



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

March 5, 2013

Ms. Theresa Ellis
State of Rhode Island

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

Dear Ms. Ellis:

Thank you for your comment regarding the Federal Trade Commission's consent agreement in the above-entitled proceeding. The Commission has placed your comment on the public record pursuant to rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and has given it serious consideration.

In your comment you assert that the fine is not high enough and that consumers who were injured should receive compensation. The Commission is committed to protecting consumers in financial distress as well as safeguarding consumer privacy and believes that the proposed order with Equifax Information Services LLC ("Equifax") will further this objective.

The monetary remedy in the proposed consent order is disgorgement, which is limited to the amount of the entity's ill-gotten gains. The order requires Equifax to pay \$392,803, which represents its gross revenue from the sale of the lists at issue and does not include any deduction for overhead or other expenses. In deciding whether the amount and type of monetary remedy in this or any other consent order is appropriate in relation to the alleged violations, the Commission carefully considers a variety of factors, including the type of monetary relief authorized by law, the specific facts at issue, and the alleged violations of law. The Commission considered these factors in this case and determined that disgorgement and injunctive provisions will provide the appropriate level of relief.

In addition to disgorgement, the order includes a number of injunctive provisions designed to prevent future violations of the Fair Credit Reporting Act. For example, the order prohibits Equifax fr

response to the proposed order, the Commission has determined that the public interest would best be served by issuing the Decision and Order in final form without any modifications. The final Decision and Order and other relevant materials are available from the Commission's website at <http://www.ftc.gov>. It helps the Commission's analysis to hear from a variety of sources in its work. The Commission thanks you again for your comment.

By direction of the Commission, Commissioner Leibowitz and Commissioner Wright not participating.

Richard C. Donohue
Acting Secretary