



February 24, 2022

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CEO
Equifax, Inc.
1550 Peachtree Street, N.W.
Atlanta, Georgia 30309

Brian Cassin
CEO
Experian North America
475 Anton Blvd
Costa Mesa, CA 92626

Chris Cartright
President and CEO
TransUnion
555 West Adams Street
Chicago, Illinois 60661

Francis Creighton
President
Consumer Data Industry Association
1090 Vermont Avenue, NW, #200
Washington, DC 20005

Re: Response to CDIA Press Release on Credit Issues After Transgender and Nonbinary Individuals File a Legal Name Change

Dear Messrs. Begor, Cassini, Cartright and Creighton:

The undersigned organizations write on behalf of a coalition of LGBTQ+, consumer, and legal advocacy groups that have come together to address the serious credit-related problems encountered by transgender and nonbinary people. We appreciate that CDIA acknowledged these issues in its press release addressing how transgender and nonbinary individuals can prevent disruptions to their credit after a legal name change.¹ The language in both the CDIA statement and the corresponding policies of all three credit bureaus are an encouraging start.

¹ *Credit Reporting Industry: Helping Transgender and Nonbinary Individuals Prevent Potential Disruptions to Their Credit* (Feb. 2, 2022), CDIA, <https://www.cdiaonline.org/news/2022/02/02/credit-reporting-industry-helping-transgender-and-nonbinary-individuals-prevent-potential-disruptions-to-their-credit/>.

That said, there is still more work to do and we are hopeful that we can continue working together to address the many pressing credit reporting needs that still remain for transgender and nonbinary consumers.

As CDIA is undoubtedly aware, the vast majority of credit reporting complaints filed by transgender and nonbinary people with the Consumer Financial Protection Bureau reference repeated unsuccessful attempts to get Experian, Equifax and TransUnion to correct their records.

Transgender and nonbinary consumers face myriad credit reporting problems after they change their names — with serious consequences for their financial and personal lives. Many consumers report that their credit report fragments into two or more unconnected files upon their name change. Others report that their name change and any credit actions that follow are never reflected in their report at all. Some consumers then find that their credit scores drop by hundreds of points, precluding them from accessing banking services, mortgages, auto financing, employment, and rental housing.

Moreover, even when some of these problems get fixed, they do not stay that way. Transgender and nonbinary consumers have reported that even when they were able to contact and persuade a customer service representative at one of the Big Three credit bureaus to manually fix their report, a new upload of data would revert their credit histories back to fragmented or incomplete files. Still others reported serious fallout after their credit histories reflected their “deadname” or former name, thereby outing them as transgender to potential employers, rental agents, car dealerships, or financial institutions.

The press release provides some direction to consumers about how to go about alerting the Big Three credit bureaus of their legal name change; however, each of the policies enacted by the agencies is different and will likely yield very different results. For instance, of the three bureaus, only Experian promises to remove a consumer’s deadname from the report.² The policies still require consumers to undergo an onerous process of submitting their name change documentation to each credit bureau and each of their former creditors to ensure their reports accurately reflect their credit history in their legal name.

Moving slowly to enact a real fix causes profound harm to a significant number of people. Mistakes in credit reports are replicated endlessly and have resulted in cascading problems in other areas that are based on identification.

To meaningfully address these problems the credit reporting industry should take the following steps:

- Utilize consumers’ full 9-digit Social Security numbers in matching algorithms to ensure credit information is associated with the correct credit file.

² Wil Lewis, *Experian Supports Transgender and Non-binary Consumers with Name Change Process on Credit Reports* (Jan. 31, 2022), Experian, <https://www.experian.com/blogs/news/2022/01/31/experian-supports-transgender-and-non-binary-consumers/>.

- Facilitate name changes by having clear procedures to update a consumer's name on their credit report when presented with a legal name change order, and ensure that staff are sufficiently trained in those procedures and are able to provide culturally competent service to transgender and nonbinary consumers.
- Reduce the burden on transgender and nonbinary consumers to submit name-change documentation to each credit reporting agency by instituting a "one-stop" system that allows a consumer to submit a single request to have the legal name on their report updated, and ensures the request is communicated to all consumer reporting agencies.
- Prevent the occurrence and recurrence of fragmented credit files by creating procedures to detect when a consumer changes their legal name with a creditor, to associate the new name with their credit file, and to consolidate a consumer's credit information in their current and previous names in a single credit file — as the industry presently does when cisgender women and other consumers change their last names.
- Prevent the disclosure of transgender and nonbinary consumers' deadnames to landlords, employers, and underwriters by disclosing only a consumer's current legal name in reports provided to credit report users.

The coalition would welcome the opportunity to have another conversation in the near future with CDIA and senior executives in the Big Three credit bureaus to discuss these proposals and identify additional steps.

We appreciate the responsiveness of the bureaus and CDIA on this issue, and look forward to working together toward a day when transgender and nonbinary consumers can view credit reporting as a support, rather than an obstacle.

Sincerely,

A Better Balance
 Ace and Aro Alliance of Central Ohio
 Affirmations Community Center
 AIDS Alabama
 All Under One Roof LGBT Advocates of Southeastern Idaho
 American Civil Liberties Union
 Americans for Financial Reform Education Fund
 Athlete Ally
 The Atlanta Pride Committee, Inc
 Bayard Rustin Center for Social Justice
 Bergen County LGBTQ+ Alliance
 Bet Tzedek Legal Services
 BiNet USA
 Bradbury-Sullivan LGBT Community Center
 Brooklyn Community Pride Center
 California Employment Lawyers Association (CELA)
 California Reinvestment Coalition
 Campus Pride
 Center for LGBTQ Economic Advancement & Research (CLEAR)
 Center for Responsible Lending

CenterLink: The Community of LGBT Centers
Colors+ Youth Center
Community Legal Services in East Palo Alto
Compass LGBTQ Community Center
Connecticut Gay & Lesbian Chamber
Consumer Action
Consumer Reports
Consumer Federation of America
Daylight
Eastern PA Trans Equity Project
Empire Justice Center
Equality California
Equality Federation
Equality Nevada
Equality Ohio
Equality Texas
Equal Rights Advocates
Equitas Health
Family Equality
FORGE, Inc.
Four Corners Rainbow Youth Center
FreeState Justice, Maryland's LGBTQ Advocates
GLAAD
GLBTQ Legal Advocates & Defenders (GLAD)
GLMA: Health Professional Advancing LGBTQ Equality
GLSEN
Golden Gate Business Association
Greater Dayton LGBT Center
Greater Houston LGBT Chamber of Commerce
Henderson Equality Center
Hetrick-Martin Institute
Hispanic Federation
Housing and Economic Rights Advocates
Hudson Pride Center
Hugh Lane Wellness Foundation
Human Rights Campaign
Independence Business Alliance
interACT: Advocates for Intersex Youth
Lambda Legal
Lancaster LGBTQ+ Coalition
Legal Aid at Work
Legal Aid Service of Broward County, Inc.
LGBT Center of SE Wisconsin
LGBT Community Center Of Greater Cleveland
LGBTQ Center of Bay County Inc.
LGBTQ Community Center of Southern Nevada
The LOFT LGBTQ+ Community Center
Los Angeles LGBTQ Chamber of Commerce

Louisville Pride Foundation
Mazzoni Center
Miami Dade Gay and Lesbian Chamber of Commerce
Mid-America LGBT Chamber of Commerce
Minority Veterans of America
Modern Military Association
Montrose Center
Movement Advancement Project (MAP)
Naper Pride
National Association of Consumer Advocates
National Association of Social Workers
National Black Justice Coalition
National Center for Lesbian Rights
National Center for Transgender Equality
National Community Reinvestment Coalition (NCRC)
National Consumer Law Center (on behalf of its low-income clients)
National Consumers League
National LGBT Chamber of Commerce (NGLCC)
National LGBTQ Task Force
National Women's Law Center
New Mexico Out Business Alliance
North Texas LGBT Chamber of Commerce
Oklahomans for Equality
One In Long Beach, Inc.
Openhouse
OutFront Kalamazoo
OUT Georgia Business Alliance
Out Leadership
PFLAG National
PGH Equality Center
Plexus LGBT & Allied Chamber of Commerce
Power Safe Place Resource Center of Virginia
Pride Center at Equality Park
Pride Community Center
Public Citizen
Public Good Law Center
Public Justice
Public Law Center
QWELL Community Foundation
Rainbow Families
Rebirth Obgyn
Resource Center
Sacramento LGBT Community Center
SAGE
Sam & Devorah Foundation for Trans Youth
San Francisco Office of Transgender Initiatives
San Joaquin Pride Center
SCV Pride Center

Seacoast Outright
Shoals Diversity Center
Silver State Equality
Spahr Center
Spectrum Resource Center
Stand with Trans
Stonewall Columbus, Inc
Tampa Bay LGBT Chamber
Texas Appleseed
Three Rivers Business Alliance
Transcend Charlotte, Inc.
TransFamily Support Services
The Transgender District
Transgender Law Center
Transgender Legal Defense & Education Fund
Transgender Michigan
The TransLatin@ Coalition
TransOhio
Tranz Central Coast
The Trevor Project
Tzedek DC
UC Berkeley Center for Consumer Law & Economic Justice
Uptown Gay & Lesbian Alliance (UGLA)
URGE: Unite for Reproductive & Gender Equity
Utah LGBTQ+ Chamber of Commerce
Voices for Progress
West Virginia Gay and Lesbian Community Center
Woodstock Institute
Yale University's Office of LGBTQ Resources

[List in formation]

cc:

Consumer Financial Protection Bureau
Federal Trade Commission
Agatha So, House Financial Services Committee
Sneha Pandya, Senate Banking Committee