

# Guidebook for Assisting Identity Theft Victims

## Table of Contents

- i. [Table of Contents](#)
- ii. [Overview](#)
  
- I. [Understanding Identity Theft and How to Assist its Victims](#)
  
- II. [The Primary Tools for Victims](#)
  - A. [The Primary Tools to Minimize Further Fraud](#)
  - B. [The Primary Tools to Show that the Victim is Not Responsible for the Fraud and to Correct Credit Reports](#)
  
- III. [Addressing Account-Related Identity Theft](#)
  - A. [Blocking Information in Credit Reports Using FCRA Section 605](#)
  - B. [Disputing Errors in Credit Reports Using FCRA Sections 611 and 623](#)
  - C. [Disputing Fraudulent Transactions with Banks & Creditors](#)
    - 1. [Disputing Fraudulent Transactions With Check Verification Companies](#)
    - 2. [Disputing Fraudulent ATM and Debit Card Transactions](#)
    - 3. [Credit Card Issuer Obligations under the FCBA](#)
    - 4. [Disputing Fraudulent Charges and New Accounts with Other Creditors](#)
  - D. [Disputing Debts Resulting From Identity Theft with Debt Collectors](#)
  - E. [Obtaining Business Records Relating to Identity Theft](#)
  
- IV. [Addressing Other Forms of Identity Theft](#)
  - A. [Identity Theft and Children](#)
  - B. [Criminal Identity Theft](#)
  - C. [Identity Theft Involving Federal Student Loans](#)
  - D. [Identity Theft Involving the Internal Revenue Service](#)
  - E. [Identity Theft Involving the Social Security Administration](#)
  - F. [Medical Identity Theft](#)
  - G. [The “Other” Consumer Reports: “Specialty” Consumer Reports](#)

### [Appendix A. - Key Identity Theft Concepts and Tools](#)

- 1. [Glossary](#)
- 2. [Free Annual Credit Reports and Other Free Reports](#)
- 3. [Proof of Identity](#)
- 4. [Authorization Form for Attorneys](#)
- 5. [Online Resources for Attorneys and Victim Service Providers](#)

### [Appendix B. – Checklists](#)

- 1. [List of Sample Questions for Intake Interview](#)
- 2. [Checklist for General Steps for Addressing Identity Theft](#)
- 3. [Checklist for CRA’s Obligations under FCRA Section 605B](#)
- 4. [Checklist for Disputing with Debt Collections](#)

## Appendix C. – Sample Letters

1. Blocking Request Letters Under Sections 605B and 623(a)(6)(B)
  - a. Consumer 605B Blocking Request Letter to Credit Reporting Agencies
  - b. Attorney 605B Blocking Follow-up Letter to Credit Reporting Agencies
  - c. Consumer 623(a)(6)(B) Blocking Letter to Information Furnisher
    - (1) Existing Accounts
    - (2) New Accounts
  - d. Attorney 605B and 623(a)(6)(B) Blocking Letter for Information Furnishers
2. Dispute Letters under Sections 611, 623
  - a. Consumer 611, 623 Dispute Letter for Credit Reporting Agencies
  - b. Attorney 611, 623 Follow-up Letter for Credit Reporting Agencies
  - c. Consumer 611, 623 Dispute Letters for Information Furnishers
    - (1) Existing Accounts
    - (2) New Accounts
  - d. Attorney 611, 623 Follow-up Letter for Information Furnishers
3. Disputing Fraudulent Transactions with Check Verification Companies
  - a. Consumer Dispute Letter
  - b. Attorney Follow-up Letter
4. Disputing Fraudulent ATM and Debit Card Transactions
  - a. Consumer Dispute Letter
  - b. Attorney Follow-up Letter
  - c. Attorney Follow-up Letter After 45 Days
5. Credit Card Issuer Obligations under the FCBA
  - a. Consumer Dispute Letter
  - b. Attorney Follow-up Letter
6. Disputing Fraudulent Charges and New Accounts with Other Creditors
  - a. Consumer Dispute Letters
    - (1) Existing Accounts
    - (2) New Accounts
  - b. Attorney Follow-up Letter
7. Disputing Debts Resulting From Identity Theft with Debt Collectors
  - a. Consumer Dispute Letter
  - b. Attorney Follow-up Letter
8. Obtaining Business Records Relating to Identity Theft
  - a. Consumer Request Letter
  - b. Law Enforcement Request Letter
  - c. Attorney Follow-up Letter

Appendix D. – Core Consumer Education Materials

1. [Statement of Rights – Identity Theft Victims](#)
2. [Take Charge: Fighting Against Identity Theft](#)
3. [Your Access to Free Credit Reports](#)
4. [How to Read a Credit Report](#)
5. [Understanding an Identity Theft Report](#)
6. [Identity Theft Complaint and Affidavit Form](#)
7. [Memorandum to Police on Importance of Taking Police Reports for Identity Theft](#)
8. [Guidance for Business: Providing Identity Theft Related Transaction Records](#)
9. [To Buy or Not to Buy: Identity Theft Spawns New Products and Services](#)
10. [Chart Your Course of Action](#)
11. [Action Log - VICARS](#)

Appendix E. – Federal Statutes and Regulations

1. [Identity Theft and Assumption Deterrence Act of 1998, 18 U.S.C. § 1028\(a\)7; and Pub. Law 105-318, 112 Stat. 3068](#)
2. [Identity Theft Enforcement and Restitution Act of 2008, Pub. Law 110-326, Title II, 122 Stat. 3560](#)
3. [Fair Credit Reporting Act, 15 U.S.C. § 1681](#)
4. [FTC Notice to Furnishers under FCRA, 74 Fed. Reg. 31,484 \(July 1, 2009\)](#)
5. [FCRA § 605B Blocking Information on Credit Reports](#)
6. [FCRA § 609\(e\) Business Documents Available to Victims](#)
7. [FCRA § 611 Disputing Information on Credit Reports](#)
8. [FCRA § 615\(f\) Prohibition on Sale of Debt Caused by Identity Theft](#)
9. [FCRA § 615\(g\) Debt Collector Communications Concerning Identity Theft](#)
10. [FCRA § 623\(a\)\(6\) Duties of Information Furnishers upon Notice of Identity Theft](#)
11. [16 C.F.R. Part 602 - Fair and Accurate Credit Transactions Act of 2003](#)
12. [16 C.F.R. Part 603 - Definitions - Identity Theft; Identity Theft Report](#)
13. [Final Rule on Related Identity Theft Definitions, 69 Fed. Reg. 63,922 \(November 3, 2004\)](#)
14. [Final Rule on Free Annual File Disclosures, 69 Fed. Reg. 35,468 \(June 24, 2004\)](#)
15. [16 C.F.R. Part 614 - Appropriate Proof of Identity](#)
16. [Fair Credit Billing Act, 15 U.S.C. § 1601](#)
17. [Fair Debt Collection Practices Act, §§ 805\(c\) & 809\(b\), 15 U.S.C. § 1692\(c\), \(g\)](#)
18. [Electronic Funds Transfer Act, 12 C.F.R. § 205](#)
19. [34 C.F.R. Part 682.402\(e\)\(14\) – Regulations of the Offices of the Department of Education](#)
20. [34 C.F.R. Part 685.215\(c\)\(4\) – Regulations of the Offices of the Department of Education](#)