

**1999 HOUSE INDUSTRY, BUSINESS AND LABOR**

**HB 1305**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1305

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 01-18-99

Tape Number	Side A	Side B	Meter #
1	x		1057 - end
		x	0 - 1813
3	x		4723 - end
		x	0 - 1100
Committee Clerk Signature <i>Lisa Werner</i>			

Minutes: Rep. Rod Froelich: Introduced bill 1305 relating to consumer access to credit report information. See written testimony.

Vice Chairman Kempenich: Do they send out registered letters?

Rep. Froelich: This would be done like the Dept. of Transportation where a notice is sent out.

Rep. Koppang: Can we as a consumer already get this information? If we are going to buy a car or a home, they are going to do a credit check anyway are they not?

Rep. Froelich: Yes, anytime someone does a credit check you are notified.

Rep. Keiser: On line 12, the bill reads that a notice must be given each time an inquiry. Do you see any need for a provision for those people who move into a community and, in establishing themselves by going to the bank for a home loan, opening charge accounts, hook up of utilities, where there are multiple credit checks being done within the first two weeks. The bill proposes that requires that a letter be sent every time a request from a different source comes in. That

service would have to send that same information several times to the same person. Do you see this as a potential problem?

Rep. Froelich: Yes, that is a problem, but where do we set the limit. The agency is required to send out a post card saying that there was a credit check. The consumer should have the opportunity to know when and if they are being checked.

Rep. Koppang: In line 15, there is reference to Federal law. Is there any difference between the State law and the Federal law?

Rep. Froelich: Federal law reads that you may get one free copy a year from the reporting agency. Most people are not aware that they are supposed to call to get one.

Parrell D. Grossman: From the Attorney General office. Supporting bill 1305. See written testimony.

Rep. Keiser: If the Attorney General Dept. thinks this is that good of an idea, would you support an amendment that would transfer the cost to the Attorney Generals office, just as the Motor vehicle Dept. absorbs the cost for informing public?

Mr. Grossman: We Have not had the opportunity to discuss that. I am not authorized to do that, and I don't think we have the resources.

Rep. Keiser: What percentage of identity theft is coming from credit cards, and the misuse of things that don't require a credit check versus something that would involve a credit check?

Mr. Grossman: I have no data on that. This is more a means of discovering the identity problem.

Rep. Glassheim: Would it get at the problem not each time as an inquiry, but only when there is a report against you. You would then know there was a report.

Mr. Grossman: That is a good idea. There are many instances where you would want to know if someone is accessing your credit file. If you were notified of any entry on your credit check that would help with the problem.

Julie Jacobson: Supports bill 1305. Explanation of personal credit fraud.

Rep. Keiser: As this bill reads, it will not solve the problem. This will only be effective in ND, not in any other state.

Mrs. Jacobson: That is true, but it is a step in the right direction for future problems.

John Risch: ND Legislative Director of the United Transportation Union. See written testimony.

Kent Olson: ND PIA, supports bill 1305. Credit reports are necessary for acceptability of insurance. Credit reporting has become an underwriting factor. This is a first step in disclosure for the consumer.

Chairman Berg: When a person signs an insurance application, do they fully understand that you will be doing a credit check?

Kent Olson: Most people signing the forms have no idea that they are also signing a release for the credit check.

Rob Koppenhaver: Supports bill 1305.

**Opposition:**

Mike Lefor: ACB of ND, oppose bill. See written testimony.

**End side A tape 1, start side B.**

Rep. Glassheim: How does someone know if something is wrong on their credit record without any notification?

Mr. Lefor: We suggest that you come in periodically and check your report. If something is wrong, we investigate and correct it.

Rep. Johnson: How often do you find people coming in with complaints on their credit report.

Mr. Lefor: Not very often. Most often people come in to see what is on their record rather than to find out if something is wrong with it.

Rep. Stefonowicz: The bill states; and provide to the consumer a record of all inquiries made in the last twelve months. Is that required at the present time?

Mr. Lefor: Yes, that is part of Federal law. The inquiries are at the bottom of the report. That will show you who made the inquiries.

Rep. Stefonowicz: But do we get those every twelve months, or only in the case of adverse action?

Mr. Lefor: You are able to get the report any time you want. Or any time you are turned down for credit, and they send the adverse action to you, you can get copy of your report for free.

Chuck Axtman: Owner of Credit Bureau of Jamestown. Opposes bill. This is a highly regulated industry on the federal level and that is where it belongs because of the high degree of interstate commerce that we do. The credit report is only a credit history.

Ron Ness: President of the ND Retail Assoc. Opposes bill. Smaller retailer and consumers will end up paying for the cost of the reports.

Chairman Berg: Closed the hearing. No action taken.

**Tape 3 side A. Meter No. 4723**

The committee further discussed the bill.

No action was taken.

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1305.1

House Industry, Business and Labor Committee

Conference Committee

Hearing Date 1-25-99

Tape Number	Side A	Side B	Meter #
3	x		37.8
Committee Clerk Signature <i>Tisa Horner</i>			

Minutes:

HB 1305.1

Chairman Berg opened the meeting on the bill.

Motion by Rep. Kempenich for do not pass, second by Rep. Klein

by roll vote, 13 yes, 0 no, 2 absent, motion carried

Rep. Keiser will carry the bill

Chairman Berg closed the meeting on the bill.

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1305

Page 1, line 11, after "agency" insert "annually"

Page 1, line 12, replace "a notice each time the agency receives an inquiry" with "whose file contains negative information a written report describing the negative credit information"

Page 1, remove line 13

Page 1, line 14, remove "consumer", after the period insert "Negative credit information includes negative credit history and negative public record information.", and replace "notice" with "report"

Renumber accordingly

Date: 1-25-99  
Roll Call Vote #: \_\_\_\_\_

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1305

House Industry, Business and Labor Committee \_\_\_\_\_

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken do not pass

Motion Made By \_\_\_\_\_ Seconded By \_\_\_\_\_

Representatives	Yes	No	Representatives	Yes	No
Chair - Berg	/		Rep. Thorpe		
Vice Chair - Kempenich	/				
Rep. Brekke	/				
Rep. Eckstrom	/				
Rep. Froseth	/				
Rep. Glassheim	/				
Rep. Johnson	/				
Rep. Keiser	/				
Rep. Klein	/				
Rep. Koppang	/				
Rep. Lemieux					
Rep. Martinson	/				
Rep. Severson	/				
Rep. Stefonowicz	/				

Total (Yes) 13 No 0

Absent 2

Floor Assignment Keiser

If the vote is on an amendment, briefly indicate intent:



REPORT OF STANDING COMMITTEE (410)  
January 26, 1999 8:48 a.m.

Module No: HR-16-1167  
Carrier: Keiser  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**

**HB 1305: Industry, Business and Labor Committee (Rep. Berg, Chairman)** recommends **DO NOT PASS** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1305 was placed on the Eleventh order on the calendar.

**1999 TESTIMONY**  
**HB 1305**

# FAIR CREDIT REPORTING

September 1997

If you've ever applied for a charge account, a personal loan, insurance, or a job, there's a file about you. This file contains information on where you work and live, how you pay your bills, and whether you've been sued, arrested, or filed for bankruptcy.

Companies that gather and sell this information are called Consumer Reporting Agencies (CRAs). The most common type of CRA is the credit bureau. The information CRAs sell about you to creditors, employers, insurers, and other businesses is called a consumer report.

The Fair Credit Reporting Act (FCRA), enforced by the Federal Trade Commission, is designed to promote accuracy and ensure the privacy of the information used in consumer reports. Recent amendments to the Act expand your rights and place additional requirements on CRAs. Businesses that supply information about you to CRAs and those that use consumer reports also have new responsibilities under the law.

Here are some questions consumers commonly ask about consumer reports and CRAs — and the answers. **Note that you may have additional rights under state laws. Contact your state Attorney General or local consumer protection agency for more information.**

## **Q. How do I find the CRA that has my report?**

A. Contact the CRAs listed in the Yellow Pages under "credit" or "credit rating and reporting." Because more than one CRA may have a file on you, call each until you locate all the agencies maintaining your file. The three major national credit bureaus are:

- Equifax, P.O. Box 740241, Atlanta, GA 30374-0241; (800) 685-1111.
- Experian (formerly TRW), P.O. Box 949, Allen, TX 75013; (800) 682-7654.
- Trans Union, 760 West Sproul Road, P.O. Box 390, Springfield, PA 19064-0390; (800) 916-8800.

In addition, anyone who takes action against you in response to a report supplied by a CRA — such as denying your application for credit, insurance, or employment — must give you the name, address, and telephone number of the CRA that provided the report.

## **Q. Do I have a right to know what's in my report?**

A. Yes, if you ask for it. The CRA must tell you everything in your report,

including medical information, and in most cases, the sources of the information. The CRA also must give you a list of everyone who has requested your report within the past year — two years for employment related requests.

**Q. Is there a charge for my report?**

A. Sometimes. There's no charge if a company takes adverse action against you, such as denying your application for credit, insurance or employment, and you request your report within 60 days of receiving the notice of the action. The notice will give you the name, address, and phone number of the CRA. In addition, you're entitled to one free report a year if you can prove that (1) you're unemployed and plan to look for a job within 60 days, (2) you're on welfare, or (3) your report is inaccurate because of fraud. Otherwise, a CRA may charge you up to \$8 for a copy of your report.

**Q. What can I do about inaccurate or incomplete information?**

A. Under the new law, both the CRA and the information provider have responsibilities for correcting inaccurate or incomplete information in your report. To protect all your rights under this law, contact both the CRA and the information provider.

First, tell the CRA **in writing** what information you believe is inaccurate. CRAs must reinvestigate the items in question — usually within 30 days — unless they consider your dispute frivolous. They also must forward all relevant data you provide about the dispute to the information provider. After the information provider receives notice of a dispute from the CRA, it must investigate, review all relevant information provided by the CRA, and report the results to the CRA. If the information provider finds the disputed information to be inaccurate, it must notify all nationwide CRAs so that they can correct this information in your file.

When the reinvestigation is complete, the CRA must give you the written results and a free copy of your report if the dispute results in a change. If an item is changed or removed, the CRA cannot put the disputed information back in your file unless the information provider verifies its accuracy and completeness, and the CRA gives you a written notice that includes the name, address, and phone number of the provider.

Second, tell the creditor or other information provider **in writing** that you dispute an item. Many providers specify an address for disputes. If the provider then reports the item to any CRA, it must include a notice of your dispute. In addition, if you are correct — that is, if the information *is* inaccurate — the information provider may not use it again.

**Q. What can I do if the CRA or information provider won't correct the**

**information I dispute?**

A. A reinvestigation may not resolve your dispute with the CRA. If that's the case, ask the CRA to include your statement of the dispute in your file and in future reports. If you request, the CRA also will provide your statement to anyone who received a copy of the old report in the recent past. There usually is a fee for this service.

If you tell the information provider that you dispute an item, a notice of your dispute must be included anytime the information provider reports the item to a CRA.

**Q. Can my employer get my report?**

A. Only if you say it's okay. A CRA may not supply information about you to your employer, or to a prospective employer, without your written consent.

**Q. Can creditors, employers, or insurers get a report that contains medical information about me?**

A. Not without your approval.

**Q. What should I know about "investigative consumer reports"?**

A. "Investigative consumer reports" are detailed reports that involve interviews with your neighbors or acquaintances about your lifestyle, character, and reputation. They may be used in connection with insurance and employment applications. You'll be notified in writing when a company orders such a report. The notice will explain your right to request certain information about the report from the company you applied to. If your application is rejected, you may get additional information from the CRA. However, the CRA does not have to reveal the sources of the information.

**Q. How long can a CRA report negative information?**

A. Seven years. There are certain exceptions:

- Bankruptcy information may be reported for 10 years.
- Information reported in response to an application for a job with a salary of more than \$75,000 has no time limit.
- Information reported because of an application for more than \$150,000 worth of credit or life insurance has no time limit.
- Information about a lawsuit or an unpaid judgment against you can be reported for seven years or until the statute of limitations runs out, whichever is longer.

**Q. Can anyone get a copy of my report?**

A. No. Only people with a legitimate business need, as recognized by the FCRA. For example, a company is allowed to get your report if you apply for credit, insurance, employment, or to rent an apartment.

**Q. How can I stop a CRA from including me on lists for unsolicited credit and insurance offers?**

A. Creditors and insurers may use CRA file information as a basis for sending you unsolicited offers. These offers must include a toll-free number for you to call if you want to remove your name and address from lists for two years; completing a form that the CRA provides for this purpose will keep your name off the lists permanently.

**Q. Do I have the right to sue for damages?**

A. You may sue a CRA, a user or — in some cases — a provider of CRA data, in state or federal court for most violations of the FCRA. If you win, the defendant will have to pay damages and reimburse you for attorney fees to the extent ordered by the court.

**Q. Are there other laws I should know about?**

A. Yes. If your credit application was denied, the Equal Credit Opportunity Act requires creditors to specify why — if you ask. For example, the creditor must tell you whether you were denied because you have "no credit file" with a CRA or because the CRA says you have "delinquent obligations." The ECOA also requires creditors to consider additional information you might supply about your credit history. You may want to find out why the creditor denied your application before you contact the CRA.

**Q. Where should I report violations of the law?**

A. Although the FTC can't act as your lawyer in private disputes, information about your experiences and concerns is vital to the enforcement of the Fair Credit Reporting Act. Send your questions or [complaints](#) to: Consumer Response Center - FCRA, Federal Trade Commission, Washington, D.C. 20580.

## For More Information

For a free copy of [Best Sellers](#), a complete list of FTC publications, contact:

Consumer Response Center  
Federal Trade Commission  
Washington, D.C. 20580

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## PRIVACY, ACCURACY AND FAIRNESS OF SENSITIVE PERSONAL INFORMATION ENHANCED FOR CONSUMERS UNDER AMENDED CREDIT REPORTING STATUTE

[See the actual textual changes.](#)

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### Employers, Creditors and Credit Bureaus Have Major New Responsibilities

Beginning September 30, 1997, an employer must get a job applicant's written permission before obtaining a copy of the applicant's credit report. Also, for the first time, creditors and others that furnish information to credit reporting agencies -- the companies that compile and disseminate credit information -- will have new duties under federal law to ensure the accuracy of the information they supply. Credit bureaus will have increased duties as well, especially in the way they handle disputes from consumers about information in their files. These important new consumer protections are contained in amendments to the Fair Credit Reporting Act. The amendments, passed by Congress last year and effective Sept. 30, were designed to better ensure the accuracy and privacy of the information contained in consumer or credit reports.

Consumers told both Congress and the Commission that they had difficulty contacting personnel at the credit bureaus; that investigations of disputed information took too long; that they never learned the results of investigations; and that inaccurate information often reappeared on their consumer reports even after they had successfully disputed it with the credit bureau. The amended FCRA addresses each of these problems.

In addition, consumers also complained that the old FCRA imposed no responsibilities on businesses that reported information to credit bureaus concerning the accuracy of the data, and thus the law did not help with disputes with information providers. If the information in a credit report was wrong, the business had no obligation under the old FCRA to have reported accurate information or to have corrected mistakes. Now, for the first time, in addition to the duties imposed on credit bureaus, the law imposes legal duties on creditors and others that furnish information to credit bureaus regarding the accuracy of that information.

## PRIVACY PROTECTIONS ENHANCED

The new statute gives consumers added protections over the privacy of their credit bureau files and the sensitive information they contain. In addition to the requirement that employers must obtain an applicant's written permission before obtaining a credit report, employers who deny employment because of something in the applicant's report, now must provide the applicant with a copy of the credit report used before making the adverse decision, rather than just a post-denial notice that their report played a role in the denial. Consumers also now must consent to the release of any consumer report that contains medical information about them.

Consumers also gain protections against unsolicited credit and insurance offers, including the multiple credit card offers that many consumers receive on a daily basis. Under the old law, creditors and insurers were able to use the credit reporting agencies' file information as a basis for developing lists of consumers to whom they send offers. Under the new law, consumers can follow a simple procedure to "opt out" of inclusion on future lists. They can call a toll-free number that each bureau must establish (that will appear prominently on each offer), and have their name removed from these lists for two years; if they request, they will be sent a form that will allow them to take their names off of these credit bureau lists permanently.

## ACCURACY AND FAIRNESS IMPROVED

In order to enhance the accuracy and fairness of consumer reports, Congress imposed major new responsibilities on the credit reporting agencies and those businesses that report information to the credit bureaus.

### New Duties for Creditors and Businesses Supplying Information to Credit Bureaus

In practice, the most significant of the new obligations for creditors relate to information specifically disputed by consumers, whether to the credit bureau or directly to the creditor. When a consumer disputes information in his or her file with the credit bureau, the *creditor* now must do a number of things:

- Conduct an investigation.
- Review all relevant information.
- Report inaccurate or incomplete information to all national credit bureaus.

If the consumer reports directly to the creditor that the information it has furnished is inaccurate, the creditor may no longer report that information if it is in fact inaccurate. If the creditor continues to report any item disputed by the consumer, it must include a notation of its disputed status.

### New Responsibilities for Credit Bureaus



The amendments also impose new requirements on the credit bureaus concerning fil information that is disputed by consumers. In response to consumers' complaints the documentation in support of their disputes was disregarded, the credit bureaus for the first time have to consider and transmit to the furnisher all relevant evidence submitted by the consumer.

In addition, whereas under the old FCRA, investigations had to take place within a reasonable period of time, the new amendments establish a 30-day limit for the credit reporting agencies to resolve consumers' disputes. Also, consumers now will receive written notice of the results of the investigation within five days of its completion, including a copy of his or her credit file if it has changed based on the dispute. Once information is deleted, the credit bureaus can no longer reinsert it unless the entity supplying the information certifies that the item is complete and accurate and the credit bureau notifies the consumer within five days.

The new amendments require that national credit reporting agencies provide toll-free numbers with trained personnel accessible during normal business hours. They also increase the circumstances in which consumers can receive their credit histories without charge, and limit the fee to eight dollars (\$8.00) in other cases.

## **ENFORCEMENT STRENGTHENED**

The Federal Trade Commission is responsible for enforcing the FCRA. The new amendments now allow the agency to sue violators in most cases for up to \$2500 per violation, in addition to obtaining injunctive relief. States for the first time will be able to enforce the amended FCRA in federal or state courts on behalf of consumers in order to halt illegal conduct, and in certain cases to recover damages on behalf of state residents of up to \$1000 per violation.

## **FTC NOTICES PRESCRIBED**

As required by the amendments to the FCRA, the FTC has prescribed three notices that credit bureaus will use beginning tomorrow:

- A summary of FCRA rights to be provided to consumers with every credit report;
- A notice to be sent to users or purchasers of information regarding their responsibilities under the law; and
- A notice to be sent to furnishers of information (creditors) regarding their new responsibilities.

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## **FTC PUBLICATIONS**

The FTC has produced three publications: "Facts for Business, Credit Reports:

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## Credit Report Repair Index

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## Please read these important notes about credit repair

Welcome to our free online Credit Repair Seminar. This seminar goes over each step necessary to repair incorrect entries on your credit report. Please note that we are not lawyers nor credit experts. However, the information given out below is 100% legal and proven effective.

First of all, the term "Credit Repair" is a misnomer. What this information does is help you fix ERRORS on your credit report and clean up those "questionable" items. We don't imply for a second that you should attempt to clear off any accurate information from your credit history. This would be unethical. Attempts to purge accurate but negative items on your credit report is illegal.

While no one can legally remove accurate and timely negative information from a credit report, the law does allow you to request a reinvestigation of information in your file that you dispute as inaccurate or incomplete. There is no charge for this. Everything a credit repair clinic can do for you legally, you can do for yourself at little or no cost. According to the Fair Credit Reporting Act:

- You are entitled to a free copy of your credit report if you've been denied credit within the last 30 days. If your application for credit, insurance, or employment is denied because of information supplied by a credit bureau, the company you applied to must provide you with that credit bureau's name and address.
- You can dispute mistakes or outdated items for free. Ask the credit reporting agency for a dispute form or submit your dispute in writing, along with any supporting documentation.

This document goes over the steps you yourself can take to repair your credit. The basic strategy:

1. Get and review your credit report. To obtain free copies of your report, please see our section on [Getting and Reading Your Credit Report](#).
2. Clearly identify each item in your report that you dispute, explain why you dispute the information, and request a reinvestigation. If the new investigator reveals an error, you may ask that a corrected version of the report be sent to anyone who received your report within the past six months. Job applicants can have corrected reports sent to anyone who received a report for employment purposes during the past two years.
3. If the reinvestigation does not resolve your dispute, have the credit bureau include your version of the dispute (up to 100 words) in your file and in future reports. Remember, there is no charge for a reinvestigation.
4. You may continue steps 1, 2 and 3 above until you feel the dispute is settled satisfactorily.

That's all there is to it. Seems easy enough but you must have patience, because the credit bureaus are not always very cooperative. They make their money by providing credit reports to lenders not by fixing bad information in their databases.

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## Review your credit report

Now that you have the credit reports in hand, review them very carefully. Each agency follows their own unique format, but they provide the information which will help you decode your credit report. Of course, after reading the instructions, you may still feel like you're reading hieroglyphics. If you still don't understand your credit reports, call the agency which issued the report. They are required to explain

it to you (but not to pay for any postage or phone bills you may incur asking them about the information, of course). You may also see our section: [Help! What do all those codes mean?](#) in our credit report section and our section specifically on [decoding your credit report](#).

Please note that not all credit agencies will not have the same information. This is because not all creditors report to the same agency and many do not report to all three major credit agencies. Therefore, **to do a complete job**, it is vital that you get and obtain credit reports from all credit agencies.

Once you have obtained all of your credit reports, carefully note any records which you believe to be inaccurate, incorrect, erroneous, misleading or outdated. ([return to Index](#))

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## Rank questionable items

Once you have noted each questionable item, you should rank them. Rank the most damaging information first, followed by the next most damaging, followed by those items which are neutral. Do this for each credit report, as they may not all have the same questionable information on them. They may even have duplicate information. If this is the case, you will need to write each credit agency individually per duplicate item.

The items here are listed in order of descending importance with the first item being the "most damaging" to your credit.

1. bankruptcy
2. foreclosure
3. repossession
4. loan default
5. court judgments
6. collections
7. past due payments
8. late payments
9. credit rejections
10. credit inquiries

([return to Index](#))

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## Requesting corrections

It is very important that each questionable item is dealt with individually. If you

attempt to have the credit reporting agency correct several items (or even all items) at once, it will be easier for the agency to claim that your request is frivolous or irrelevant.

They may attempt to bully you into believing that your request is frivolous or even unlawful. But the credit reporting agencies are required to assume that all disputes are bona fide unless there is clear and convincing evidence that it is not. A blanket dispute (i.e., all information is challenged) may be considered a frivolous dispute if you fail to provide allegations concerning specific items in your file.

You should challenge each item individually. Don't give in to them if they send ominous letters warning of dire consequences if your claims are frivolous. If the information they are reporting is inaccurate, incorrect, erroneous, misleading or outdated, they will have to remove it upon investigation. The specific law on disputes is found in United States Code, Title 15, Chapter 41, Subchapter III, Section 1681i, entitled *Procedure in case of disputed accuracy*.

You will now write a letter to each credit reporting agency, requesting an investigation to verify the status of the most damaging item reported by that agency and asking that they correct the information.

Also, keep in mind that absent a clear statement that the accuracy or completeness of specific information is "disputed" or "challenged", your letter might not be construed as an exercise of rights under the Fair Credit Reporting Act. Mere explanation of the reason a debt was not paid might not constitute a dispute and does not require the credit reporting agency to reinvestigate or accept your written dispute statements. Explanations are not useful. Disputes get results.

Once the credit reporting agency has received your dispute letter, they are obligated to investigate. This obligation is not contingent upon you having been denied credit.

Where to send your credit disputes? See our section on "Getting and Reading your Credit Report" for credit agency addresses.  
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## Sample letter 1

**The following is a sample letter requesting the removal of inaccurate information. Always include any copies of proof you may have (i.e., cancelled checks showing timely payments, paid off accounts, loans: anything that will show the information is indeed erroneous). It never hurts to include the consequences that have resulted from this wrongful information as well. The credit agencies give the most immediate attention to seriously wronged consumers. Remember, they are bombarded with 10,000 letters/day.**

---

Your Name  
123 Your Street Address  
Your City, ST 01234

The Credit Bureau  
Bureau Address  
Anytown, State 56789

Date

Dear Credit Bureau,

This letter is a formal complaint that you are reporting inaccurate credit information

I am very distressed that you have included the below information in my credit profile due to its damaging effects on my good credit standing. As you are no doubt aware, credit reporting laws ensure that bureaus report only accurate credit information. No doubt the inclusion of this inaccurate information is a mistake on either your or the reporting creditor's part. Because of the mistakes on my credit report, I have been wrongfully denied credit recently for a *<insert credit type for which you were denied here>* , which was highly embarrassing and has negatively impacted my lifestyle.

*optional*With the proof I'm attaching to this letter, I'm sure you'll agree it needs to be removed ASAP.

The following information therefore needs to be verified and deleted from the report as soon as possible:

CREDITOR AGENCY, acct. 123-34567-ABC

Please delete the above information as quickly as possible.

Sincerely,

*your signature*

Your Name  
SSN# 123-45-6789  
*Attachment included.*

***Don't forget to provide proof if you have it!***

Keep a copy for your files and send the letter registered mail.

(return to Index)

---

## Sample letter 2

**In this letter, and all succeeding correspondence with the credit reporting agency, you need to get increasingly threatening.**

---

Your Name  
123 Your Street Address  
Your City, ST 01234

Credit Bureau  
Credit Bureau Address  
Some City, Any State 56789

Date:

RE: Dispute Letter of *Date you sent in first or subsequent requests*

Dear Credit Bureau,

This letter is formal notice that you have failed to respond to my dispute letter of *date*. I sent this letter registered mail and have enclosed a copy of the return receipt which you signed on *some date*.

As you are well aware, federal law requires you to respond within 30 days. It has now been over that period since your receipt of my letter. As you are no doubt aware, failure to comply with federal regulations by credit reporting agencies are in serious violation of the Fair Credit Reporting Act and may be investigated by the FTC. Obviously, I am maintaining detailed records of all my correspondence with you.

I am aware that you may have misplaced my letters or have failed to respond to my letter because of an oversight due to the high volume of the requests you receive daily. If this is the case, I'm sure you'll want to handle this matter as soon as possible. For this purpose, I have included a copy of my original request, the dated receipt of your reception of the original letter and a copy of the proof verifying the incorrectness of the credit item you have mistakenly placed on my records.

The following information therefore needs to be verified and deleted from the report as soon as possible:

CREDITOR AGENCY, acct. 123-34567-ABC

Please delete this erroneous item from my credit report as soon as possible.

Testimony  
HB 1305  
Representative Rod Froelich

Chairman Berg and Members of the Committee, I am Representative Rod Froelich, and I am here to testify in favor of HB 1305.

This proposed legislation requires a credit reporting agency to provide free of charge to a consumer a notice each time the agency receives an inquiry and supplies information regarding the consumer's credit file. This notice must also provide information on the consumer's access rights to that file. Upon request, the credit reporting agency must provide the consumer a copy of that file as well as a record of all inquiries and report recipients. The credit reporting agency is allowed to charge a reasonable fee for providing the information, except as otherwise stipulated by federal or state law. The fee should range from \$5 to \$10.

Chairman Berg and Members of the Committee, we live in the Information Age. With the help of technology, information about every one of us is being amassed by organizations for a multiple of reasons. Aside from the issues of privacy and misuse, some of that information is just plain wrong. Wrong information in the hands of a credit reporting agency, commonly known as a credit bureau, can jeopardize an individual's ability to finance a home, buy insurance, or get a new job. North Dakota should provide the necessary safeguards for consumers to minimize the damage that incorrect information could render in such instances. A Do Pass recommendation by this committee on this bill will signal to the public that we are serious about fair and accurate credit reporting.

Thank You.



## **CHECK THE ACCURACY OF YOUR CREDIT REPORT**

Your credit history is an important part of your personal and financial future. It can help open doors for you, to a new job or a new home, for example, or keep them locked.

Maintaining a good and accurate credit history is essential because lenders and businesses rely on it to evaluate not only your credit worthiness, but even your character. Yet, with three national credit bureaus entering 2 billion pieces of data into credit records each month, it is possible that errors could creep into your report.

Many people first become aware that their credit report contains significant inaccuracies only when they are denied credit. You can avoid that unpleasant surprise by checking regularly with the three national credit bureaus -- Equifax, TransUnion, and TRW -- to make sure your report is accurate and current.

A good time to review your credit report is at the beginning of every year and six months before making a major purchase, such as a new home or a car, or seeking a job that requires a security clearance or background check.

The bureaus may charge you a fee (usually around \$8) for a copy of your report. TRW will provide one free report annually to consumers. But if you have been denied credit because of information in your credit report, all three bureaus will provide a copy free of charge.

Once you've received a copy of your credit report, make sure it is current and error-free. Under federal law, you have a right to have any incomplete or inaccurate information corrected by a credit bureau at no charge.

If you find inaccuracies or incomplete information in your report, follow these steps to get the problem corrected:

- Inform the credit bureau of the problem in writing within 30 days of receiving your report. The bureau is legally obligated to correct the error and will usually reinvestigate the disputed information by going to the source of the information.
- If the bureau fails to correct an error to your satisfaction, you may send the bureau a written statement of no more than 100 words explaining your account of the situation. In many instances, the bureau must reflect your statement in any future reports that contain the disputed data. You might also consider contacting the Consumer Protection Division.

To receive a copy of your credit report, write or call:

Equifax Information Service Center  
Attention: Consumer Department  
PO Box 740241  
Atlanta, GA 30374  
1-800-685-1112

TransUnion Corporation  
National Consumer Disclosure Center  
PO Box 390  
Springfield, PA 19064  
1-800-888-4213

Your credit history can have a profound effect on your financial and personal future. Take care to protect it by regularly checking its accuracy and completeness with all three major bureaus.

If needed, exercise your right to correct any errors on your report. Repairing an inaccurate credit history is best done by you. Beware of companies that bill themselves as "credit repair experts" and claim they can do more than you under existing laws.

HOUSE OF REPRESENTATIVES INDUSTRY, BUSINESS AND LABOR COMMITTEE  
RICK BERG, CHAIRMAN  
JANUARY 18, 1999

TESTIMONY BY  
PARRELL D. GROSSMAN  
DIRECTOR, CONSUMER PROTECTION AND ANTITRUST DIVISION  
OFFICE OF ATTORNEY GENERAL  
IN SUPPORT OF  
HOUSE BILL NO. 1305

Mr. Chairman and members of the House Industry, Business and Labor Committee. I am Parrell Grossman, Director of the Consumer Protection and Antitrust Division of the Attorney General's Office. The Attorney General supports House Bill No. 1305 and Representative Froelich's efforts on behalf of consumer protection.

This bill addresses consumer credit reporting. As you know modern lending practices have spawned a large industry involved in collecting and reporting the credit history of consumers as well as other information about consumers relevant to the determination of their credit worthiness. It has long been common practice for creditors, considering the extension of credit, to request a consumer credit report from their local credit-reporting agency.

The consumer credit reporting industry is governed by the federal Fair Credit Reporting Act, originally enacted by Congress in 1968. This act provides important protections to consumers against the misuse of what is usually highly personal information about them and against the accumulation and dissemination of inaccurate or false information about the consumer's credit worthiness.

The Fair Credit Reporting Act permits the states to enact consumer protection provisions of their own as long as those provisions are not inconsistent with the federal act. Having read House Bill 1305, it is my conclusion that its provisions are not inconsistent with the Fair Credit Reporting Act.

Instead, this legislation supplements the federal consumer protections by providing consumers with a notice each time a consumer credit reporting agency receives an inquiry regarding the consumer's file which results in the agency providing information concerning the consumer. This notification makes good sense for consumers. It would be similar to the requirement that the North Dakota Motor Vehicle Department notify drivers license holders when an insurance company requests a copy of their drivers license record.

Consumers are entitled to know when someone is accessing their consumer credit file. Unless they know who is seeking access to personal information about their credit-worthiness, consumers are handicapped in their ability to monitor and control the use of that information. They need to know who is seeking credit information

about them in order to prevent misuse and abuse of their credit history and other credit information.

A very current example of where this protection would be very helpful is in the area of "identity theft." Identity theft occurs when someone illegally assumes a consumer's credit identity by applying for and using credit under the name, social security number and credit history of an unsuspecting consumer. Identity theft is a growing problem, often involving organized criminal gangs. Frequently, the consumer first learns that his or her credit identity has been purloined when he or she begins receiving dunning notices for debts the consumer did not incur.

This bill would arm the consumer against possible identity theft by informing the consumer when someone is seeking access to the consumer's credit record. The consumer could then investigate any unauthorized or unfamiliar information requests or pattern of requests to see if it was part of an attempt to use the consumer's credit identity unlawfully.

Mr. Chairman and members of the committee, for these reasons, on behalf of the Attorney General, I respectfully urge this committee to give House Bill 1305 a "Do Pass" recommendation. Thank you. I am willing to try and answer any questions.

# united transportation union



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Bismarck, ND 58504  
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JOHN RISCH  
Legislative Director  
NORTH DAKOTA LEGISLATIVE BOARD

Testimony of John Risch  
Before the House Committee on  
Industry, Business and Labor  
In Support of  
House Bill 1305  
January 18, 1999

Mr. Chairman and members of the committee, my name is John Risch. I am the North Dakota Legislative Director of the United Transportation Union. The UTU is the largest rail labor union in North America. Our membership includes conductors, engineers, switchmen, trainmen and yardmasters.

We support HB 1305 because it would alert people when their credit is being investigated and it would allow people access to their own credit history.

I, for one don't want anyone snooping into my business and if they do HB 1305 would at least allow me access to the same information and alert me as to who is doing the snooping.

The process outlined in the bill is similar to the already successful process of alerting people when someone checks on their driving record. This process doesn't seem to be overly burdensome for the DOT.

We seem to be in a society of information gathering on everyone. I've read several articles in national publications that explain that a clever thief can ruin you financially if he or she gets your Social Security number.

While HB 1305 may not stop that, it might give folks an early warning when someone begins looking into their financial affairs.

saved:1305

# Are you a target for identity theft?



THE CREDIT INDUSTRY CAN AND SHOULD DO MORE TO PROTECT CONSUMERS FROM THIS CRIME.

**A**delaide Andrews paid her bills on time. Her credit report was spotless. Then in 1995 the investment researcher from San Diego began getting phone calls from lenders and collection agencies who wanted her to pay up on a slew of past-due credit accounts she'd never opened. Her bank accused her of being a bad credit risk and refused to

refinance her home mortgage. The Internal Revenue Service said she owed taxes on income she'd never seen.

And then there was the arrest warrant in Nevada for domestic battery. "You have to understand, I'm the

kind of person who has never been to the principal's office," says Andrews, 34. "This scared me."

Andrews is the victim of identity theft, a crime of the instant-loan 1990s that defrauds more than a thousand people a day. An employee in an office where Andrews had once gotten an X-ray had stolen her name and Social Security number from medical files, Andrews believes. With those, the thief was able to open credit lines worth \$10,000, rent apartments, sign up for utilities, and even earn income in Andrews' name.

The theft of Andrews' identity was made possible by lenders and credit-reporting agencies that allowed the wrong person to use, then ruin, Andrews' good credit reputation. It took Andrews two years to get the credit industry to straighten out her files, during which time the thief continued to use her name, and creditors continued to harass her.

Meanwhile, Andrews hired a private detective and found the person who, she alleges, stole her name. But neither lenders nor credit bureaus nor law-enforcement authorities bothered to pursue the case, because the dollar losses weren't high enough.

Andrews is now suing

*No help Adelaide Andrews tracked down the person she says stole her identity, but authorities wouldn't pursue the case.*

two credit bureaus, Trans Union and Experian (formerly TRW)—a new avenue for identity-theft victims who say they have nowhere else to turn. "Litigation over ID theft is absolutely and unmistakably on the rise," says Willard Ogburn, executive director of the nonprofit National Consumer Law Center, in Boston.

The crime itself is one of the fastest-growing in the nation, according to the California District Attorneys Association. Identity thieves make off with billions of dollars a year, says Diane Terry, director of fraud-victim assistance for Trans Union. But neither Trans Union nor any other agency keeps track of total losses, which promise to grow as more private financial information becomes accessible via the Internet.

The dollar losses aren't the real problem for most victims; Federal law limits a consumer's liability for credit-card fraud to \$50 per account, and lenders often forgo that. The real hell of ID theft comes from nondollar damages: Your credit rating is ruined, you risk being rejected for everything from a college loan to a mortgage, and it's up to you to fix it all.

## Just who is the victim?

Local police typically don't pursue ID-theft cases because they see the lender—not you—as the victim, and the lender rarely asks them to act. The U.S. Secret Service has jurisdiction over this crime when credit cards are involved, but victims and consumer advocates say losses must exceed \$50,000 for consumer complaints to interest the agency.

Why don't the credit bureaus do a better job of repairing the damage? Because they work for lenders—not consumers—and lenders don't pay them to protect consumers. To credit bureaus, your identity is little more than a commodity to be refined and sold in a variety of forms: basic identifying data (Social Security number, date of birth), bill-paying history, creditworthy marketing prospect.

For their part, lenders who make money encouraging debt have no incentive to make getting credit more difficult. Instead, they pass on fraud losses to honest consumers in the form of higher interest rates and fees, and higher retail prices.

In fact, the credit industry could

## IN SHORT

Using your good name, an identity thief can borrow money, file for bankruptcy, even give you a criminal record.

High-income individuals with good credit are most at risk.



Photo by Aaron Chang

House Bill 1305  
House Industry, Business and Labor Committee  
Peace Garden Room  
January 18, 1999 - 10:00 AM

Good Morning, Chairman Berg and members of the House Industry, Business and Labor Committee, my name is Mike Lefor, I am the legislative director for the Associated Credit Bureaus of North Dakota. We have several members of our association here today from different sections of the state. We are here today to speak in opposition to House Bill 1305.

The vast majority of the provisions in this bill are already covered by the Fair Credit Reporting Act. The FCRA has been in effect for many years and has been amended and updated many times over the past several years. This bill asks for consumer credit reporting agencies to send a notice each and every time there is an inquiry on their credit reporting file.

Individuals already know when they apply for credit that their credit file is being accessed. When you sign a credit application for a loan, credit card or an open account, you are authorizing the bank, credit union or retailer to access your credit report. The statement on the form states that you are authorizing them to search your credit history.

It is not necessary to send out notices, because they already know their credit report is being accessed. The Fair Credit Reporting Act states that businesses must have one of five permissible purposes for accessing someones credit report, this includes the extension of credit, for employment verification purposes, etc.

In addition to that, if an individual is declined for credit, the Act requires the credit grantor to send a Statement of Adverse Action. This statement must disclose the reason or reasons for the adverse action. It must also state the name, address, city, state, zip code and telephone number of the consumer credit reporting agency the report was pulled from. The statement also gives consumers information regarding their rights including the fact that since they have been denied credit, they may receive a copy of their credit report from the consumer credit reporting agency at no charge for a period of sixty days.

If the individual receives a copy of their credit report and disagrees with a rating in the file, we are required to do an investigation by calling the credit grantor in question and get the information. If the credit grantor states that the information is correct we let the individual know and if they continue to disagree they can file a statement of consumer to be placed in their file so that any one else who inquires on his or her file this statement will be part of the file.

If the information contained in the file is incorrect, credit reporting agencies are required to update the file, which we do immediately and through a program called ACDV, the consumers information is automatically updated on the consumers file on each one of the three major credit reporting repositories in the country. In addition, credit reporting agencies contact the credit grantor who inquired on the persons file



Mike Lefor  
House Bill 1305  
Testimony - Page 3

to give them the corrected information. The system is working great for consumers, credit grantors and the credit reporting industry. Let me give you a couple of examples of situations where sending out notices would do nothing but confuse the consumer, First, if an individual goes to a car dealership, they may pull an individuals files and work with several banks and or credit unions to obtain financing. If the car dealership, banks and credit unions all pulled files on the individual he or she might receive three, four or maybe more notices in the mail, which would tend to confuse them.

Another example would be if the credit grantor obtains a credit report from all three credit reporting repositories, the individual would then get three notices in one day from three different companies, this again would serve to confuse many consumers.

The Federal Fair Credit Reporting Act also details the length of time adverse information may stay in a consumers file, for example, bankruptcies for ten years, judgements, tax liens, etc. for seven years. These items are automatically purged out of the system.

At the present time, the three national credit reporting repositories, Equifax, Experian and Trans Union are involved in their biggest and most complicated technological project ever ---- Year 2000. This project involves getting every bank, credit union, retailer, etc. who gives their information to credit reporting agencies to update their format to conform to Year 2000.

Mike Lefor  
House Bill 1305  
Testimony - Page 4

This is the largest and one of the most costly undertakings in credit reporting history. Literally, changing formatting information for hundreds of thousands of credit grantors nationwide. One of the systems analysts, told me they would have no idea how they could implement this if it were to become law.

In summary, though well intentioned, all of the protections sought here are covered by Federal Fair Credit Reporting Act. This bill is repetitive and costly, and, in the end, would end up costing the consumer, the very group this bill seeks to help, the most in added costs, etc.

For all of the reasons which I have previously mentioned, we strongly urge your committee to oppose this bill. Thank you.

**HB 1305****House Industry, Business, and Labor  
Chairman, Rick Berg**CHAIRMAN

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NELSON'S FURNITURE, BOTTINEAU

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RYAN THOMPSON  
SIOUX CYCLE, MANDAN

Mr. Chairman and members of the committee my name is Ron Ness, I am the President of the ND Retail Association. I appear before you in opposition to HB 1305.

We oppose this legislation on the basis that the Fair Credit Reporting Act already regulates credit reporting. Consumer's rights are protected under federal law. The availability and use of credit has become a valued customer service and an important aspect of retailing. Retailers have informed me that the passage of this bill would increase the cost of providing credit by 200% for retailers in North Dakota. Small retailers who provide credit would be impacted more than larger multi-state chains because larger chains operate in such volume they can negotiate more favorable rates with credit agencies.

Retailers with credit programs run quarterly credit checks to ensure that their credit card holders maintain a favorable credit standing. This bill will require a notice to be sent to each consumer every time this check is completed as well as each time a customer fills out a credit application.

The Fair Credit Reporting Act requires:

- The applicant to be notified that credit was refused.
- The reason credit was refused.
- Where the credit information was received.
- 90 days to receive a free copy of the credit report.
- Requirement to investigate if requested by applicant.

Mr. Chairman and members of the committee we urge a do not pass recommendation on this bill. This bill if passed will place an undue hardship on small businesses in the state of North Dakota and increase the cost of credit.

Thank you, I would be happy to answer any questions.

ROBERT KUTTNER

## THE U.S. COULD USE A DOSE OF EUROPE'S PRIVACY MEDICINE



**SENSIBLE:**  
The EU's new rules drastically limit the ability of companies to sell data on consumers—and that's a good thing

The European Union has just enacted a new law for the protection of privacy that raises intriguing questions about the relationship between property, liberty, government, and the rules of global trade. It also portends more conflict between the U.S. and its European trading partners, as their economies become ever more tightly linked.

The EU's directive, which took effect on Oct. 25, drastically limits the ability of companies to market data on consumers, something taken for granted in the U.S. This is not a case of pointy-headed bureaucrats running amok. The EU's policy reflects what has long been a much tougher approach to consumer privacy throughout Europe. The directive requires member nations to enact conforming national laws. Six countries comply now.

Most of Europe already limits telemarketing. The new rules extend this to junk faxes and E-mails. The existing laws of individual European nations have stricter rules on commercial data collection, as well as entire agencies making sure government and private data on citizens are used only for their original purposes. To some extent, these safeguards reflect a greater European anxiety about Big Brother, given the Continent's experience with totalitarianism. Yet they recognize—appropriately—that Big Brother can be a commercial data bank as well as a state agency. Americans have resisted government-issued identification cards as an invasion of liberty and privacy. Most European nations use such cards, with important benefits to law enforcement and public health, but balance them with comprehensive privacy protections.

**COMMON LAW.** France and Germany, among other nations, legally codify a right to privacy. The U.S., supposedly the more libertarian nation, has no such generic right. Rather, as Supreme Court Justice Louis Brandeis long argued, the fundamental right "to be let alone" can be inferred from the common law. If I publicly disseminate your personal letters, I may be sued for appropriating a literary work or for violating an implicit contract—but not necessarily for a more general breach of your privacy.

The new EU directive creates a general right for citizens to opt out of private databases. If a citizen requests it, data collected for one purpose—say, a credit-card purchase—

cannot be bought and sold for other purposes. This provision is a deadly assault on the now-vast direct-marketing industry, and it affects anyone selling to a European consumer, including an American company.

U.S. trade negotiators are fighting this directive, on the grounds that it violates free trade. This is a battle they are likely to lose. Indeed, the Europeans are not content simply to protect European consumers. The EU also wants the U.S. government to increase privacy safeguards for American shoppers. If this demand seems a little cheeky, please recall that the U.S. has long thrown around its weight on trade matters. We want the Japanese to change their distribution system; the Brazilians to accept our conception of intellectual-property protection; the French to modify their cultural policy; the Canadians to cut subsidies; and the Middle East to accept American norms of what constitutes bribery.

**AMERICAN RULES.** As different customs and systems of laws become interlinked by trade, common ground rules for commercial practices must be negotiated. But the laws of commerce slop over into cherished national customs and values. Notwithstanding post-cold war rhetoric about the "end of history" with its facile claim that there is one true model of capitalism and democracy (which just happens to be the American one), it is not realistic to expect that other nations will simply embrace American rules. It doesn't work to say that we are simply enforcing "free trade," because issues of property rights in databases and intellectual property are legal constructs that may reasonably differ from country to country.

It's more likely that the U.S., as well as Europe, will need to compromise if there are to be viable rules for global commerce. That's not such a bad thing. Although libertarian ideology holds that property rights are paramount—even that they anchor other rights—the reality is considerably more complex. A telemarketer's right to invade my dinner or an insurance company's view of my medical records as mere property must be balanced against my rights as a citizen. We Americans happily import sophisticated European products—French wines, Italian fashions, German autos. We should consider importing Europe's more evolved and balanced conception of privacy.

Robert Kuttner is co-editor of *The American Prospect* and author of *The End of Laissez-Faire*

**\*106840 15 U.S.C.A. § 1681j**  
**UNITED STATES CODE**  
**ANNOTATED**  
**TITLE 15. COMMERCE AND**  
**TRADE**  
**CHAPTER 41--CONSUMER**  
**CREDIT PROTECTION**  
**SUBCHAPTER III--CREDIT**  
**REPORTING AGENCIES**

*Current through P.L. 105-216, approved  
7-29-98*

**§ 1681j. Charges for certain disclosures.**

(a) Reasonable charges allowed for certain disclosures

(1) In general.--Except as provided in subsections (b), (c), and (d) of this section, a consumer reporting agency may impose a reasonable charge on a consumer--

(A) for making a disclosure to the consumer pursuant to section 1681g of this title, which charge--

(i) shall not exceed \$8; and

(ii) shall be indicated to the consumer before making the disclosure; and

(B) for furnishing, pursuant to section 1681i(d) of this title, following a reinvestigation under section 1681i(a) of this title, a statement, codification, or summary to a person designated by the consumer under that section after the 30-day period beginning on the date of notification of the consumer under paragraph (6) or (8) of section 1681i(a) of this title with respect to the reinvestigation, which charge--

(i) shall not exceed the charge that the agency would impose on each designated recipient for a consumer report; and

(ii) shall be indicated to the consumer before furnishing such information.

(2) Modification of amount.--The Federal Trade Commission shall increase the amount referred to in paragraph (1)(A)(i) on January 1 of each year, based proportionally on changes in the Consumer Price Index, with fractional

changes rounded to the nearest fifty cents.

(b) Free disclosure after adverse notice to consumer

Each consumer reporting agency that maintains a file on a consumer shall make all disclosures pursuant to section 1681g of this title without charge to the consumer if, not later than 60 days after receipt by such consumer of a notification pursuant to section 1681m of this title, or of a notification from a debt collection agency affiliated with that consumer reporting agency stating that the consumer's credit rating may be or has been adversely affected, the consumer makes a request under section 1681g of this title.

**\*106841** (c) Free disclosure under certain other circumstances

Upon the request of the consumer, a consumer reporting agency shall make all disclosures pursuant to section 1681g of this title once during any 12-month period without charge to that consumer if the consumer certifies in writing that the consumer--

(1) is unemployed and intends to apply for employment in the 60-day period beginning on the date on which the certification is made;

(2) is a recipient of public welfare assistance; or

(3) has reason to believe that the file on the consumer at the agency contains inaccurate information due to fraud.

(d) Other charges prohibited

A consumer reporting agency shall not impose any charge on a consumer for providing any notification required by this subchapter or making any disclosure required by this subchapter, except as authorized by subsection (a) of this section.

**CREDIT(S)**

**1997 Main Volume**