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December 4, 2009

Federal Trade Commission
Office of the Secretary
Room H-135 (Annex T)
600 Pennsylvania Avenue, NW
Washington, DC 20580

To Whom It May Concern:

This comment letter is submitted to the Federal Trade Commission (“FTC”) on behalf of TransUnion LLC and its affiliates (“TransUnion”) in response to the Notice of Proposed Rulemaking published in the *Federal Register* on October 15, 2009 regarding marketing communications in connection with annual free file disclosures and the marketing of “free credit reports” (“Proposal”). TransUnion is a “nationwide” consumer reporting agency (“CRA”), as described in Section 603(p) of the Fair Credit Reporting Act (“FCRA”) and has approximately 3,000 employees with operations on four continents and in 25 countries. Globally, TransUnion manages more than 500 million consumer credit records and has access to consumer credit information that is voluntarily supplied by data furnishers on a regular basis on substantially all of the credit active consumers in the United States.

TransUnion has a long history of helping consumers better understand and manage their credit concerns, so they can better manage their financial lives. Our track record clearly reflects we listen and react to consumer concerns on a voluntary basis. TransUnion was the first (and in some instances still the only) CRA to:

- Establish a dedicated Fraud Victim Assistance Department (early 1990s) staffed by specialists and still serving consumers today
- Make Security Freezes available to all U.S. consumers
- Provide unqualified, extended hours access to live customer service representatives via a toll free number
- Provide free online credit education videos and quizzes at the TransUnion website via: www.transunion.com/creditvideo

As has been our practice from the implementation of the Free Annual File Disclosures Rule in 2004 (the “Free Reports Rule”)¹, TransUnion supports consumers’ access to obtain their free annual file disclosure. We uphold the principle that consumers should be able to request their free annual file disclosures through the centralized source in a manner that is straightforward and easy to understand.

¹ 16 CFR Part 610.

In General

TransUnion, as well as the other nationwide consumer reporting agencies, has actively promoted the Free Reports Rule through the media² and TransUnion currently provides detailed information, that is easily located on its website, on how a consumer can determine whether they are entitled to a free file disclosure under Federal and State law as well as how to obtain that disclosure. Simply, TransUnion has fully complied with the letter and spirit of the Free Reports Rule and disagrees with the essential premise of the Proposal – that the FTC’s existing requirements as set forth in the Free Reports Rule cannot protect consumers adequately.

The FTC has indicated in the Proposal that all CRAs³ interfere with or distract from the consumers’ ability to obtain their free annual file disclosures through the centralized source. In particular the FTC has somehow concluded that all CRAs subject consumers to “substantial amounts of advertising” for the CRAs’ proprietary products or services while navigating AnnualCreditReport.com to obtain their free file disclosures. This conclusion is incorrect. Attached hereto as Exhibit 1 to this comment letter are each of the pages a consumer would actually view (i.e., the order flow) when a consumer goes through AnnualCreditReport.com and requests their free annual file disclosure from TransUnion⁴. These screen shots surely do not rise to the level of “substantial amounts of advertising” (there are only two screen shots that have “advertising”- see pages 17 and 20), they are easily navigated by consumers and they do not, in any way, “interfere with, detract from, contradict, or otherwise undermine the purposes of the central source.”

As discussed more fully within the body of this comment letter, the Proposal presents several bright line prohibitions that are far more restrictive than necessary to achieve the FTC’s stated goal. We do not believe it is appropriate (in fact we believe it is harmful to consumers) to prohibit any and all advertising of products related to consumer file disclosures requested through the centralized source until after the file disclosure has been provided. To prohibit marketing messages prior to providing the consumer his or her file disclosure seems too sweeping a measure, and contradicts the FTC’s reasoned analysis set forth in the Free Reports Rule. Certainly there is a less restrictive manner in which the FTC can accomplish its objectives short of the prior restraint of speech it proposes. We are also very concerned about the other prohibited practices listed in the Proposal as they will, in our opinion, reduce consumer protections and/or cause a delay in the consumer’s receipt of his or her free file disclosure in subsequent years, which we believe cannot be overlooked by the FTC. We believe it would be more productive for the FTC to work with TransUnion and the other operators of the centralized source to

² The FTC implies in the Proposal that consumers must not know about the AnnualCreditReport.com site (that is why they need the additional protections promulgated by the Proposal). To bolster this supposition the Proposal only notes examples of the efforts by the FTC and law enforcement agencies to educate consumers on access to free credit reports through AnnualCreditReport.com and fails to mention any efforts by the industry or consumer advocacy groups. As the FTC is well aware, the nationwide credit reporting companies launched an aggressive media campaign to announce the availability of Annual CreditReport.com resulting in more than 600 print and broadcast stories in the first week the service was offered- reaching millions of consumers. TransUnion continues this educational effort today, not only through its website (where it clearly identifies under the “Consumer Assistance” heading the availability of free reports) but through media interviews.

³ The Proposal defines CRAs as a “nationwide consumer reporting agency”, and notes that there are only three at this time – Equifax Inc., Experian and TransUnion.

⁴ The first 4 screen shots are from AnnualCreditReport.com (pages 11 – 14). Screen shots 5 through 16 are from TransUnion (pages 15-26). The consumer’s credit report is delivered immediately after the 11th screen shot (page 21). All screen shots either provide information about the applicable law and/or consumers rights and obligations, and/or clearly and truthfully advertises basic products and services, such as a credit score.

ensure that communications, instructions, and permitted advertising or marketing do not interfere with the purpose of the centralized source.

With respect to the other focus of the Proposal - the marketing of “free credit reports” – TransUnion unequivocally supports the principle that any such marketing must be done in a manner that complies with existing law regarding deception and other requirements. TransUnion does not promote a “free credit report” as a standalone product or service and does not use the words “free credit report” in any advertising. TransUnion supports the FTC’s efforts to improve disclosures pertaining to “free credit reports.” We have concerns, however, about how the FTC proposes to implement section 612(g) of the FCRA, as added by the Credit CARD Act. We believe the statute is relatively straightforward and unambiguous with respect to the statutory requirement. The FTC is directed to issue a rule, but Congress limited the scope of such rule to only that which is necessary to “carry out” the requirements of section 612(g).⁵ Although the Proposal generally adheres to this restriction, TransUnion respectfully suggests that the Proposal exceeds the FTC’s authority with respect to the Internet landing page requirements and that the FTC could achieve its objectives in a much less restrictive manner.

Communications through the Centralized Source

TransUnion believes that it is crucial that the centralized source operate as a mechanism where consumers can efficiently obtain credit information. With this in mind, TransUnion believes the centralized source should serve as a springboard for those consumers who would like a deeper understanding of credit and credit-related processes. It is therefore critical that the FTC permit the marketing of credit scores and other credit-related products *as part of the order flow* for a free file disclosure through the centralized source. This would not only advance the consumer education function of the centralized source (as well as supporting a mandate of Congress)⁶, but it would also promote consumer understanding of the interplay between information on the consumer’s file and credit scores. We believe we do this today without any undue restriction or deterrence on a consumer’s ability to obtain their free annual file disclosure.

Both Congress and the FTC have consistently recognized the incremental value to consumers of making reasonably priced credit scores available in conjunction with any process for obtaining a consumer disclosure. For example, under section 609(g) of the FCRA, a CRA must inform the consumer about the availability of credit scores when providing consumers a file disclosure. The underlying assumption is that permitting consumers who wish to purchase credit scores to do so simultaneously with obtaining a free annual file disclosure is an easy, frictionless method for consumers to obtain a credit score. The FTC has recognized these benefits. For example, in the Supplementary Information to the Free Reports Rule, the FTC noted: “It would be an anomalous result, for both consumers and the nationwide [CRAs], for the law to require the centralized source to inform the consumers about the availability of credit scores, but not permit them to obtain credit scores at that juncture...Allowing consumers who wish to purchase credit scores to do so at the same time that they obtain their annual file disclosures will result in efficiency for both consumers and nationwide [CRAs].”

⁵ This is a narrower delegation of authority than Congress sometimes provides, such as to carry out the purposes of the section. Congress neither provided enumerated purposes for the section, nor did it grant the authority to the FTC to carry out any implied purposes. We respectfully suggest that the scope of regulations the FTC may issue is limited to the plain text of section 612(g).

⁶ See the Financial Literacy and Education Improvement Act (Section 511 of the Fair and Accurate Credit Transactions Act of 2003).

TransUnion does not believe anything in the operating history of the centralized source negates the value of making reasonably priced credit scores available for consumer purchase simultaneously with the order of a consumer disclosure. During the second quarter of 2009, just 14% of the 1,402,581 free disclosures that we provided through AnnualCreditReport.com included the purchase of a credit score from TransUnion. This suggests that 86% of those 1.4 million individuals declined the score offer and successfully proceeded to obtain their free disclosure.

By limiting a CRA's ability to inform consumers about the availability of a reasonably priced credit score during the product request portion of the centralized source process flow, the Proposal will undoubtedly result in fewer consumers accessing their credit scores.⁷ This is not because the Proposal would eliminate the purchase of scores as a result of confusion—the order flow for TransUnion's products through the centralized source is clear, conspicuous, and in no way confusing to a reasonable consumer.⁸ Rather, if the consumer must begin a new product request after receiving the file disclosure, there is no question that the consumer will be less likely to request a credit score. In addition, if the consumer would have to request the score after he/she has received their annual credit file disclosure, to obtain that score the consumer may have to purchase a new file disclosure as TransUnion cannot automatically score a file that already has been issued. In effect, the Proposal would ensure that consumers are less likely to access a credit score simply because it is offered later in the order process and may cost the consumer more than the cost today. We do not believe the FTC intends to have fewer consumers obtain their credit scores at a higher, but reasonable price, whether in connection with the free annual file disclosure or otherwise. Such a policy position would not appear to be defensible, nor is it consistent with the FTC's general position that consumers should have a greater understanding of their credit profile.

Issues Pertaining to the Telephone

The Proposal states that, in the case of requests made by mail or telephone, the consumer has obtained his or her annual file disclosure for purposes of the Proposal when the file disclosure is mailed, and that a nationwide CRA may include advertising for other products or services with the file disclosure. If the FTC retains the Proposal's approach to marketing through the centralized source, we urge the FTC to revise this portion of the Proposal. Once the consumer has requested his or her file disclosure, and once the nationwide CRA has indicated that it will provide the consumer with the file disclosure through the mail, the CRA should be permitted to inform the consumer of the availability of other products or services. At this point in the order flow, no reasonable consumer could reasonably believe that the purchase of such products is necessary to obtain the free file disclosure. Furthermore, it seems likely that a consumer who is interested in a credit score would like the score to reflect the information in the file disclosure provided to the consumer. As proposed, however, if the consumer waits to request a credit score until the file disclosure is provided, any subsequent credit score will not necessarily reflect the credit score based on the information provided to the consumer and the consumer will have to purchase another file disclosure. For example, additional updates to the consumer's file may have occurred between the time the consumer requested the file disclosure and the time the consumer requests the credit score.

⁷ Again, this seems counter to the clear congressional policy of encouraging access to credit scores as evidenced by section 609(g) of the FCRA.

⁸ The FTC reports in the Supplementary Information that it has received complaints suggesting consumers feel compelled to purchase products to obtain a free file disclosure. The "terms and conditions" a consumer "accepts" to obtain their free file disclosure from TransUnion make it clear that is not the case. TransUnion specifically and emphatically rejects the notion that these complaints represent a reasonable consumer's view of the TransUnion centralized source experience.

We also find it unusual that the plain language of the Proposal would appear to prohibit the CRA from responding to consumer's requests for credit scores over the telephone at the time the consumer requests the free file disclosure. This is an anomalous result in light of the fact that the centralized source is intended to provide consumers with a greater understanding of their credit profiles, and that a consumer would expect a CRA to be able to provide a credit score *upon request*.

Other Prohibited Practices through the Centralized Source

Hyperlinks

The Proposal would prohibit any hyperlinks on the centralized source's web site to any commercial or proprietary web sites. The FTC states that if a consumer clicks on a hyperlink, the consumer leaves the centralized source to another page where the consumer cannot access his or her free file disclosure provided by federal law. The FTC further states that the proposed prohibition is intended to reduce the possibility that consumers attempting to obtain their free annual file disclosures will be transferred to commercial web sites that do not provide the free file disclosure under federal law, but may offer other services. Although we believe this is a relatively minor issue in the Proposal, we do not believe it is necessary and do not understand how the FTC can assert that consumers are confused by the hyperlinks of the CRAs that are primarily noted on the landing page of AnnualCreditReport.com (see page 11). That landing page clearly and unambiguously sets forth where a consumer is to begin [START HERE] to receive their annual file disclosure. The links of the CRAs are clearly separated from this section of the site and prefaced with the words: "This site is sponsored by:"

The FTC does not appear to give weight to the fact that the hyperlinks serve a critical consumer protection function for the centralized source website. With respect to hyperlinks on the homepage, it is normal and expected for the operator of a service to provide a hyperlink to the operator's home page to protect against phishing or spoofing schemes that may try to mimic the site. It would also be unusual for the web site to include information verifying its authenticity (*e.g.*, "this site sponsored by," "contact us," etc.) with no ability for the consumer to actually "click through" to the sponsors, or to contact an individual sponsor. This is a generally accepted design feature of any website.

TransUnion believes it is critical for the FTC to consider key facts with respect to these hyperlinks, as well. For example, out of the most recent 5,000,000 inquiries TransUnion has processed through the centralized source, there were only 2,300 clicks on TransUnion's hyperlink. This is clear evidence that consumers are not confused and that the navigation of the landing page at AnnualCreditReport.com is clear and easily understood by consumers. It seems unlikely that the hyperlinks are posing a problem, when less than 0.05% of the centralized source inquiries to TransUnion are clicking on the link.

We also do not believe that consumers are misled by the presence of the hyperlinks on other locations within the centralized source's web site. Specifically, after an individual enters his or her identifying information at the centralized source's web site, the consumer is asked to select which one of the CRAs they would like to access. When the consumer selects the relevant CRA, the consumer is transferred to the CRA's web site to complete the process. A "return to annualcreditreport.com" link is provided throughout the process so that when the consumer completes the access, they may return and select a second or third CRA. Furthermore, there are links within TransUnion's fulfillment process to FAQs, for example. And the FAQs even have hyperlinks, including those that allow consumers to

submit disputes and place fraud alerts. We assume that these types of “hyperlinks” are not what the FTC intended to eliminate. To force the entire process to be completed within the AnnualCreditReport.com framework without any discussion of the impact would appear to be beyond the scope of the Proposal, and not the intent of the FTC. This approach would require a complete rebuild of AnnualCreditReport.com, which we believe consumers would find confusing and harmful, given the successful five years of operation of the site.

If the FTC somehow believes that consumers are misled by the presence of hyperlinks, we urge the FTC to consider more reasonable approaches to the regulation of hyperlinks as opposed to a strict prohibition of such speech on the centralized source’s web site. For example, the FTC could require a disclosure in close proximity to the hyperlinks that such links are for informational purposes, or a disclosure that the consumer cannot obtain the federally mandated annual file disclosure through such links. This would appear to be a much more reasonable solution, and one that would allow consumers to continue to access legitimate links through the centralized source.

Moreover, the FTC could also consider enforcement actions against a CRA whose hyperlinks violated the existing prohibition against any communication which interferes with, detracts from, contradicts or otherwise undermines the purpose of the centralized source. The existing prohibition already cites pop-up advertisements that hinder the consumer’s ability to complete an online request for a free annual file disclosure. We believe that TransUnion’s practices in this area are fully compliant with the letter and spirit of the requirement.

Accounts

The FTC proposes to prohibit nationwide CRAs from asking or requiring consumers to establish an “account” as a prerequisite for obtaining a free file disclosure. The Proposal does not define “account,” but we assume the FTC intends to prohibit the practice that is used by TransUnion of asking the consumer to create a user name and password to obtain future access to the information in the file disclosure (see page 16).⁹ It is important to recognize that by having consumers create an account, TransUnion is providing consumers with a service that is not required by law. That is, allowing the consumer continued and secure access to their free annual file disclosure for up to 30 days. We do not believe the FTC believes it is in the best interest of consumers to eliminate this voluntary benefit and force all consumers to print their file immediately when they obtain it from the CRA. Yet, that may be the practical impact of the Proposal.

Another purpose for asking consumers to register and establish an account that can be accessed by an user-id and password, is to give the consumer a convenient method to access their annual file disclosure when it becomes available again 12 months later. The Free Reports Rule limited the information a CRA may ask to locate a consumer’s file. The establishment of an account allows TransUnion to minimize the time spent by the consumer, as well as the information required from a consumer, to provide that consumer with their next free report. Requiring the consumer to go through the more time consuming, and resource intensive, process of providing the more robust identification verification information to view his or her file disclosure would appear to be contrary to most consumers’ interests.

⁹ TransUnion also offers the consumer the option of providing an email address which allows TransUnion to notify the consumer when the consumer may obtain another file disclosure from TransUnion through the centralized source, and to provide newsletters. This is completely optional and explained to the consumer in the service agreement and on the web page that seeks to establish the account (see page 17).

If the FTC objects to *requiring*, as opposed to requesting, consumers to establish an account,¹⁰ we believe a CRA should be permitted to require the consumer to establish an account if the consumer wishes to have access to the information in the free file disclosure after the consumer leaves the centralized source. Such a result would allow consumers to decide whether they value the continued access to the information and whether the alleged burden of establishing an account is outweighed by the benefits of continued access to valuable information.

Terms or Conditions

The Proposal would prohibit a CRA from asking consumers to agree to terms and conditions as a prerequisite for obtaining the annual free file disclosure. First, it is important to remember that the Free Reports Rule and the direction of Congress does not require any CRA to deliver file disclosures through the internet. The ability to order or request the report is only required. So delivery of a report through the internet, where it may be more difficult to authenticate a consumer, must be tempered with consumer protection concerns in mind.

It is clear that consumers can request a free file disclosure via the telephone or mail without agreeing to terms and conditions. Agreeing to such terms and conditions is not a prerequisite to obtaining a free file disclosure from TransUnion (if the consumer refuses to do so on the internet, their request is handled as if it was a mailed request). We believe the terms and conditions for an electronic disclosure to consumers are appropriate, however, since consumers are obtaining immediate access to their file disclosure and for consumer protection. The terms and conditions simply are meant to act as a deterrent to consumers from accessing someone else's file disclosure without their permission (such as a former spouse). The terms and conditions also clarify that the consumer is not obligated to purchase any products and services from TransUnion to receive their annual file disclosure and that the consumer can dispute any incorrect information they see on their file and how to submit that dispute.

We note that the FTC has not objected to the content of the terms and conditions, nor has the FTC alleged that the terms and conditions are actually alienating or misleading consumers attempting to obtain free file disclosures. The FTC states only that “[a]part from providing appropriate identifying information, a consumer’s right to obtain a free annual file disclosure should be unfettered and without any restrictions or conditions.” However there are restrictions or conditions, required by law, which the FTC must concede are appropriate. For example, TransUnion should be permitted to ask the consumer to confirm that the consumer is who the consumer purports to be. The terms and conditions are also a useful mechanism to explain to the consumer how the centralized source works in an Internet context. Regardless, TransUnion believes there is a more reasonable method to address any concerns the FTC may have without resorting to absolute and extreme measures that can reduce consumer protection. If the FTC believes some of the terms or conditions are inappropriate, it should work with the relevant CRA to address those concerns.

¹⁰ Requesting consumers to establish an account does not impose a condition on them to obtain the free file disclosure, nor does it *require* the collection of personal information not necessary to provide initial access to the free file disclosure.

Free Credit Reports

Definition of “Free Credit Report”

The definition of a “free credit report” is key to the Proposal, as the advertising requirements apply only to the advertisement of a “free credit report.” The Proposal defines a “free credit report” (“Free Report”) to be a consumer report or file disclosure that is prepared by or obtained, directly or indirectly, from a nationwide CRA that is represented, either expressly or impliedly, to be available to the consumer free of charge and that is, in any way, tied to the purchase of a product or service.

As a general matter, it is not clear why this provision pertains to Free Reports involving only nationwide CRAs. If an entity is advertising a “free credit report,” it would seem that the disclosures are appropriate regardless of the provider or source of the information. Furthermore, we ask the FTC to clarify that a Free Report is one that is available at no cost only if the consumer must purchase a product or service, or agree to purchase a product or service subject to cancellation. We believe this is the FTC’s intent, but it is not clear what could also qualify as “tied to” the purchase of a product or service.

Scope of Requirement

TransUnion supports the FTC’s efforts to provide additional disclosures for advertisements of Free Reports. We urge the FTC, however, to make clear that the Proposal does not apply to free trial offers of a credit information/identity theft service where access to one or more file disclosures is only one component of the multi-featured credit information or identity theft service. These products are not marketed as “free credit reports,” nor do consumers generally believe them to involve the free file disclosure permitted under federal law. However, one interpretation of the Proposal could result in such products being subject to the restrictions intended for Free Reports. We doubt this was the FTC’s intent, and we ask for the appropriate clarification.

Internet Landing Site

With respect to the disclosure required on the web site at which a Free Report may be obtained, the Proposal requires a “separate landing page” containing only the disclosure specified by the FTC. This is contrary to the statutory requirement. In particular, if the FTC intends to require a disclosure in connection with the web site at which a Free Report is offered, Congress directed the FTC to require such a disclosure “on...the website.” There is no rational reading of the statute to suggest that the required disclosure is to be provided other than on the website itself, *i.e.*, among the text of the website where the product is offered. Indeed, the Free Report cannot be obtained at the landing website the FTC proposes to require. A separate landing site is therefore not a disclosure on the website at which a Free Report is offered, and the requirement falls outside the FTC’s delegated scope of authority.

We also note that a separate landing site is not what was intended when the provision was adopted. Specifically, when explaining the provision to his Senate colleagues prior to its adoption, Senator Carl Levin indicated that the FTC could require the disclosure “on” the advertisement, “on” the website to which the advertisement is linked, or “on” the homepage of the company advertising the Free Report. Requiring a landing page is not a disclosure “on” the website itself, nor is it the type of

disclosure that Congress would expect when it requires a disclosure to be “prominent.”¹¹ There is absolutely no indication that Congress intended for the FTC to create a new level of “prominence” for the Free Report disclosures. The FTC can therefore rely neither on the plain language of the statute, nor its legislative history, to support this provision of the Proposal. It simply exceeds the scope of the FTC’s delegated authority.

Even if the separate landing site were within the FTC’s authority, we believe that this restraint of speech is unnecessary to achieve the public policy objective enacted by Congress. Essentially, the FTC is asserting that any website that offers a Free Report, regardless of whether such offer is a primary, secondary, or tertiary purpose of the website, must first provide a landing page with the Free Report disclosure before it may provide the legal information about Free Reports to consumers. For example, a website could have 95% of its content dedicated to products other than a Free Report, but the mere “offer” of a Free Report among the various other products triggers the landing site requirement. Certainly there are less restrictive methods the FTC could use to achieve its objective. We believe there are less misleading methods, as well. Imagine the consumer who types www.transunion.com into their web browser with the intent to learn about the consumer reporting process but is directed to a landing page that has no relation to the main purpose of www.transunion.com and is told he or she must click on www.transunion.com to proceed—even though that is what the consumer typed in the first place. We do not believe that the same consumer the FTC alleges is misled by basic and unobtrusive hyperlinks on the centralized source will understand why they are getting an unrelated splash page and not be confused.

The Proposal is also extremely vague with respect to when the landing site must appear. Assume a consumer types in www.transunion.com into the web browser. Would a landing page be required in the following circumstances:

- The consumer can order the Free Report at that exact domain (*i.e.*, at www.transunion.com, not a subpage of the site);
- The web page has a link to where the consumer can order a Free Report and such link is a subpage of www.transunion.com;
- The web page has a link to where the consumer can order a Free Report, and such link is not a subpage of www.transunion.com;
- The web page does not itself have any information about a Free Report, but there is Free Report availability at a subpage of www.transunion.com;
- The web page simply has a link offering “information about other products or services,” or something similar, with no reference to a Free Report, but the linked page has information about a Free Report; or
- The “other information” link takes the consumer to a page with a link to information about Free Reports?

Of course, there could be other permutations of these possibilities, either now or in the future. The Proposal, however, is not clear as to when the landing page would be required.

¹¹ Despite various federal requirements for disclosures to be prominent (*e.g.*, pursuant to the Truth in Lending Act), we are aware of no circumstance where *any* Member of Congress at *any* time has suggested that “prominent” is a separate landing page in an Internet context. We believe there would have been significant discussion of such a point had Congress intended to adopt such a standard, especially since the plain language of the law and the explanation of the author indicate a more reasonable approach.

The FTC could obviously achieve its objective, *i.e.*, to inform consumers of the availability of the free file disclosure through the centralized source, by placing the Free Report disclosures in close proximity to the Free Report offers themselves. Not only does this ensure delivery of the disclosure to those consumers interested in the Free Report, but it also eliminates the ambiguity in the FTC's proposal about where a disclosure is required. We strongly urge the FTC to revise the Proposal accordingly.

CDIA Letter

TransUnion is a member of the Consumer Data Industry Association ("CDIA"). The CDIA has submitted, or will be submitting, a comment letter with respect to the Proposal. TransUnion confirms that it supports the statements made by CDIA as if they were made directly by TransUnion.

Conclusion

TransUnion supports efforts to ensure that consumers understand the products they buy, whether it is through the centralized source or a web site that offers Free Reports. These efforts must provide balance, however, between enabling consumers to make informed decisions and effectively reducing the availability or utility of the products offered. We have offered a variety of suggested improvements to the Proposal for the FTC to consider, and we look forward to working with the FTC in crafting a final rule. We will continue our history of improving the consumer experience and enabling consumers with tools to make informed decisions with respect to their credit profile. Please do not hesitate to contact me at 312-466-7730 if TransUnion may be of further assistance.

Sincerely,

John W. Blenke
Executive Vice President,
Corporate General Counsel and Corporate Secretary



AnnualCreditReport.com

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Request your free annual credit report.
It's QUICK, EASY and SECURE.

START HERE to view and print
your credit report now.

Select Your State



Request Report



Fight identity theft by monitoring and reviewing your credit report. You may request your free credit report online, [request your report by phone](#) or [request your report through the mail](#). Free credit reports requested online are viewable immediately upon authentication of identity. Free credit reports requested by phone or mail will be processed within 15 days of receiving your request.

This site is sponsored by:



What is AnnualCreditReport.com?

This central site allows you to request a free credit file disclosure, commonly called a credit report, once every 12 months from each of the nationwide consumer credit reporting companies: Equifax, Experian and TransUnion.

AnnualCreditReport.com is the official site to help consumers to obtain their free credit report.

We guard your privacy.

Please be aware of how you arrived at this site. To ensure that you are visiting the legitimate site, type <https://www.annualcreditreport.com> directly into the address bar on your browser. You will never receive an email directly from the Annual Credit Report Request Service. For further information please read the Security Policy.



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[Privacy Policy](#) [Site Use](#) [Security Policy](#)

PLEASE PROVIDE ALL OF THE PERSONAL INFORMATION REQUIRED BELOW.



This information is needed to begin the process of determining your identity and finding your credit report. Please refer to our [Privacy Policy](#) and [Security and Encryption Policy](#) to learn more about the use of and protection of this information.

* = Required Field

*First Name: Middle Initial: *Last Name: Suffix: [dropdown]

*Date of Birth: [Month dropdown] [Day dropdown] [Year (YYYY)]

*Social Security Number: [input] SSN will be encrypted for your protection

Check this box if, for security reasons, you want no more than the last four digits of your Social Security Number to appear when you view or print your credit report.

Current Address

*Line 1: [input] Line 2: [input] *City: [input] *State: [dropdown: Illinois] *Zip Code: [input]

Have you lived at your current address for at least 2 years?

- Yes
- No (If 'No', please provide previous address)

Previous Address

Line 1: [input] Line 2: [input] City: [input] State: [dropdown] Zip Code: [input]

For added security please type in the characters you see in the picture on the left, in the box below.



*Enter Characters: [input]

If you are unable to see the characters, please go to the [alternate request page](#). Learn more about this [security feature](#).

CONTINUE

Please select one or more of the following nationwide consumer credit reporting companies to request your free credit report.

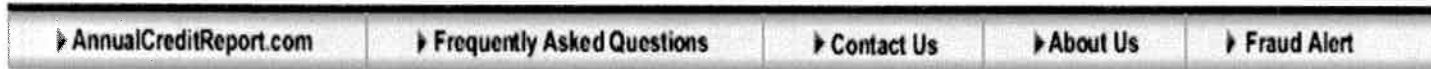


Click Next to continue

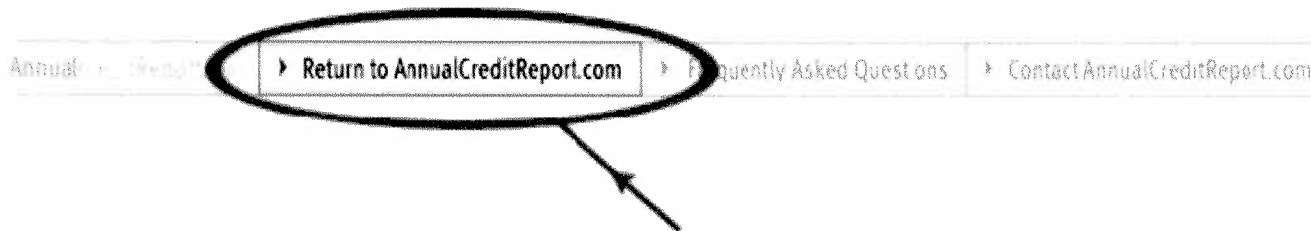
NEXT

Click Cancel to return to AnnualCreditReport.com Home Page

CANCEL

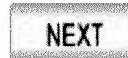


Click NEXT to continue. You will be transferred to the TransUnion site.



When finished at the TransUnion site, click on 'Return to AnnualCreditReport.com'

Click Next to continue. You will be transferred to the TransUnion site



Click Cancel to return to AnnualCreditReport.com Home Page



1 enter your information 2 confirm your identity 3 view your report

Welcome, Anne L Test

Thank you for selecting TransUnion for your **FREE personal credit report**.

- ▶ Your credit report is just moments away.
- ▶ To provide your credit report online, we need you to create a password in the next step.
- ▶ To protect your privacy, we'll also ask you a few questions about your credit report.



Ready? Let's get started!

CONTINUE

Information you've already provided

Name: Anne L Test
Date of Birth: 09/01/1957
SSN: XXX-XX-0001
Current Address: 1071 SW 101ST ST
Hollywood FL 33025

Tips on navigating through your order

Here is an example of the progress bar that will help you identify where you are in the order process.

1 enter your information 2 confirm your identity 3 view your report

Your free Personal Credit Report is moments away!

If you are an existing customer, [click here to login now](#).

Create an Account

Username

(8 or more characters, no spaces)

Password

(8 or more characters, no spaces)

Confirm Password

Choose a Secret Question*

Your Secret Answer*

Do not display my entire social security number on my disclosure.

[Why do I need a secret question & answer?](#)

Why?

- Have access to your report for 30 days.
- Eliminates hassles when you return next year.
- Improves security.

Service Agreement

Introduction

Thank you for requesting to receive your credit file disclosure ("Personal Credit Report") from TransUnion LLC through AnnualCreditReport.com. For us to fulfill your request on-line you must accept these terms and conditions. By clicking "Accept" below you

CANCEL

ACCEPT

Would you like to be notified when you're eligible for your next free report & receive our free TrueCredit e-newsletter and special offer emails?



If so, please provide your email address below and click "YES."

When you provide us with your email address, we'll notify you when it's time to get your next free credit report from TransUnion through AnnualCreditReport.com. We'll also send you newsletters and special offers from TransUnion and our subsidiary, TrueCredit, and their marketing partners. Remember, your email address is not required to get your free report.

We respect your privacy and we will never sell your email address, ever.

Your email address:

NO THANKS

YES, PLEASE KEEP ME INFORMED

We need to ensure you are really Anne.

We have a few questions for you - taken from your TransUnion credit report - to make sure that it can only be viewed by YOU.

Credit Applications

Your credit report shows that you may have applied for a new account, a loan, a cell phone, or an apartment within the past two years. Which company did you apply with most recently (including joint accounts)? [See example](#)

- SEARS
- GEMB/EXXONMOBIL
- IDEALHOMELOA/ADVANTAGECR
- GALAXYTOYOTA/GALAXYTOYOT
- NONE OF THE ABOVE

NEXT >>

FAQ

[What if I need to leave the site before I am finished?](#)

[What is a credit application?](#)

[What is included in the payments?](#)

[What is a credit card limit?](#)

Almost there...

Just a few more questions before we show you your credit report. Why? Protecting your privacy is #1 in our book.

Credit Card Limits

Your credit report indicates that you have a Department & Variety Stores credit card that you opened around August 1997. From the choices below, please select the credit limit for this account.

- \$243-\$287
- \$288-\$332
- \$333-\$377
- \$378-\$422
- NONE OF THE ABOVE

NEXT >>

FAQ

[What if I need to leave the site before I am finished?](#)

[What is a credit application?](#)

[What is included in the payments?](#)

[What is a credit card limit?](#)

In addition to your free credit report, see your credit score for just \$7.95

Your credit score is an essential part of your finances.

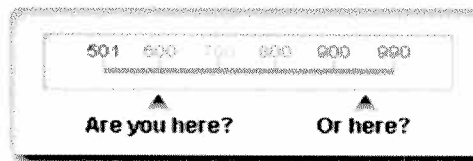


Featuring **VantageScore**, the score developed and used by the national credit bureaus. Add on your score and you'll:

→ See where you stand compared to the rest of the nation

→ Get personalized tips for managing your credit

[View a complete sample](#)



Note: Our Credit Score may not use the same credit scoring model used by a lender when making a lending decision.

This is your chance to see where you stand.

Find out your TransUnion credit score and receive custom tips for boosting it. Just \$7.95 when you select this option today.

Service Agreement

This Service Agreement ("Agreement") contains the terms and conditions upon which you ("you," or the "member") may access TrueCredit or any products other than your TransUnion Personal Credit Report through this web site (the "Site"). You agree to be legally bound by these terms.

NO THANKS, JUST MY REPORT

YES, SHOW ME MY CREDIT SCORE

[FAQ](#)

Thank you for your order.

[How do I later get a copy of this receipt?](#)

Please print a copy of this receipt for your records and [continue to the next step](#).

Order Date	Order Number
November 23, 2009	12524374C9480D

Order Detail	Price
Free Personal Credit Report	Free
Total \$0.00	

Payment	Amount
---------	--------

[NEXT](#)

- welcome
- credit report
- score
- security freeze
- 3-in-1 report
- credit monitoring
- debt analysis
- learning center
- savings source

transunion credit report report an inaccuracy consumer rights

Personal Credit Report

ANNE LINK TEST
Source: TransUnion

November 23, 2009
Available until Dec 23, 2009

Get Instant Message Updates About Your Credit Report

- Alerts you to possible fraud
- Sent to your desktop
- No need to check email

Free downloadable application
[Learn more >>](#)



Erase Debt 
Low Payments

Find a Low 
Mortgage Rate

Gold Card 
Prestige

 [Display a printer friendly version](#)

 [Found an inaccuracy? Click to learn about correcting](#)

Personal Information

Name: ANNE LINK TEST

You have been on our files since 05/1999

SSN:
Date of Birth:

File Number: 7614
Date issued: 11/23/2009
XXX-XX-0001
09/1957

Your SSN is partially masked for your protection

CURRENT ADDRESS

Address: 1071 SW 101st ST.
HOLLYWOOD, FL 33025

Date Reported: 08/1997

Special Notes: Your Social Security number has been masked for your protection. You may request disclosure of the full number by writing to us at the address found at the end of this report. Also if any item on your credit report begins with 'MED1', it includes medical information and the data following 'MED1' is not displayed to anyone but you except where permitted by law.

Account Information

The key to the right helps explain the payment history information contained in some of the accounts below. Not all accounts will contain payment history information, but some creditors report how you make payments each month in relation to your agreement with them.

Not Applicable	Unknown	Current	30 days late	60 days late	90 days late	120 days late
----------------	---------	---------	--------------	--------------	--------------	---------------

Adverse Accounts

The following accounts contain information that some creditors may consider to be adverse. Adverse account information may generally be reported for 7 years from the date of the first delinquency, depending on your state of residence. The adverse information in these accounts has been printed in brackets or is shaded for your convenience to help you understand your report. They are not bracketed or shaded this way for creditors. (Note: The account # may be scrambled by the creditor for your protection).

CITIBANK NA #5424

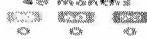
4401 E CREDITOR S ST
SUITE 401
CINCINNATI, CA 40001
(800) 555-4000

Balance: \$1,201
Date Updated: 07/2004
Credit Limits: \$5,000
Past Due: \$0

Pay Status: Paid or Paying as Agreed
Account Types: Revolving Account
Responsibility: Individual Account
Date Opened: 01/1999

Loan Type: Appliance/Furniture

Late Payments
48 months



Last 48 Months

Months



Satisfactory Accounts

The following accounts are reported with no adverse information. (Note: The account # may be scrambled by the creditor for your protection).

BURDINES #2255637702

4403 E CREDITOR S ST
SUITE 403
CINCINNATI, CA 40003
(800) 555-4000

Balance: \$0
Date Updated: 07/2004
High Balance: \$119,200
Credit Limits: \$0
Past Due: \$0

Pay Status: Paid or Paying as Agreed
Account Types: Revolving Account
Responsibility: Individual Account
Date Opened: 05/1999

Late Payments
48 months



Last 48 Months

Months



HRSI BANK #1015905771999

4404 E CREDITOR S ST
SUITE 404
CINCINNATI, CA 40004
(800) 555-4000

Balance: \$0
Date Updated: 07/2004
High Balance: \$119,200
Credit Limits: \$0
Past Due: \$0

Pay Status: Paid or Paying as Agreed
Account Types: Revolving Account
Responsibility: Individual Account
Date Opened: 02/1999

Late Payments
48 months



Last 48 Months

Months



HRSI BANK-WHIRL #15905771999

4405 E CREDITOR S ST
SUITE 405
CINCINNATI, CA 40005
(800) 555-4000

Balance: \$0
Date Updated: 07/2004
High Balance: \$119,200
Credit Limits: \$0
Past Due: \$0

Pay Status: Paid or Paying as Agreed
Account Types: Revolving Account
Responsibility: Individual Account
Date Opened: 05/1999

Late Payments
48 months



Last 48 Months

Months



MERC BK OF ST LOUIS NA #3646106

4402 E CREDITOR S ST
SUITE 402
CINCINNATI, CA 40002
(800) 555-4000

Balance: \$0
Date Updated: 07/2004
High Balance: \$119,200
Credit Limits: \$0
Past Due: \$0

Pay Status: Paid or Paying as Agreed
Account Types: Installment Account
Responsibility: Individual Account
Date Opened: 05/1999

Late Payments
48 months



Last 48 Months

Months



Regular Inquiries

The following companies have received your credit report. Their inquiries remain on your credit report for two years.

INQUIRY ANALYSIS NAME 1

5501 NW INQUIRY E ST
SUITE 501
INCITY, CA 50001
Phone number not available

Requested On:
Inquiry Type:

10/07/2004
Individual

Permissible Purpose: abc efgh jklmnopqrst vwxy
a cd fghijk mnopqrs

Inquiry Analysis

The companies listed in the regular inquiry section of your report that received your file in the last 90 days provided the following input on their request.

INQUIRY ANALYSIS NAME 1

Requested On: 10/07/2004

Identifying information they provided:

ANNIE LINK TEST

1101 CURRENT ST.
PERCITY, CA 10001

Should you wish to contact TransUnion,
you may do so,

Report an Inaccuracy:

[To learn about reporting an inaccuracy click here.](#)

By Mail:

TransUnion Consumer Relations
PO Box 2000
Chester, PA 19022-2000

By Phone:

1-800-916-8800

Our business hours in your time zone are: 8:30 A.M. to 4:30 P.M., Monday-Friday, except major holidays. Please have your TransUnion file number available (located at the top of this report.)

Get Instant Message Updates About Your Credit Report

- Alerts you to possible fraud
- Sent to your desktop
- No need to check email

Free downloadable application

[Learn more >>](#)



Para informacion en espanol, visite www.ftc.gov/credit o escribe a la FTC Consumer Response Center, Room 130-A, 600 Pennsylvania Ave., N.W., Washington, D.C. 20580.

A Summary of Your Rights Under the Fair Credit Reporting Act

The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under the FCRA. **For more information, including information about additional rights, go to www.ftc.gov/credit, or write to Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave., N.W., Washington, D.C. 20580.**

You must be told if information in your file has been used against you.

Anyone who uses a credit report or another type of consumer report to deny your application for credit, insurance, or employment -- or to take another adverse action against you -- must tell you, and must give you the name, address, and phone number of the agency that provided the information.

You have the right to know what is in your file.

You may request and obtain all the information about you in the files of a consumer reporting agency (your "file disclosure"). You will be required to provide proper identification, which may include your Social Security Number. In many cases, the disclosure will be free. You are entitled to a free file disclosure if:

- a person has taken adverse action against you because of information in your credit report;
- you are the victim of identity theft and place a fraud alert in your file;
- your file contains inaccurate information as a result of fraud;
- you are on public assistance;
- you are unemployed but expect to apply for employment within 60 days.

In addition, by September 2005 all consumers will be entitled to one free disclosure every 12 months upon request from each nationwide credit bureau and from nationwide specialty consumer reporting agencies. See www.ftc.gov/credit for more information.

You have the right to ask for a credit score.

Credit scores are numerical summaries of your credit-worthiness based on information from credit bureaus. You may request a credit score from consumer reporting agencies that create scores or distribute scores used in residential real property loans, but you will have to pay for it. In some mortgage transactions, you will receive credit score information for free from the mortgage lender.

You have the right to dispute incomplete or inaccurate information.

If you identify information in your file that is incomplete or inaccurate, and report it to the consumer reporting agency, the agency must investigate unless your dispute is frivolous. See www.ftc.gov/credit for an explanation of dispute procedures.

Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.

Inaccurate, incomplete, or unverifiable information must be removed or corrected, usually within 30 days. However, the consumer reporting agency is not required to remove accurate derogatory information from your file unless it is outdated (as described below) or cannot be verified. A consumer reporting agency may continue to report information it has verified as accurate.

Consumer reporting agencies may not report outdated negative information.

In most cases, a consumer reporting agency may not report negative information that is more than seven years old, or bankruptcies that are more than 10 years old.

Access to your file is limited.

A consumer reporting agency may provide information about you only to people with a valid need -- usually to consider an application with a creditor, insurer, employer, landlord, or other business. The FCRA specifies those with a valid need for access.

You must give your consent for reports to be provided to employers.

A consumer reporting agency may not give out information about you to your employer, or a potential employer, without your written consent given to the employer. Written consent generally is not required in the trucking industry. For more information, go to www.ftc.gov/credit.

You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.

Unsolicited "prescreened" offers for credit and insurance must include a toll-free phone number you can call if you choose to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-567-8688 (888-5OPTOUT).

You may seek damages from violators.

If a consumer reporting agency, or, in some cases, a user of consumer reports or a furnisher of information to a consumer reporting agency violates the FCRA, you may be able to sue in state or federal court.

Identity theft victims and active duty military personnel have additional rights.

For more information, visit www.ftc.gov/credit.

States may enforce the FCRA, and many states have their own consumer reporting laws. In some cases, you may have more rights under state law. For more information, contact your state or local consumer protection agency or your state Attorney General. Federal enforcers are:

TYPE OF BUSINESS:	CONTACT:
Consumer reporting agencies, creditors and others not listed below.	Federal Trade Commission Consumer Response Center - FCRA Washington, DC 20580 1-877-382-4357
National banks, federal branches/agencies of foreign banks (word "National" or initials "N.A." appear in or after bank's name)	Office of the Comptroller of the Currency Compliance Management, Mail Stop 6-6 Washington, DC 20219 1-800-613-6743
Federal Reserve System member banks (except national banks, and federal branches/agencies of foreign banks)	Federal Reserve Consumer Help PO Box 1200 Minneapolis, MN 55480 1-202-452-3693
Savings associations and federally chartered savings banks (word "Federal" or initials "F.S.B." appear in federal institution's name)	Office of Thrift Supervision Consumer Complaints Washington, DC 20552 1-800-942-6329
Federal credit unions (words "Federal Credit Union" appear in institution's name)	National Credit Union Administration 1775 Duke Street Alexandria, VA 22314 1-703-519-4600
State-chartered banks that are not members of the Federal Reserve System	Federal Deposit Insurance Corporation Consumer Response Center 2345 Grand Avenue, Suite 100 Kansas City, Missouri 64108-2638 1-877-275-3342
Air, surface, or rail common carriers regulated by former Civil Aeronautics Board or Interstate Commerce Commission	Department of Transportation Office of Financial Management Washington, DC 20590 1-202-366-1306
Activities subject to the Packers and Stockyards Act, 1921	Department of Agriculture Office of Deputy Administrator - GIPSA Washington, DC 20250 1-202-720-7051

Information Regarding State Laws Florida Residents

As of July 1, 2006 you have a right to place a "security freeze" on your consumer report, which will prohibit a consumer reporting agency from releasing any information in your consumer report without your express authorization. A security freeze must be requested in writing by certified mail to a consumer reporting agency. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. **You should be aware that using a security freeze to control access to the personal and financial information in your consumer report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, insurance, government services or payments, rental housing, employment, investment, license, cellular telephone, utilities, digital signature, Internet credit card transaction or other services, including an extension of credit at point of sale.** When you place a security freeze on your consumer report, you will be provided a personal identification number or password to use if you choose to remove the freeze on your consumer report or authorize the release of your consumer report for a designated period of time after the security freeze is in place. To provide that authorization, you must contact the consumer reporting agency and provide all of the following:

1. The personal identification number or password.
2. Proper identification to verify your identity.
3. Information specifying the period of time for which the report shall be made available.
4. Payment of a fee authorized by this section of the Florida Statutes.

A consumer reporting agency must authorize the release of your consumer report no later than 3 business days after receiving the above information.

A security freeze does not apply to a person or entity, or its affiliates, or collection agencies acting on behalf of the person or entity, with which you have an existing account, that requests information in your consumer report for the purposes of reviewing or collecting the account. Reviewing the account includes activities related to account maintenance, monitoring, credit line increases, and account upgrades and enhancements.

You have the right to bring a civil action against anyone, including a consumer reporting agency, who fails to comply with the provisions of Sec. 501.005, Florida Statutes, which governs the placing of a consumer report security freeze on your consumer report.

When you click the advertisements on this site, we may securely transfer your personal information to the appropriate partner.