



Consumer Data Industry Association
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July 22, 2022

The Honorable Maxine Waters, Chairwoman
The Honorable Patrick T. McHenry, Ranking Member
Committee on Financial Services
United States House of Representatives
Washington, DC 20515

Dear Chairwoman Waters and Ranking Member McHenry:

I write on behalf of the Consumer Data Industry Association to share our industry's perspective on two of the amendments the Committee is preparing to mark up on July 27th.

The "Credit Reporting Accuracy After a Legal Name Change Act"

This legislation seeks to make it easier for consumers who have transitioned to a new identity to change their names and to eliminate the usage of dead names. We support efforts to make it easier for consumers to change their names and have worked on these issues for many years.

Our industry is actively working with state and national advocates to find solutions for transgender and nonbinary consumers in a number of different contexts, removing barriers to name changes and supporting consumers regardless of where they are in their transition. When advocates have raised concerns, we have worked together to address those concerns while protecting the integrity of the consumer reporting ecosystem which is why we believe this legislation is unnecessary.

Former name changes on a consumer report are critical to correctly identify and authenticate consumers. Among other things, access to former names (i.e., marriages, divorces, adoptions, etc.) helps ease access to credit for applicants; reduces friction in the credit granting process; accelerates applications for public benefits, like SNAP, Section 8 housing, and unemployment insurance; and helps locate people trying to skip out on their child support enforcement obligations. By contrast, a lack of access to former names complicates all these critical services that ultimately benefit consumers. Lack of access to these identifiers may make it harder for consumers to obtain credit or government benefits, could increase fraud, and may penalize primarily women and children by making it harder for child support enforcement agencies to collect on those who change their name to avoid detection. It is a fact that the people with the most to hide will be the ones that hide the most.

Accuracy is the cornerstone of consumer reporting and this legislation could introduce inaccuracies into the system and make it harder for users to get the legitimate information they need for lending and other decisions. We have been responsive to the needs of the transgender community and look forward to continuing to serve this important group of

consumers, but this legislation extends far beyond that community and would have very serious implications beyond ensuring that transgendered people are not deadnamed.

The “Expanding Access to Credit through Consumer-Permissioned Data Act”

Adding new kinds of data into credit reports, such as rent and utility information, can help consumers by ensuring credit reports present a more comprehensive picture of a consumer’s true financial picture. However, the information to be used has to be reliable and lenders need the flexibility to determine how to use individual data points. We are concerned that this legislation does not provide adequate safeguards for rental data being presented to lenders, and we are concerned that this legislation mandates how lenders use specific data flows. We strongly urge the Committee to consult with the lending community on the impact this legislation would have on the underwriting process.

Thank you for your work on this legislation and we look forward to answering any questions you have about how these bills will interact with the consumer reporting ecosystem.

Sincerely,



Francis Creighton
President & CEO