

In addition, once the Federal Trade Commission by rule has established the format, type size, and manner of the disclosure required by Section 615(d), users must be in compliance with the rule. The FTC's regulations will be at <http://www.ftc.gov/credit>.

VIII. OBLIGATIONS OF RESELLERS

A. Disclosure and Certification Requirements

Section 607(e) requires any person who obtains a consumer report for resale to take the following steps:

- Disclose the identity of the end-user to the source CRA.
- Establish and follow reasonable procedures to ensure that reports are resold only for permissible purposes, including procedures to obtain:
 1. the identity of all end-users;
 2. certifications from all users of each purpose for which reports will be used; and
 3. certification that reports will not be used for any purpose other than the purpose(s) specified to the reseller. Resellers must make reasonable efforts to verify this information before selling the report.

B. Fraud Alerts and Resellers

Section 605A(f) requires resellers who receive fraud alerts or active duty alerts from another consumer reporting agency to include these in their reports.

IX. LIABILITY FOR VIOLATIONS OF THE FCRA

Failure to comply with the FCPA can result in state government or federal government enforcement actions, as well as private lawsuits. See Sections 616, 617, and 621. In addition, any person who knowingly and willfully obtains a consumer report under false pretenses may face criminal prosecution. See Section 619.

The FTC's Web site, <http://www.ftc.gov/credit>, has more information about the FCRA, including publications for businesses and the full text of the FCRA. Citations for FCRA sections in the U.S. Code, 15 U.S.C. ~ 1681 et seq.:

Section 602 15 U.S.C. 1681	Section 615 15 U.S.C. 1681m
Section 603 15 U.S.C. 1681a	Section 616 15 U.S.C. 1681n
Section 604 15 U.S.C. 1681b	Section 617 15 U.S.C. 1681o
Section 605 15 U.S.C. 1681c	Section 618 15 U.S.C. 1681p
Section 605A 15 U.S.C. 1681cA	Section 619 15 U.S.C. 1681g
Section 605B 15 U.S.C. 1681cB	Section 620 15 U.S.C. 1681r
Section 606 15 U.S.C. 1681d	Section 621 15 U.S.C. 1681s
Section 607 15 U.S.C. 1681e	Section 622 15 U.S.C. 1681s-1
Section 608 15 U.S.C. 1681f	Section 623 15 U.S.C. 1681s-2
Section 609 15 U.S.C. 1681g	Section 624 15 U.S.C. 1681t
Section 610 15 U.S.C. 1681h	Section 625 15 U.S.C. 1681u
Section 611 15 U.S.C. 1681i	Section 626 15 U.S.C. 1681v
Section 612 15 U.S.C. 1681j	Section 627 15 U.S.C. 1681w
Section 613 15 U.S.C. 1681k	Section 628 15 U.S.C. 1681x
Section 614 15 U.S.C. 1681l	Section 629 15 U.S.C. 1681y

APPENDIX J

Death Master File

End User certifies that it meets the qualifications of a Certified Person under 15 CFR § 1110 and that its access to the DMF is appropriate because:

1. End User has a legitimate fraud prevention interest, or has a legitimate purpose pursuant to a law, governmental rule, regulation or fiduciary duty, and shall specify the purpose for so certifying: and
2. End User has systems, facilities, and procedures in place to safeguard the accessed information; experience in maintaining the confidentiality, security, and appropriate use of the accessed information, pursuant to requirements similar to the requirements of section 6103(p)(4) of the Internal Revenue Code of 1986; and agrees to satisfy the requirements of such section 6103 (p)(4) if such section applies to End User; and
3. End User shall not disclose information derived from the DMF to the consumer or any third party, unless clearly required by law.

End User acknowledges that failure to comply with the provisions of 15 CFR § 1110 may result in penalties, among other items, of \$1000 for each disclosure or use, up to a maximum of \$250,000 in penalties per calendar year.

End User shall indemnify and hold harmless UCS/TenantReportX.com, its reporting providers, and the US Government/NTIS from all claims, demands, damages, expenses, and losses, whether sounding in tort, contract or otherwise, arising from or in connection with End User's, or End User's employees, contractors, or subcontractors, use of the DMF. This provision shall survive termination of the service agreement and will include any and all claims or liabilities arising from intellectual property rights.

Neither UCS/TenantReportX.com, its reporting providers, nor the US Government/NTIS (a) make any warranty, express or implied, with respect to information provided under this section of the policy, including, but not limited to, implied warranties of merchantability and fitness for any particular use: (b) assume any liability for any direct, indirect or consequential damages incurred from any use of any part of the DMF, including infringement of third party intellectual property rights; and (c) assume any liability for any errors or omissions in the DMF.

End User is aware that the DMF does have inaccuracies and neither NTIS nor the Social Security Administration (SSA), which provides the DMF to NTIS, guarantee the accuracy of the DMF. SSA does not have a death record for all deceased persons. Therefore, the absence of a particular person on the DMF is not proof that the individual is alive. Further, in rare instances, it is possible for the records of a person who is not deceased to be included erroneously in the DMF.

End User acknowledges that any individual who claims that the SSA has incorrectly listed someone as deceased, or has incorrect dates/data pertaining to an individual on the DMF, will be directed to contact their local SSA office with proof to have the error corrected.