



Equal Credit Opportunity (Regulation B)

FIL-6-2004
January 13, 2004

TO: CHIEF EXECUTIVE OFFICER (also of interest to Compliance Officer)

SUBJECT: Spousal Signature Provisions of Regulation B

Summary: *The FDIC is issuing guidance to assist financial institutions in complying with the complex marital status and spousal signature provisions of Regulation B. Those provisions significantly affect critical steps in the lending process, including underwriting, asset valuation, collateral selection and document preparation.*

The Federal Deposit Insurance Corporation (FDIC) is issuing the attached guidance to assist banks in complying with the spousal signature provisions of the Equal Credit Opportunity Act (ECOA) and Regulation B, 12 CFR Part 202. Among other things, Regulation B prohibits lending policies and practices that discriminate on the basis of marital status.

On February 4, 2002, the FDIC issued general guidance on the spousal signature provisions of Regulation B (see FIL-9-2002), which generated considerable interest among banks. As a result, the FDIC has developed more specific guidance to further assist banks in their compliance efforts.

On March 17, 2003, the Federal Reserve Board issued amendments to Regulation B, with an effective date of April 15, 2003, and a mandatory compliance date of April 15, 2004 (see FIL-5-2004, dated January 9, 2004). The spousal signature provisions of Regulation B were affected by those amendments. Today's FIL incorporates those amendments to Regulation B and augments FIL-9-2002.

For more information, please contact Russ Bailey, Senior Fair Lending Specialist, at (202) 898-6529; Andrea Winkler, Counsel, at (202) 898-3727; or Janet Norcom, Counsel, at (202) 898-8886.

For your reference, FDIC Financial Institution Letters may be accessed from the FDIC's Web site at www.fdic.gov/news/news/financial/2004/index.html.

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Director
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Attachment: [Guidance On Regulation B Spousal Signature Requirements](#)

Distribution: FDIC-Supervised Banks (Commercial and Savings)

NOTE: Paper copies of FDIC financial institution letters may be obtained through the FDIC's Public Information Center, 801 17th Street, NW, Room 100, Washington, DC 20434 (1-877-275-3342 or (703) 562-2200).