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Federal Trade Commission
Office of the Secretary
Room H-159 (Annex M)
600 Pennsylvania Avenue, NW
Washington, D.C. 20580

RE: FACT Act Section 318(a)(2)(C) Study, Matter No. P044804

This comment letter is submitted on behalf of TransUnion LLC (“TransUnion”) in response to the captioned matter. TransUnion is a Delaware limited liability company with businesses that operate as a “consumer reporting agency” as that term is defined under the Fair Credit Reporting Act (“FCRA”). TransUnion has approximately 4,000 employees with operations on five continents and in 34 countries. TransUnion has access to consumer credit information supplied by data furnishers on substantially all of the credit active consumers in the United States.

In general, we are concerned with the underlying assumption of this study, which is that consumers are not receiving the same information as users of consumer reports. That premise is not correct. Every consumer reporting agency is required to disclose “all information” the consumer reporting agency has in its files related to a consumer whenever that consumer requests his or her file. [15 U.S.C. § 1681g(a)(1)] If “all information” is provided to the consumer, it cannot logically be asserted that a user of a consumer report relating to the consumer will have access to more information about that consumer from that consumer reporting agency than what is available to the consumer from that consumer reporting agency.

We are very aware of our obligations under the FCRA and we are careful to timely fulfill these obligations. We believe that the current obligation—to disclose *all the information* to the consumer, which is in his or her file *at the time of the request*—is the best solution available to allow the consumer to review the most relevant, and the most up-to-date information, contained in a consumer’s file. We also believe that the benefits available from this solution would be materially weakened if it was replaced or supplemented with a requirement that a consumer reporting agency disclose “the same credit report that the creditor relied on”. Simply, such a new or additional requirement would cause confusion and be misleading to consumers. In addition, this new requirement will impose extraordinary costs and service obligations, as well as impossible technical burdens, on consumer reporting agencies and the consumer financial industry.

