



555 West Adams Street  
Chicago, IL 60661  
Tel 312 466 7730  
Fax 312 466 7986  
jblenke@transunion.com  
www.transunion.com

**John W. Blenke**  
Executive Vice President  
General Counsel

March 22, 2004

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

RE: FACTA Interim Final Rule Prohibiting Circumvention, Project No. P044804

Ladies and Gentlemen:

I am the Executive Vice President – Corporate General Counsel of TransUnion LLC. TransUnion LLC 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 3,600 employees with operations on five continents and in 24 countries. In particular, TransUnion currently compiles and maintains files in the United States on consumers on a nationwide basis, including public record information and credit account information from persons who furnish that information regularly and in the ordinary course of business. As a result of such practices, TransUnion would be considered a consumer reporting agency that meets the definition of Section 603(p) of the FCRA.

In December 2003 the President signed into law the Fair and Accurate Credit Transactions Act of 2003 (“FACTA”). FACTA substantially expands the duties and roles of a consumer reporting agency that compiles and maintains files on consumers on a nationwide basis, or a “Section 603(p) Consumer Reporting Agency”. FACTA also requires that the Federal Trade Commission (“Commission”), as well as other federal agencies, perform many functions in the very near term to implement its provisions. In particular, the Commission must promulgate and adopt rules dealing with effective dates, circumvention, centralized source and free credit reports, and risk based pricing notices, as well as implementing, or being a part of, studies on accuracy, dispute reinvestigations, credit scoring, and red-flag fraud guidelines. TransUnion recognizes the Commission’s daunting task. We trust the Commission will appropriately consider the impact these rules and studies will have on the normal every day operations of consumer reporting agencies and will not create unduly burdensome or nebulous concepts that inhibit the ability of such entities to be innovative in the creation of cost effective products and services. That result, in the long run, will be more harmful to our economy and consumers than any benefit any rule or study could possibly provide.

We have grave concern with the referenced interim final rule prohibiting circumvention that has been proposed by the Commission. As noted in the Commission’s press release for this rule, this

