

October 6, 2016

Craig Boundy  
CEO  
Experian North America  
475 Anton Blvd.  
Costa Mesa, CA 92626

Richard F. Smith  
Chairman and CEO  
Equifax, Inc.  
1550 Peachtree Street, N.W.  
Atlanta, Georgia 30309

James M. Peck  
President and CEO  
TransUnion  
555 West Adams Street  
Chicago, Illinois 60661

Gary Norcross  
President and CEO  
FIS  
601 Riverside Avenue  
Jacksonville, FL 32204 USA

Paul W. Finch, Jr.  
CEO  
Early Warning Services  
16552 N. 90th Street  
Scottsdale, AZ 85260

Dear Sirs:

The undersigned consumer, civil rights, and advocacy groups write in the aftermath of the Wells Fargo scandal to urge that your companies provide free annual reports to the affected consumers in the language in which they are proficient. According to media reports and other sources, many of the consumers affected by the Wells Fargo scandal are immigrants and limited English proficient (LEP).<sup>1</sup> They will need the ability to access and review credit/specialty reports in the language in which they are proficient.

As you know, the Consumer Financial Protection Bureau recently settled an enforcement action with Wells Fargo, revealing that the bank had illegally opened about 1.5 million deposit accounts and 500,000 credit card accounts without the permission of its customers. All of the credit card accounts would have been reported to those of you that are nationwide consumer reporting agencies (CRAs), *i.e.*, Equifax, Experian and TransUnion. Some of the bank accounts may have been reported to those of you that are specialty bank account screening CRAs, *i.e.*, Early Warning Services (EWS) and ChexSystems. For example, a bank account may have been reported to EWS or ChexSystems if it was closed due to unpaid overdrafts.

Consumer groups have advised Wells Fargo customers who are potentially affected by the illegal activity to check their credit and EWS/ChexSystems reports and dispute any errors. As you know, these customers would be entitled to free annual credit and specialty reports under the Fair Credit Reporting Act. However, we are very concerned that affected LEP customers will not be able to review their credit and EWS/ChexSystems reports because of their language barriers and the fact these reports are not available in languages other than English.

Thus, we call upon your companies to make free annual reports available in languages other than English. At a minimum, reports should be available in Spanish and the other seven most frequently spoken

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<sup>1</sup> See Lauren Shin, Wells Fargo Faces Grassroots Backlash Via Viral Facebook Campaign, Forbes, Sept. 30, 2016 (ex-wells Fargo employee describing how “the elderly, non-native English speakers such as immigrants and college students were very ‘popular’” targets of illegal account openings).

languages by LEP households as determined by the U.S. Census Bureau (Chinese, Vietnamese, Korean, Tagalog, Russian, Arabic, and Haitian Creole). We note that two of the nationwide CRAs (Experian and TransUnion) already make credit reports and other information available in Spanish, but for a fee.<sup>2</sup> This translation expense should not be passed on to LEP consumers, but should be considered part of your cost of doing business in order to provide equal access to consumers of different backgrounds and languages.

By copy of this letter to the Consumer Financial Protection Bureau, we also urge CFPB to require your companies to provide free reports to those LEP consumers affected by the Wells Fargo scandal in the language in which they are proficient upon request, and to notify these consumers that translated reports are available at no charge.

If you have any questions about this letter, please contact Chi Chi Wu at 617-542-8010 or [cwu@nclc.org](mailto:cwu@nclc.org).

Sincerely,

**National Groups**

Americans for Financial Reform

Consumer Action

Consumers Union

Demos

NAACP

National Association of Consumer Advocates

National CAPACD

National Consumer Law Center (on behalf of its low-income consumers)

National Council of La Raza

U.S. PIRG

**State and Local Groups**

Baltimore Neighborhoods, Inc.

Community Service Society of New York

Connecticut Fair Housing Center

Empire Justice Center

Jacksonville Area Legal Aid, Inc.

MFY Legal Services, Inc.

Western Center on Law & Poverty

Woodstock Institute

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<sup>2</sup> Experian's product is called Credito Y Mas: <http://www.experian.com/blogs/news/2014/10/08/credito-y-mas/>.

Both Experian and TransUnion make credit reports in Spanish available through [www.myfico.com](http://www.myfico.com). *FICO now has credit reports and information in Spanish*, Consumer Reports, February 2, 2012.