

Bradley P Griffin

From: Johnston, Murray [Murray.Johnston@experian.com]
Sent: Wednesday, March 30, 2005 2:14 PM
To: Brad Griffin (E-mail)
Subject: Blocking Identity Theft Items on a Credit Report

BUSINESS & LABOR
EXHIBIT NO. 24
DATE 3/31/05
BILL NO. HB 732

Brad:

A state law requiring a consumer reporting agency (CRA) to block information from a theft of identity in the file of a consumer is specifically preempted by Section 625 (b)(5)(C) of the federal Fair Credit Reporting Act [15 U.S.C. 1681u(5)(C)]. The federal law requires a CRA to "block the reporting of any information in the file of a consumer that the consumer identifies as information that resulted from an alleged identity theft" pursuant to Section 605B of the FCRA [15 U.S.C. 1681(c)(B)]. This provision was part of the December 2003 amendments to the FCRA and it enacted a practice that three national CRAs were doing nationally on a voluntary basis because it helped victims of identity theft.

I hope this information helps Chairwoman Cocciarella understand the current federal law on this issue.

Regards,

Murray

Murray Johnston
Director, State Government Affairs
Experian
1401 K Street, NW, Suite 501
Washington, DC 20005
(202) 682-4614 - office
(202) 320-7359 - mobile
murray.johnston@experian.com