

(1) The System institution's board of directors, in good faith, determines in writing after due investigation and consideration that the IRP acted in good faith and in a manner he/she believed to be in the best interests of the institution;

(2) The System institution's board of directors, in good faith, determines in writing after due investigation and consideration that the payment of such expenses will not materially adversely affect the institution's safety and soundness;

(3) The indemnification payments do not constitute prohibited indemnification payments as that term is defined in § 1412.2(l); and

(4) The IRP agrees in writing to reimburse the System institution, to the extent not covered by payments from insurance or bonds purchased pursuant to § 1412.2(l)(2), for that portion of the advanced indemnification payments which subsequently become prohibited indemnification payments, as defined herein.

(b) An IRP requesting indemnification payments shall not participate in any way in the board's discussion and approval of such payments; *provided, however*, that such IRP may present his/her request to the board and respond to any inquiries from the board concerning his/her involvement in the circumstances giving rise to the administrative proceeding or civil action.

(c) In the event that a majority of the members of the board of directors are named as respondents in an administrative proceeding or civil action and request indemnification, the remaining members of the board may authorize independent legal counsel to review the indemnification request and provide the remaining members of the board with a written opinion of counsel as to whether the conditions delineated in paragraph (a) of this section have been met. If independent legal counsel opines that said conditions have been met, the remaining members of the board of directors may rely on such opinion in authorizing the requested indemnification.

(d) In the event that all of the members of the board of directors are named as respondents in an administrative proceeding or civil action and request indemnification, the board shall authorize independent legal counsel to review the indemnification request and provide the board with a written opinion of counsel as to whether the conditions delineated in paragraph (a) of this section have been met. If independent legal counsel opines that said conditions have been met, the

board of directors may rely on such opinion in authorizing the requested indemnification.

#### § 1412.7 Filing instructions.

Requests to make excess nondiscriminatory severance plan payments and permitted golden parachute payments shall be submitted in writing to the FCA and the Corporation. The request shall be in letter form and shall contain all relevant factual information as well as the reasons why such approval should be granted.

#### § 1412.8 Applicable in the event of receivership.

The provisions of this part or any consent or approval granted under the provisions of this part by the Corporation (in its corporate capacity), shall not in any way bind any receiver of a failed System institution. Any consent or approval granted under the provisions of this part by the Corporation or the FCA shall not in any way obligate such agency or receiver to pay any claim or obligation pursuant to any golden parachute, severance, indemnification or other agreement. Claims for employee welfare benefits or other benefits which are contingent, even if otherwise vested, when the Corporation is appointed as receiver for any System institution, including any contingency for termination of employment, are not provable claims or actual, direct compensatory damage claims against such receiver. Nothing in this part may be construed to permit the payment of salary or any liability or legal expense of any IRP contrary to 12 U.S.C. 2277a-10b(d).

Dated: July 13, 2004.

**Jeanette C. Brinkley,**

*Secretary to the Board, Farm Credit System Insurance Corporation.*

[FR Doc. 04-16225 Filed 7-15-04; 8:45 am]

**BILLING CODE 6710-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-18593; Directorate Identifier 2004-NM-21-AD]

RIN 2120-AA64

#### **Airworthiness Directives; Airbus Model A300 B2, A300 B4, A300 B4-600, and A300 B4-600R Series Airplanes; and Model A300 C4-605R Variant F and A300 F4-605R Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede an existing airworthiness directive (AD) for all Airbus Model A300 B4-601, A300 B4-603, A300 B4-620, A300 B4-605R, A300 B4-622R, and A300 F4-605R airplanes. That AD currently requires repetitive inspections for cracking in the area surrounding certain fuselage attachment holes, installation of new fasteners for certain airplanes, and certain follow-on corrective actions if necessary. This proposed AD would require modifying certain fuselage frames, which would terminate certain repetitive inspections. This proposed AD would also add airplanes to the applicability. This proposed AD is prompted by the development of a modification intended to prevent cracking of the center section of the fuselage, which could result in a ruptured frame foot and reduced structural integrity of the airplane.

**DATES:** We must receive comments on this proposed AD by August 16, 2004.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590.

- Fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For the service information identified in this proposed AD, contact Airbus, 1

Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France.

You can examine the contents of this AD docket on the Internet at <http://dms.dot.gov>, or at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., room PL-401, on the plaza level of the Nassif Building, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Dan Rodina, Aerospace Engineer, International Branch, ANM-116, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2125; fax (425) 227-1149.

#### SUPPLEMENTARY INFORMATION:

##### Docket Management System

We have implemented new procedures for maintaining AD dockets electronically. As of May 17, 2004, new AD actions are posted on DMS and assigned a docket number. We track each AD action and assign an additional identifier, which identifies the directorate issuing the action. The DMS AD docket number is in the form "Docket No. FAA-2004-99999." The FAA directorate identifier is in the form "Directorate Identifier 2004-NM-999-AD." Each DMS AD docket also lists the directorate identifier ("Old Docket Number") as a cross-reference for searching purposes.

##### Comments Invited

We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2004-18593; Directorate Identifier 2004-NM-21-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed rulemaking. Using the search function of our docket web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You can review the DOT's complete Privacy Act Statement in the **Federal**

**Register** published on April 11, 2000 (65 FR 19477-78), or you may visit <http://dms.dot.gov>.

We are reviewing the writing style we currently use in regulatory documents. We are interested in your comments on whether the style of this document is clear, and your suggestions to improve the clarity of our communications that affect you. You can get more information about plain language at <http://www.faa.gov/language> and <http://www.plainlanguage.gov>.

##### Examining the Dockets

The AD docket contains the proposed AD, comments, and any final disposition. You can examine the AD docket in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the DMS receives them.

##### Discussion

On March 22, 2001, we issued AD 2001-06-10, amendment 39-12157 (66 FR 17490, April 2, 2001), for all Airbus Model A300 B4-601, A300 B4-603, A300 B4-620, A300 B4-605R, A300 B4-622R, and A300 F4-605R airplanes. That AD requires repetitive high-frequency eddy-current (HFEC) or rototest inspections to detect cracking in the area surrounding the frame feet attachment holes between fuselage frame (FR) 41 and FR46, installation of new fasteners for certain airplanes, and follow-on corrective actions if necessary. That AD was prompted by issuance of mandatory continuing airworthiness information by the airworthiness authority for France. We issued AD 2001-06-10 to prevent cracking of the center section of the fuselage, which could result in a ruptured frame foot and reduced structural integrity of the airplane.

##### Related AD

AD 96-13-11, amendment 39-9679 (61 FR 35122, July 5, 1996), requires revising the supplemental structural inspection program for all Airbus Model A300 B2 and A300 B4 series airplanes.

##### Actions Since Existing AD Was Issued

Since we issued AD 96-13-11 and AD 2001-06-10, the Direction Générale de l'Aviation Civile (DGAC), which is the airworthiness authority for France, advises that the unsafe condition identified in AD 2001-06-10 may also

exist on all Airbus Model A300 B2 and A300 B4 series airplanes. In addition, Airbus has developed a new modification that will improve the life of the frame feet attachments.

##### Relevant Service Information

Airbus has issued Service Bulletins A300-53-0271, Revision 03 (for Model A300 B2 and B4 series airplanes), and A300-53-6125, Revision 01 (for affected Model A300-600 series airplanes), both dated June 13, 2003. The service bulletins describe procedures for modifying certain fuselage frames (FRs). The inspection thresholds range from 6,800 to 56,200 flight cycles, or 14,100 to 62,400 flight hours. The modification involves the following actions:

- Cold expanding fastener holes of the frames on the center box upper fuselage bent sections, between FR41 and FR54 for Model A300 B2 and A300 B4 series airplanes, and between FR41 and FR46 for the affected Model A300-600 series airplanes;
- Inspecting for cracks using rotating-probe and eddy-current methods;
- Repairing certain crack conditions; and
- Flap peening certain frames or reaming certain holes.

The service bulletins recommend contacting Airbus for repair instructions for:

- Holes that exceed certain limits;
- Holes that were previously repaired by installing bushes;
- Cracks found during the rotating probe inspection on Model A300 series airplanes; and
- Cracks found during the rotating probe inspection that exceed certain limits on the affected Model A300-600 series airplanes.

For the affected Model A300-600 series airplanes, the modification eliminates the need for the repetitive inspections specified in Airbus Service Bulletin A300-53-6122 (and required by AD 2001-06-10).

For Model A300 B2 and A300 B4 series airplanes, the modification eliminates the need to repeat the inspection of the frame feet holes for frames 41 to 46, as specified in Airbus Service Bulletin A300-53-0345; and frames 48 to 54, as specified in Airbus Service Bulletin A300-53-238. However, Service Bulletin A300-53-0271 recommends that operators continue to repeat the inspection of the frame foot angle radius (as specified in Service Bulletin A300-53-238). Those inspections are required by AD 96-13-11.

We have determined that accomplishment of the actions specified in Service Bulletins A300-53-6125 and

A300–53–0271 will adequately address the unsafe condition. The DGAC mandated the service bulletins and issued French airworthiness directives F–2004–001 and F–2004–002, both dated January 7, 2004, to ensure the continued airworthiness of these airplanes in France.

FAA’s Determination and Requirements of the Proposed AD

These airplane models are manufactured in France and are type certificated for operation in the United States under the provisions of § 21.29 of the Federal Aviation Regulations (14 CFR 21.29) and the applicable bilateral airworthiness agreement. Pursuant to this bilateral airworthiness agreement, the DGAC has kept the FAA informed of the situation described above. We have examined the DGAC’s findings, evaluated all pertinent information, and determined that AD action is necessary for airplanes of this type design that are certificated for operation in the United States.

Therefore, we are proposing this AD, which would supersede AD 2001–06–10. For Model A300–600 series airplanes, this proposed AD would continue to require repetitive high-frequency eddy-current or rototest inspections for cracking in the area surrounding the frame feet attachment holes between FR41 and FR46, installation of new fasteners for certain airplanes, and certain investigative/

corrective actions if necessary. This proposed AD would require modification of certain fuselage frames, which would terminate certain repetitive inspections, and add airplanes to the applicability. The proposed AD would require using the service information described previously to perform these actions, except as discussed under “Differences Between the Proposed AD and the Service Information.”

Difference Between the Proposed AD and the Service Information

Service Bulletins A300–53–6125 and A300–53–0271 specify that operators may contact the manufacturer for certain instructions associated with the modification. The service bulletins specify this for holes that have been previously repaired in a certain way. However, this proposed AD would require operators to contact either the FAA or the DGAC (or its delegated agent) for an approved method. In light of the type of actions that would be required to address the unsafe condition, and consistent with existing bilateral airworthiness agreements, we have determined that, for this proposed AD, a modification approved by either the FAA or the DGAC would be acceptable for compliance with this proposed AD.

Additional Changes to Existing AD

This proposed AD would retain the requirements of AD 2001–06–10. Since AD 2001–06–10 was issued, the AD format has been revised and certain paragraphs have been rearranged. As a result, the corresponding paragraph identifiers for the retained requirements have changed in this proposed AD, as listed in the following table.

REIDENTIFIED PARAGRAPHS	
Paragraph identifier in AD 2001–06–10	New paragraph identifier in this proposed AD
(a) .....	(f)
(b) .....	(g)
(c) .....	(h)

Revised Labor Rate

We have reviewed the figures we have used over the past several years to calculate AD costs to operators. To account for various inflationary costs in the airline industry, we find it necessary to increase the labor rate used in these calculations from \$60 per work hour to \$65 per work hour. The cost impact information, below, reflects this increase in the specified hourly labor rate.

Costs of Compliance

The following table provides the estimated costs for U.S. operators to comply with this proposed AD:

ESTIMATED COSTS

Action	Model	Work hours	Labor rate per hour	Parts cost	Cost per airplane	Number of U.S.-registered airplanes	Fleet cost
Inspection .....	A300–600	6	\$65	\$0	\$390, per inspection.	106	\$41,340, per inspection.
Modification .....	A300	90	65	2,000	7,850 .....	24	188,400.
Modification .....	A300–600	56	65	4,000	7,640 .....	106	809,840.

Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a “significant regulatory action” under Executive Order 12866;

2. Is not a “significant rule” under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD. See the ADDRESSES section for a location to examine the regulatory evaluation.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by removing amendment 39–12157 (66 FR

17490, April 2, 2001) and adding the following new airworthiness directive (AD):

**Airbus:** Docket No. FAA-2004-18593; Directorate Identifier 2004-NM-21-AD.

#### Comments Due Date

(a) The Federal Aviation Administration (FAA) must receive comments on this airworthiness directive (AD) action by August 16, 2004.

#### Affected ADs

(b) This AD supersedes AD 2001-06-10, amendment 39-12157. Paragraph (i) of this AD terminates certain requirements of AD 96-13-11, amendment 39-9679.

#### Applicability

(c) This AD applies to all Airbus Model A300 B2, A300 B4, A300 B4-600, and A300 B4-600R series airplanes; and all Airbus Model A300 C4-605R Variant F and A300 F4-605R airplanes; certificated in any category; except those airplanes modified by Airbus Modification 12168.

#### Unsafe Condition

(d) This AD was prompted by the development of a modification intended to prevent cracking of the center section of the fuselage, which could result in a ruptured frame foot and reduced structural integrity of the airplane.

#### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

#### Restatement of Certain Requirements of AD 2001-06-10

##### Inspections

(f) For Model A300 B4-600 and A300 B4-600R series airplanes, and Model A300 C4-

605R Variant F and A300 F4-605R airplanes: Perform a high-frequency eddy-current or rototest inspection to detect cracking in the area surrounding the frame feet attachment holes between fuselage frames (FR) 41 and FR46 from stringers 24 to 28, left- and right-hand sides, in accordance with Airbus Service Bulletin A300-53-6122, dated February 9, 2000, at the time specified in paragraph (f)(1) or (f)(2), as applicable.

(1) For airplanes on which Task 53-15-54 in Maintenance Review Board Document (MRBD), Revision 3, dated April 1998, has not been accomplished as of May 7, 2001 (the effective date of AD 2001-06-10): Perform the inspection at the later of the times specified in paragraphs (f)(1)(i) and (f)(1)(ii) of this AD.

(i) Prior to the accumulation of the total flight-cycle or flight-hour threshold, whichever occurs first, specified in paragraph 1.E. ("Compliance") of the service bulletin; or

(ii) Within the applicable grace period specified in paragraph 1.E. ("Compliance") of the service bulletin.

(2) For airplanes on which Task 53-15-54 in the MRBD, Revision 3, dated April 1998, has been accomplished as of May 7, 2001: Perform the next repetitive inspection at the later of the times specified in paragraphs (f)(2)(i) and (f)(2)(ii) of this AD.

(i) Within the flight-cycle or flight-hour interval, whichever occurs first, specified in paragraph 1.E. ("Compliance") of the service bulletin, following the latest inspection accomplished in accordance with the MRBD; or

(ii) Within the grace period specified in paragraph 1.E. ("Compliance") of the service bulletin.

(g) For airplanes on which no cracking is detected during the inspection required by paragraph (f) of this AD, prior to further flight, install new fasteners as applicable, in accordance with Airbus Service Bulletin

A300-53-6122, dated February 9, 2000; and repeat the inspection required by paragraph (f) of this AD thereafter at intervals not to exceed the applicable intervals specified in paragraph 1.E. ("Compliance") of the service bulletin, until the actions required by paragraph (i) of this AD have been done.

#### Corrective Actions

(h) For airplanes on which cracking is detected during any inspection required by paragraph (f) of this AD: Prior to further flight, except as required by paragraph (j) of this AD, accomplish corrective actions (e.g., performing rotating probe inspections, reaming out cracks, cold working fastener holes, and installing oversized fasteners) in accordance with Airbus Service Bulletin A300-53-6122, dated February 9, 2000. Repeat the inspection required by paragraph (f) of this AD thereafter at intervals not to exceed the applicable intervals specified in paragraph 1.E. ("Compliance") of the service bulletin, until the actions required by paragraph (i) of this AD have been done.

#### New Requirements of This AD

##### Modification: All Airplanes

(i) For all airplanes: Within the compliance times specified in paragraph 1.E. of the applicable service bulletin listed in Table 1 of this AD, modify the fuselage frames in accordance with the Accomplishment Instructions of the applicable service bulletin. For airplanes that have exceeded the specified threshold, this AD requires compliance within the earlier of the flight-cycle and flight-hour grace periods specified in the service bulletin.

TABLE 1.—SERVICE INFORMATION

Airplane model	Airbus service bulletin	Required revision level	Revision level(s) also acceptable for compliance if done before the effective date of this AD
A300 B2 and and A300 B4 series airplanes .....	A300-53-0271 .....	Revision 03, dated June 13, 2003.	Original, dated September 10, 1991. Revision 01, dated February 16, 1993. Revision 02, dated July 13, 2000.
A300 B4-600 and A300 B4-600R series airplanes, and A300 C4-605 Variant F and A300 F4-605R airplanes.	A300-53-6125 .....	Revision 01, dated June 13, 2003.	Original, dated November 8, 2000.

(1) For the affected Model A300 B4-600 series airplanes: Accomplishment of the modification terminates the requirements of this AD.

(2) For Model A300 B2 and A300 B4 series airplanes: Accomplishment of the modification terminates certain repetitive inspections required by AD 96-13-11, i.e., inspections of the frame feet holes for frames 41 to 46 (as specified in Airbus Service Bulletin A300-53-0345) and frames 48 to 54

(as specified in Airbus Service Bulletin A300-53-238). However, the repetitive inspections of the frame foot angle radius (as specified in Service Bulletin A300-53-238), which are required by AD 96-13-11, must continue.

#### Exceptions to Service Bulletin Procedures

(j) During any inspection required by this AD, if the applicable service bulletin specifies to contact the manufacturer for

appropriate instructions: Before further flight, perform applicable corrective action in accordance with a method approved by the Manager, International Branch, ANM-116, Transport Airplane Directorate, FAA; or the Direction Générale de l'Aviation Civile (DGAC) (or its delegated agent).

#### Alternative Methods of Compliance

(k)(1) The Manager, International Branch, ANM-116, has the authority to approve

alternative methods of compliance (AMOCs) for this AD, if requested in accordance with the procedures found in 14 CFR 39.19.

(2) AMOCs approved previously in accordance with AD 2001-06-10, amendment 39-12157, are approved as AMOCs with the applicable requirements of this AD.

#### *Related Information*

(1) French airworthiness directives F-2004-001 and F-2004-02, both dated January 7, 2004, also address the subject of this AD.

Issued in Renton, Washington, on July 6, 2004.

**Kevin M. Mullin,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-16174 Filed 7-15-04; 8:45 am]

**BILLING CODE 4910-13-P**

## **FEDERAL TRADE COMMISSION**

### **16 CFR Part 698**

**RIN 3084-AA94**

#### **Summaries of Rights and Notices of Duties Under the Fair Credit Reporting Act**

**AGENCY:** Federal Trade Commission.

**ACTION:** Publication of proposed guidance for forms, and request for public comment.

**SUMMARY:** The Federal Trade Commission (Commission) is publishing for public comment two summaries of rights under the Fair Credit Reporting Act (FCRA) and two notices of duties under the FCRA as required by FCRA Sections 609 and 607 respectively. Consumer reporting agencies (CRAs) will distribute these documents. The first summary is a summary of rights of identity theft victims required by Section 609(d) of the FCRA, which was added to the FCRA by the recently enacted Fair and Accurate Credit Transactions Act of 2003 (FACT Act). The Commission issued the other summary and the two notices in 1997 and is proposing revisions because of the extensive changes made to the FCRA in the FACT Act. These are a general summary of consumer rights under the FCRA, a notice of responsibilities under the FCRA of persons that furnish information to consumer reporting agencies, and a notice of responsibilities under the FCRA of persons that obtain consumer reports from consumer reporting agencies.

**DATES:** Written comments will be accepted until August 16, 2004.

**ADDRESSES:** Interested parties are invited to submit written comments. Comments should refer to "FACTA

Notices, Matter No. R411013" to facilitate the organization of comments. A comment filed in paper form should include this reference both in the text and on the envelope, and should be mailed or delivered to the following address: Federal Trade Commission/Office of the Secretary, Room H-159 (Annex S), 600 Pennsylvania Avenue, NW., Washington, DC 20580. The Commission is requesting that any comment filed in paper form be sent by courier or overnight service, if possible, because postal mail in the Washington area and at the Commission is subject to delay due to heightened security precautions. Commenters seeking confidential treatment for any portion of their comments must file their comments in paper form. An electronic comment can be filed using e-mail at [FCRAnotices@ftc.gov](mailto:FCRAnotices@ftc.gov).

Comments on any proposed filing, recordkeeping, or disclosure requirements that are subject to paperwork burden review under the Paperwork Reduction Act should be submitted to: Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Federal Trade Commission. Comments should be submitted via facsimile to (202) 395-6974 because postal mail at the Office of Management and Budget is subject to lengthy delays due to heightened security precautions. Such comments should also be sent to the following address: Federal Trade Commission/Office of the Secretary, Room H-159 (Annex S), 600 Pennsylvania Avenue, NW., Washington, DC 20580.

The Federal Trade Commission Act and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. All timely and responsive public comments, whether filed in paper or electronic form, will be considered by the Commission, and will be available to the public on the FTC Web site, to the extent practicable, at [www.ftc.gov](http://www.ftc.gov). As a matter of discretion, the FTC makes every effort to remove home contact information for individuals from the public comments it receives before placing those comments on the FTC Web site. More information, including routine uses permitted by the Privacy Act, may be found in the FTC's privacy policy, at <http://www.ftc.gov/ftc/privacy.htm>.

**FOR FURTHER INFORMATION CONTACT:** For the summary of identity theft rights, contact Monique Einhorn, Attorney, Division of Planning and Information, Federal Trade Commission, 600

Pennsylvania Ave., NW., Washington, DC 20580, 202-326-3228; for the general summary of consumer rights and the furnisher and user notices, contact William Haynes, Attorney, Division of Financial Practices, Federal Trade Commission, 600 Pennsylvania Ave. NW., Washington, DC 20580, (202) 326-3224.

#### **SUPPLEMENTARY INFORMATION:**

##### **Table of Contents**

- I. Introduction
- II. Overview of Proposed Summaries and Notices
- III. Invitation To Comment
- IV. Communications by Outside Parties to Commissioners and Their Advisors
- V. Review Under the Paperwork Reduction Act
- VI. Regulatory Flexibility Act Analysis
- VII. Comment Questions

### **I. Introduction**

The Federal Trade Commission is issuing for public comment two proposed summaries of consumer rights under the FCRA and two notices of duties under the FCRA, 15 U.S.C. 1681 *et seq.* CRAs will distribute these documents. The first summary is a summary of the rights of identity theft victims under the FCRA that the Commission is required to issue by Section 609(d) of the FCRA. The second summary is a summary of general consumer rights under the FCRA that the Commission is required to issue by Section 609(c) of the FCRA. The two notices are (1) a notice of the FCRA duties of furnishers of information to CRAs and (2) a notice of the FCRA duties of users of information from CRAs. Section 607(d) requires the Commission to issue these notices.

The requirement that the Commission issue the identity theft rights summary was added to the FCRA by the FACT Act, Public Law 108-159, 117 Stat.1952. The remaining three documents are revised versions of documents first prescribed by the Commission in 1997. The Commission is issuing revised versions to reflect changes made to the FCRA by the FACT Act.

### **II. Overview of Proposed Summaries and Notices**

The FACT Act, which was signed into law on December 4, 2003, amends the FCRA in a number of significant ways. The Act contains provisions intended to reduce the occurrence of identity theft and confers certain rights on the victims of identity theft to assist them in resolving the problems caused by identity theft. The Act also contains provisions designed to increase the accuracy of consumer reports and to