate Marketing Regulations: Final Rule

The attached final rule, which was published in the *Federal Register* on November 7, 2007, implements the affiliate marketing provisions in section 214 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act). The final rule generally would prohibit an institution from using certain information about a consumer it receives from an affiliate to make a solicitation to the consumer unless the consumer has been given notice and an opportunity to opt out of the solicitation. An institution that has a pre-existing business relationship with the consumer would not be subject to this marketing limitation. This affiliate marketing opt out final rule does not supersede or replace the provisions in section 603 of the Fair Credit Reporting Act concerning a consumer's right to opt out of the sharing of information among affiliates. The effective date of the rule is January 1, 2008 and compliance with the rule is required not later than October 1, 2008.

You may direct any questions to your supervisory office or OCC Compliance Division (202) 649-5470.

Julie L. Williams
First Senior Deputy Comptroller and Chief Counsel

Related Links

- [Final Rule 72 FR 62910](#)

To

Chief Executive Officers of All
National Banks, Federal
Branches and Agencies,
Department and Division Heads,
and All Examining Personnel