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December 23, 2025

Via Electronic Delivery to
www.reginfo.gov/public/do/PRAMain

Comment Intake
Consumer Financial Protection Bureau
Attn: PRA Office
1700 G Street, NW
Washington, DC 20552

RE: Consumer Complaint Intake System Company Portal Boarding Form, Docket No. CFPB-2025-0041, OMB Control Number 3170-0054

To whom it may concern:

The Consumer Data Industry Association (CDIA)[1] submits this comment letter in response to the Notice and Request for Comment on the Consumer Financial Protect Bureau's ("CFPB" or "Bureau") company portal boarding form.[2] CDIA reiterates the arguments it made in a letter to Acting Director Vought in response to a previous PRA notice on the same topic (attached as Exhibit A), since they are all still relevant. But CDIA would like to emphasize that the Bureau should specifically repudiate its past practice of requiring consumer reporting agencies ("CRAs") to treat complaints that contain requests from consumers to exercise rights under the Fair Credit Reporting Act ("FCRA") as though those requests were made through the proper channels directly to the CRAs. The Bureau implemented its past practice arbitrarily and without legal authority Further, the past practice works against the carefully crafted legal

[1] CDIA is the voice of the consumer reporting industry, representing consumer reporting agencies (CRAs), including the nationwide credit bureaus, regional and specialized credit bureaus, background check and residential screening companies, and others. Founded in 1906, CDIA promotes the responsible use of consumer data to help consumers achieve their financial goals and to help businesses, governments, and volunteer organizations avoid fraud and manage risk. Through data and analytics, CDIA members empower economic opportunity all over the world, helping ensure fair and safe transactions for consumers, facilitating competition, and expanding consumers' access to financial and other products suited to their unique needs.
[2] 90 Fed. Reg. 45,643 (Nov. 28, 2025).

framework established by Congress and undermines the efficacy of the complaint system as a whole.

The Bureau's complaint portal allows consumers to submit disputes about the accuracy or completeness of information on consumer reports as complaints and raise other issues such as ID theft or human trafficking block requests ("FCRA Requests"). But the Bureau's complaint portal is not the proper channel for these requests. The FCRA provides a framework for maintaining the accuracy of consumer report data by providing a mechanism for consumers to obtain disclosures and to dispute with the particular CRA or data furnisher information on their reports they believe to be inaccurate.[3] When a consumer has a potential problem with data in his file, the consumer may submit a dispute to the CRA, which in turn is required to investigate the dispute (often by submitting the dispute to the source that supplied the data under dispute), and report on the results to the consumer. The CRA must complete its investigation within 30 days or delete the disputed information until the investigation is complete. This process both allows consumers to correct inaccurate information in their consumer report as well as provides safeguards to protect the integrity of the consumer report from dubious credit repair activity. CRAs have invested millions of dollars in working with consumers who have questions about the data in their files or who wish to submit disputes under the statutory framework constructed by Congress.

Congress mitigated this mandate to investigate timely consumer-initiated disputes by giving CRAs certain rights. CRAs can extend the 30-day period by an additional fifteen days under certain circumstances.[4] And they can forego the full investigation process for disputes they have determined to be frivolous or irrelevant, so long as they notify the consumer that they have made the determination.[5]

The CFPB unilaterally and without statutory authorization upended this carefully calibrated statutory structure when it determined that it would forward all complaints about consumer reporting agencies to the relevant institution, unilaterally and without statutory authorization made clear its expectation that those institutions would respond within an arbitrarily determined fifteen day window, and unilaterally and without statutory authorization expected those same institutions to process complaints that were actually FCRA disputes and other related requests in accordance with the FCRA.[6] Notably, although the Bureau expects the

[3] 15 U.S.C. § 1681i.
[4] Id. at § 1681i(a)(1)(B).
[5] Id. at § 1681i(a)(3).
[6] Indeed, the Bureau encouraged consumers who wanted to dispute information on their consumer report to file a complaint with the Bureau instead of following FCRA-designated process. *See* Consumer Financial Protection Bureau,

CRA to process disputes received through the complaint portal, it does not allow the CRAs to avail themselves of the protections of the FCRA. Specifically, in 2022 the CFPB opined that because the disputes were complaints, the CRAs were not permitted to treat frivolous or irrelevant disputes (which include credit repair) in the same manner as they would treat such disputes received directly.[7]

The Bureau has this expectation of CRAs despite the fact that the Dodd-Frank Act only requires very large depository institutions to participate in the complaint portal. The statute requires the Bureau to collect complaints and route them to appropriate Federal agencies and states,[8] and the Bureau and Federal regulators are required to respond to those complaints.[9] But only depository institutions subject to the Bureau's supervisory authority are required by Dodd-Frank to respond to complaints lodged with the Bureau.[10]

True, FCRA requires the Bureau to collect complaints about nationwide CRAs as defined by FCRA ("NCRAs") and forward those complaints to the relevant institution. And FCRA requires NCRAs "on a regular basis" to report to the Bureau on how it resolved those complaints after investigating "whether all legal obligations [arising under the FCRA] imposed on the consumer reporting agency . . . have been met with respect to the subject matter of the complaint," presupposing that the complaint is about the consumer's dissatisfaction with a past interaction, such as the handing of a prior dispute in accordance with the FCRA. But these statutory requirements are a far cry from the arbitrary process that the Bureau has mandated (in secret, without following proper rulemaking or accepting comments) and applied to all CRAs, not just

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"CFPB Now Taking Complaints on Credit Reporting," Oct. 22, 2012, available at: https://www.consumerfinance.gov/about-us/newsroom/consumer-financial-protection-bureau-now-taking-complaints-on-credit-reporting/ (noting that a "consumer can come to the CFPB if he or she . . . has issues with . . . [i]ncorrect information on a credit report").

[7] *See* Annual Report of Credit and Consumer Reporting Complaints, Consumer Financial Protection Bureau (Jan. 2022), p. 28 ("Under existing FTC guidance (and some case law), CRAs do not need to investigate disputes submitted by third parties, such as credit repair organizations. The FTC guidance concerns disputes submitted under FCRA Section 611(a). The guidance does not address duties to review complaints transmitted by the CFPB under FCRA section 611(e). This exception in the dispute investigation obligation does not apply to covered complaints submitted to the CFPB.").

[8] 12 U.S.C. § 5493(b)(3).

[9] Id. § 5534(a).

[10] Id. § 5534(b). The limited complaint referral obligation set forth in the FCRA does not require the nationwide consumer reporting agencies to respond to each consumer's complaint or to the consumer. Rather, the FCRA requires that the CFPB compile consumer complaints that it receives about the nationwide consumer reporting agencies where the consumer asserts that information is inaccurate **and** the consumer appears to have disputed the completeness or accuracy of the information. 15 U.S.C. § 1681i(e). In response, the nationwide consumer reporting agencies are required to review each such complaint to determine whether they met their obligations under the FCRA and provide reports on a regular basis **to the CFPB** regarding their review. Id.

NCRAs. The Bureau's arbitrary expectations about how CRAs deal with FCRA requests received through the complaint portal impose substantial burdens on CDIA members. That expectation should be explicitly repudiated.

And the Bureau should make clear to consumers that FCRA Requests should not be submitted through the complaint portal, but through the proper channels established by the CRAs themselves. While the CFPB complaint portal is a valuable tool for consumers to voice concerns about their interactions with a financial institution, it should not act as substitute for consumers to exercise their formal rights under FCRA.

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CDIA thanks the Bureau for the opportunity to comment on this important issue, and we are happy to provide any additional information that the Bureau requires. Thank you for your attention to this matter.

Sincerely,

Denise A Norgle

Denise Norgle
Senior Vice President of Public Policy, Legal and Regulatory Affairs

EXHIBIT A

CDIA

Dan Smith, President and CEO

Consumer Data Industry Association
1156 15TH ST., NW, Suite 1250
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July 28, 2025

The Honorable Russell Vought
1700 G Street, NW
Washington, DC 20552
Russell.Vought@cfpb.gov
Via Electronic Mail

RE: Consumer Complaint Collection and Reporting

Dear Acting Director Vought:

I write to you today on behalf of the Consumer Data Industry Association (CDIA)[1] to discuss serious concerns that CDIA and its members have about the Consumer Financial Protection Bureau's ("CFPB" or "Bureau") consumer complaint system. While the Bureau recently issued a routine Paperwork Reduction Act notification related to the complaint portal for regulated entities,[2] we understand that you did not intend this notice to signal your intention to fundamentally rework the complaint system. But you should. Whatever good intentions motivated the current design and use of the portal, experience has shown that the portal has a number of fundamental flaws that the Bureau should take the opportunity to address. The issues with the complaint system are especially acute for covered persons like CDIA's members who are subject to requirements of the Fair Credit Reporting Act ("FCRA").

Since at least 2015 CDIA has been pointing out to the Bureau a number of issues with the complaint portal,[3] including that:

1) the complaint portal allows consumers to submit disputes about the accuracy or completeness of information on consumer reports as complaints, and raise other issues such as block requests, even though these issues are handled under requirements established by FCRA ("FCRA Requests");

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[1] CDIA is the voice of the consumer reporting industry, representing consumer reporting agencies (CRAs), including the nationwide credit bureaus, regional and specialized credit bureaus, background check and residential screening companies, and others. Founded in 1906, CDIA promotes the responsible use of consumer data to help consumers achieve their financial goals and to help businesses, governments, and volunteer organizations avoid fraud and manage risk. Through data and analytics, CDIA members empower economic opportunity all over the world, helping ensure fair and safe transactions for consumers, facilitating competition, and expanding consumers' access to financial and other products suited to their unique needs.
[2] 90 Fed. Reg. 21,905 (May 22, 2025).
[3] See CDIA Comments in Response to Request for Information Regarding the Consumer Complaint Database: Data Normalization, Docket No.: CFPB-2015-0030 (Aug. 31, 2015).

2) complaints are often misattributed to CRAs where the complained-of conduct relates to another party in the consumer reporting ecosystem, often the furnisher of the data;

3) complaints submitted by fraudulent credit repair organizations are not flagged or segregated; and

4) the complaint portal data does not provide appropriate context in the presentation of data pertaining to CRAs.

Each of these flaws results in data that does not, and cannot, provide consumers with timely and understandable information to help enable them to make responsible financial decisions and to enhance market efficiency and transparency. As the Bureau previously noted, one of the purposes of publicly disclosing some portion of consumer complaints is to "improve customer service and identify patterns in the treatment of consumers, leading to stronger compliance mechanisms and customer service."[4] The current issues with the complaint portal process undermine that purpose.

The CFPB's complaint portal and the manner in which the Bureau makes portal data available are confusing to both consumers and the subjects of complaints, and this confusion hinders users' ability to have a common understanding of the data's meaning. In addition, current treatment of FCRA Requests in the portal is inconsistent with the statutory framework for the limited complaint referral requirement in Section 611(e) of the FCRA. Without changes to the complaint portal and the way the Bureau expects FCRA-regulated entities to treat complaints as disputes, the CFPB may be undermining the efficacy and integrity of the FCRA processes that the agency enforces.

It is important to note that the Dodd-Frank Act only requires very large depository institutions to participate in the complaint portal. While the Bureau is required to collect complaints and route them to appropriate Federal agencies and states,[5] and the Bureau and Federal regulators are required to respond to those complaints,[6] only depository institutions subject to the Bureau's supervisory authority are required by Dodd-Frank to respond to complaints lodged with the Bureau.[7] The CFPB unilaterally and without statutory authorization determined that it would forward all complaints about consumer reporting agencies like CDIA members to the relevant institution, unilaterally and without statutory authorization made clear its expectation that those institutions would respond within an arbitrarily determined fifteen day window, and unilaterally and without statutory authorization expected those same institutions to process complaints that

[4] 80 Fed. Reg. 15572, 15576 (Mar. 24, 2015).
[5] 12 U.S.C. § 5493(b)(3).
[6] Id. § 5534(a).
[7] 7 Id. § 5534(b). The limited complaint referral obligation set forth in the FCRA does not require the nationwide consumer reporting agencies to respond to each consumer's complaint or to the consumer. Rather, the FCRA requires that the CFPB compile consumer complaints that it receives about the nationwide consumer reporting agencies where the consumer asserts that information is inaccurate and the consumer appears to have disputed the completeness or accuracy of the information. 15 U.S.C. § 1681i(e). In response, the nationwide consumer reporting agencies are required to review each such complaint to determine whether they met their obligations under the FCRA and provide reports on a regular basis to the CFPB regarding their review. Id.

were actually FCRA disputes and other related requests in accordance with the FCRA.[8] Notably, although the Bureau expects the CRA to process disputes received through the portal, it does not allow the CRAs to avail themselves of the protections of the FCRA. Conveniently, the CFPB in 2022 opined that because the disputes were complaints, the CRAs were not permitted to treat frivolous or irrelevant disputes (which include credit repair) in the same manner as they would treat such disputes received directly.[9] CDIA believes that this determination led more credit repair organizations to file complaints via the portal rather than using traditional channels for FCRA Requests.

If the Bureau continues to maintain the portal largely in its current form, at a minimum the portal should require consumers to submit FCRA Requests directly to the CRA or relevant furnisher. Unlike nearly all other industries that are within the CFPB's purview, CRAs typically do not have a direct customer relationship with consumers. Rather, the vast majority of CRA relationships with consumers is through the preparation of consumer reports based on information that has been provided by lenders or other furnishers or obtained from other sources. Because of the typical lack of a direct relationship between CRAs and consumers, the FCRA provides a framework for maintaining the accuracy of consumer report data by providing a mechanism for consumers to obtain disclosures and to dispute with the particular CRA or data furnisher information on their reports they believe to be inaccurate.[10] When a consumer has a potential problem with data in his file, the consumer may submit a dispute to the CRA, which in turn is required to investigate the dispute (often by submitting the dispute to the source that supplied the data under dispute), and report on the results to the consumer. This process both allows consumers to correct inaccurate information in their consumer report as well as provides safeguards to protect the integrity of the consumer report from dubious credit repair activity. CRAs have invested millions of dollars in working with consumers who have questions about the data in their files or who wish to submit disputes under the statutory framework constructed by Congress.

In its April 10, 2018, Request for Information Regarding the Bureau's Consumer Complaint and Consumer Inquiry Handling Process, then-Acting Director Mick Mulvaney noted that consumer complaints are defined as "submissions that express dissatisfaction with, or communicate suspicion of wrongful conduct by, an identifiable entity related to a consumer's personal experience with a financial product or service."[11] While intentionally broad to capture a wide range of consumer grievances, this definition should not and was never intended to encompass statutory requests made under the FCRA. FCRA dispute reinvestigation and block

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[8] Indeed, the Bureau encouraged consumers who wanted to dispute information on their consumer report to file a complaint with the Bureau instead of following FCRA-designated process. See Consumer Financial Protection Bureau, "CFPB Now Taking Complaints on Credit Reporting," Oct. 22, 2012, available at: https://www.consumerfinance.gov/about-us/newsroom/consumer-financial-protection-bureau-now-taking-complaints-on-credit-reporting/ (noting that a "consumer can come to the CFPB if he or she . . . has issues with . . . [i]ncorrect information on a credit report").

[9] See Annual Report of Credit and Consumer Reporting Complaints, Consumer Financial Protection Bureau (Jan. 2022), p. 28 ("Under existing FTC guidance (and some case law), NCRAs do not need to investigate disputes submitted by third parties, such as credit repair organizations. The FTC guidance concerns disputes submitted under FCRA Section 611(a). The guidance does not address duties to review complaints transmitted by the CFPB under FCRA section 611(e). This exception in the dispute investigation obligation does not apply to covered complaints submitted to the CFPB.").

[10] 15 U.S.C. § 1681i.

[11] https://files.consumerfinance.gov/f/documents/cfpb_rfi_consumer-complaints-inquiries_042018.pdf.pdf.

requests are legal rights, not expressions of dissatisfaction. They are formal statutory mechanisms that trigger specific legal obligations on CRAs, and which include detailed procedures and timelines. While the CFPB complaint portal is a valuable tool for consumers to voice concerns about their interactions with a financial institution, it should not act as substitute for consumers to exercise their formal rights under FCRA.

At root, the current portal design conflates disputes, which are subject to an established statutory scheme, with complaints expressing dissatisfaction with a financial product or service. This results in inflated complaint numbers attributed to CRAs. The current intake form asks consumers whether they have "already tried to fix this problem with the company," but the consumer's answer to that question does not appear to affect whether the consumer complaint is forwarded to the CRAs. One CDIA member analyzed complaint data from March 2025 and found that **100% of the complaints were FCRA Requests**, and not complaints about the company's conduct.

In order to provide accurate complaint data associated with the nationwide CRAs and other consumer reporting agencies, the CFPB should work to differentiate FCRA Requests from complaints. Specifically, the Bureau should modify the portal in such a way that a consumer should not be permitted to submit a complaint about a CRA related to the accuracy and completeness of consumer report information or any other FCRA Request. Additionally, the CFPB should require consumers to submit disputes directly to the CRAs or with their creditors, and not promote the CFPB complaint portal for that purpose. Further, in reporting complaint data, the CFPB should ensure that the complaint totals do not include FCRA Requests, as CRAs are already required by law to provide channels for FCRA Requests to the consumer; the inclusion of FCRA disputes masquerading as consumer complaints greatly inflates the number of complaints associated with any particular CRA. The fact that these complaints are actually items already governed by FCRA suggests that CDIA members should not respond via the complaint portal at all. Nothing in FCRA requires an individualized response through the portal; in the case of duplicate of frivolous disputes, no response is required at all.[12]

In addition, there is compelling evidence that complaints are often misattributed to CRAs when it is the furnisher's conduct that is actually the subject of the complaint. This misattribution further contributes to complaint inflation on the portal. For example, in a review of the FTC's 2012 publication of research on the accuracy of consumer reports, CDIA found that 88% of the complaint types identified by consumers pertain to the manner in which the data furnisher reported their accounts and not in the way the CRA matched the account to a consumer report.[13] Consumers file these types of complaints despite the fact that FCRA allows them to file disputes with the data furnisher directly. CDIA's members have found a similar experience with the consumer complaints referred through the portal. After reviewing more than 1,000 consumer complaints referred through the portal, CDIA found that 77% of those complaints were in fact about how the consumer's

[12] 12 To the extent that the Bureau wishes to continue treating complaints received through the portal as FCRA Requests, at a minimum it should obtain consumer authorization to allow the CRA to communicate with the consumer through the portal.
[13] See CDIA Letter of Comment re: Disclosure of Consumer Complaint Narrative Data, Docket No. CFPB-2014- 0016 (Sept. 22, 2014), page 5, available at: https://www.regulations.gov/comment/CFPB-2014-0016-0118.

lender reported the data. CDIA has no reason to believe that these issues have improved since those studies were first conducted; if anything, they have gotten worse.

As noted above, the fact that CRAs are typically not consumer facing justifies different treatment of complaints about them. This is especially true since CRAs are already required by law to establish channels for consumers to make FCRA Requests, like disputes, block requests, security freeze requests, etc. Our members operate databases that are reliant on information provided by the furnishers. If a consumer believes there is a problem with information in their credit records, they may perceive it to be the fault of the CRA when it is in fact the fault of the furnisher. **We urge the CFPB to update its complaint portal to screen and discount complaints improperly attributed to CRAs.**

Further, many of the complaints on the portal relating to CRAs appear to have been generated by credit repair organizations. Fraudulent credit repair organizations may misuse the complaint portal tool to seek the deletion of accurate data, which is a clear violation of the Credit Repair Organizations Act.[14] At one point the portal allowed members to identify to the CFPB that an incoming complaint submitted by a consumer through the portal appeared to be part of a credit repair program. One CDIA member found that 92% of the complaints it received in March 2025 were from credit repair clinics, with **79% of the total complaints received originating from one specific credit clinic.**[15] Another member's analysis showed that 37% of complaints were duplicates, and that nearly ten percent of the complaints reviewed used the exact same scripted/typed statement. Because the CFPB removed the ability to weed out improper complaints, the aggregate complaint data on a per company basis is inflated and likely populated by fraudulent attempts. **We urge the CFPB to again segregate complaints submitted by fraudulent credit repair organizations.** The Bureau should also explore other means of screening out illegitimate complaints, such as by identifying duplicate submissions for any given consumer, or submissions using the same or similar (likely bot-created) templates, enforce limits on file types or file size, and other steps that would help ensure only legitimate complaints are included in the database.

The current way the CFPB reports data from its complaint portal does not provide appropriate context for the data or provide actionable insights. Large industries (and individual companies) will inherently have large raw numbers of complaints and disseminating this information without putting it in context of the overall industry size is misleading. Moreover, presenting data in a proper context should also account for situations where an industry is highly concentrated in terms of the number of competitors or where their products are used in billions of transactions each year. In these cases—both of which are true for our members—it is almost inevitable that the raw number of complaints associated with individual corporate names will appear large. But

[14] 15 U.S.C. § 1679b(a) (prohibiting making untrue or misleading statements about consumers to a consumer reporting agency).
[15] The same analysis found that 50% of the complaints were duplicates of complaints already filed this year. This is consistent with the credit repair industry's attempt to overwhelm the system by filing duplicate complaints. https://creditwithcierra.com/products/6-month-expedited-package.

when these data are set into a fair and proper context (and where failings in the design of the portal are addressed), the company names may not be worthy of being highlighted in a Bureau report.

We urge the Bureau to undertake efforts to provide proper context before further publication of any monthly reports that include individual company data. Moreover, further reports should include clear and conspicuous disclaimers about the accuracy and other recognized limitations of the data.

* * *

CDIA understands that Congress is currently contemplating legislation that would implement at least some of these proposed changes. But you do not have to wait for Congress to act before implementing these proposals yourself. It is true that Congressional action would make any changes permanent, but you have the opportunity to take the lead on this issue by showing Congress that it is possible to make fundamental change to the complaint process that both lowers the burden on regulated entities while preserving an avenue for consumers to lodge legitimate complaints about the conduct of financial institutions.

The Bureau's complaint system has been plagued by the above issues for at least a decade, if not its entire existence. You have a great opportunity to make the complaint system more fair and effective by clearly delineating what is and is not a complaint, and ensuring that complaint data disclosed to the public presents an accurate picture of how covered entities interact with consumers. We are happy to provide any additional information that the Bureau requires. Thank you for your attention to this matter.

Sincerely,

Dan Smith

Dan Smith
President & CEO
Consumer Data Industry Association

CC: Dr. Mark Calabria
Mark Paoletta, Esq.