



Privacy Journal

AN INDEPENDENT MONTHLY ON PRIVACY IN A COMPUTER AGE

November 2, 2012

Federal Trade Commission
Office of the Secretary
Room H-113 (Annex D)
600 Pennsylvania Avenue, NW
Washington DC 20580

Re: Proposed Consent Agreement In the Matter of In the Matter of Equifax
Information Services LLC, FTC File No. 102 3252

To the Commission:

I concur with the comments submitted by Robert Gellman on this date.

There has not been one year since the Fair Credit Reporting Act was enacted that Equifax, Inc. has been in compliance with the act, in my belief. For all but about five years, the company has been subject to one commission sanction or another. As a journalist, I have investigated the FCRA and Equifax since 1973.

This is an outrageous record. It is especially outrageous for a company that has increased its profits each year since the company has been regulated by the act and a company that has huge influence over the lives of American consumers and employees. It is a company that has, or should have, a staff of persons trained and educated in the FCRA. The commission should be emphasizing this.

If it has the authority, the commission should compound the money penalty or sanction to reflect the continual harm inflicted on the public. Merely paying back ill-gotten gains or what the commission calls "disgorgement" is inadequate. This is no deterrent. If the commission does not have authority to assess additional damages, it should say so in its order. And the commission should recite its compliance history with this company since 1971.

Yours truly,

Robert Ellis Smith
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Attorney
Providence R.I.