

March 2, 2026

Submitted via <https://www.reginfo.gov/public/do/PRAMain>
Comment Intake
Consumer Financial Protection Bureau
Attn: PRA Office
1700 G Street NW
Washington, DC 20552

Re: Docket No. CFPB–2026–0005/ OMB Control Number: 3170-0011

The National Consumer Law Center (on behalf of its low-income clients) submits these comments in response to the Consumer Financial Protection Bureau (CFPB) Comment Request regarding its Consumer Response Intake Form, Docket No. CFPB-2026-0005. This Comment Request appears to be the start of a process to revise the CFPB’s complaint intake system with respect to complaints against the nationwide consumer reporting agencies (CRAs). NCLC strongly opposes any changes that would make it more difficult for consumers to file complaints against the nationwide CRAs, which are the most complained about companies by far to the CFPB.

The CFPB appears to be responding to demands by Consumer Data Industry Association (CDIA) for measures that would reduce the number of complaints people file with the CFPB against the three key members of CDIA: Experian, Equifax and TransUnion, *i.e.*, the nationwide CRAs. On January 27, CDIA submitted a letter to the CFPB asking the Bureau to:

- Place a notice at the beginning of the complaint process telling consumers they must first contact a CRA and wait for its response.
- Restrict the submission of multiple complaints from an IP address.
- Implement two factor authentication using a phone number, and restrict the number of complaints from a phone number.
- Allow CRAs to remove a complaint from the complaint totals if they think the consumer did not contact them first.
- Require more identification from consumers and/or third parties who submit complaints.¹

We oppose all of these requests as unnecessary, not required by the law, and/or contrary to the mission of the CFPB because they create unjustified barriers to consumers seeking to file complaints, which is a statutorily mandated function of the Bureau.

Furthermore, it appears that the CFPB has already adopted one of the changes demanded by CDIA by adding several pages of intimidating warning notices that instruct consumers they must

¹ Consumer Data Industry Association, Comments Regarding Consumer Response Intake Form, Docket No. CFPB-2025-0042, OMB Control Number 3170-0011, Jan. 27, 2026, <https://www.regulations.gov/comment/CFPB-2025-0042-0003> [hereinafter “CDIA Jan. 27, 2026 comment”].

first submit a dispute with the nationwide CRAs and wait 45 days before they can file a complaint with the CFPB. We urge the CFPB to remove these warning notices because they will deter consumers from filing complaints, cause unjustified time burdens, and mis-state the law.

A. The Enormous Volume of Complaints Against the Nationwide CRAs Reflects Deep Problems with the Credit Reporting System

Last year, consumers filed nearly five million complaints with the CFPB regarding credit reporting, mostly against the nationwide CRAs.² This is nearly double the number of complaints from 2024, and continues a trend of ever an exploding volume of complaints against these companies.

- In 2024, the CFPB received 2.7 million complaints involving credit reporting or other consumer reports, constituting 85% of the overall complaints received by the Bureau that year.³ Of those complaints, 2.5 million (or nearly 93%) were against the nationwide CRAs.
- In 2023, the CFPB received over 1.3 million credit or consumer reporting complaints, constituting 79% of the overall complaints received by the Bureau that year.⁴
- In 2022, the CFPB received over 978,000 such complaints in 2022, constituting 75% of the overall complaints received by the Bureau that year.⁵

Those huge numbers reflect the endemic problems with the credit reporting system that cause consumers substantial harm, as discussed below. They are not, as CDIA repeatedly has claimed,⁶ simply the product of third-party credit repair organizations. That claim has been refuted, including by the CFPB itself, which noted in 2024 that only about 3% of credit reporting complaints were flagged as being potentially submitted by an unauthorized third party.⁷ And a

² The CFPB complaint database shows 4,958,228 complaints concerning “credit reporting or other personal consumer reports” from January 1, 2025 to December 31, 2025.

³ CFPB, Consumer Response Annual Report January 1-December 31, 2024, at 3, 11 (May 2025), https://files.consumerfinance.gov/f/documents/cfpb_cr-annual-report_2025-05.pdf [hereinafter “CFPB 2024 Consumer Response Annual Report”].

⁴ CFPB, Consumer Response Annual Report January 1-December 31, 2023, at 11, 19 (Mar. 2024), https://files.consumerfinance.gov/f/documents/cfpb_cr-annual-report_2023-03.pdf [hereinafter “CFPB 2023 Consumer Response Annual Report”].

⁵ CFPB, Consumer Response Annual Report January 1–December 31, 2022 3, 11 (Mar. 2023), <https://www.consumerfinance.gov/data-research/research-reports/2022-consumer-response-annual-report/> [hereinafter “CFPB 2022 Consumer Response Annual Report”].

⁶ CDIA Jan. 27, 2026 Comment, Attachment A at 4; Kate Berry, Surge in credit report lawsuits has banks, credit agencies scrambling, *American Banker*, June 26, 2024, <https://www.americanbanker.com/news/surge-in-credit-report-lawsuits-has-banks-credit-agencies-scrambling> (industry representatives claiming that spike in complaints and lawsuits against the nationwide CRAs were result of credit repair).

⁷ CFPB 2024 Consumer Response Annual Report at 19.

This percentage has been consistent over the past several years. *See* CFPB 2023 Consumer Response Annual Report at 19-20 (administrative response rate of 4%); CFPB 2022 Consumer Response Annual Report at 19 (administrative response rate of 2%); CFPB, Consumer Response Annual Report

January 2022 CFPB report criticized the nationwide CRAs for relying on “speculative criteria” in treating complaints as illegitimately submitted by third parties, leading the companies to fail to provide relief.⁸

The massive volume of complaints over credit reporting are actually the consequence of the industry’s own well-documented biases and dysfunctions. In 2012, the Federal Trade Commission found that 1 in 5 of consumers (or over 40 million) had verified errors in their credit reports, with 1 in 20 (or over 10 million) having errors so serious they would be rejected for credit or need to pay more.⁹ More recent studies by Consumer Reports in 2021¹⁰ and 2024¹¹ show similar percentages. With tens of millions of consumers with errors in their credit reports, just a small uptick in the fraction filing complaints would generate huge spikes.

These complaints are the result of deep, profound, and longstanding problems in the credit reporting system. These include problems such as:

- Consumers having their credit files “mixed” with the wrong person.
- Negative information that remains even after court judgments or legal settlements declare that a consumer doesn’t owe a debt.
- The after-effects of identity theft when credit bureaus and creditors don’t believe the victim.
- Consumers being labeled as dead when they are alive and breathing.
- Errors by the creditors and debt collectors who supply information to the credit bureaus, *i.e.*, “furnishers.”¹²

January 1-December 31, 2019, at 14, 17 (March 2020)

https://files.consumerfinance.gov/f/documents/cfpb_consumer-response-annual-report_2019.pdf (3% of complaints flagged with “administrative response”; explaining that “Administrative Response” includes complaints submitted by unauthorized third parties, complaints that are the result of fraud, scams or business identity theft, and complaints where a company cannot confirm a commercial relationship with the consumer).

⁸ CFPB, Annual Report of Credit and Consumer Reporting Complaints: An Analysis of Complaint Responses by Equifax, Experian, and TransUnion 28 (Jan. 2022),

https://files.consumerfinance.gov/f/documents/cfpb_fcra-611-e_report_2022-01.pdf [hereinafter “CFPB First Annual Consumer Reporting Complaints Report”].

⁹ Fed. Trade Comm’n, Report to Congress Under Section 319 of the Fair and Accurate Credit Transactions Act of 2003 (Dec. 2012), www.ftc.gov/sites/default/files/documents/reports/section-319-fair-and-accurate-credit-transactions-act-2003-fifth-interim-federal-trade-commission/130211factareport.pdf.

¹⁰ Syed Ejaz, Consumer Reports, A Broken System: How the Credit Reporting System Fails Consumers and What to Do About It (2021) <https://advocacy.consumerreports.org/wp-content/uploads/2021/06/A-Broken-System-How-the-Credit-Reporting-System-Fails-Consumers-and-What-to-Do-About-It.pdf>.

¹¹ Lisa L. Gill, Consumer Reports, More Than a Quarter of People Find Serious Mistakes in Their Credit Reports, Study Shows (April 30, 2024), <https://www.consumerreports.org/money/credit-scores-reports/serious-mistakes-found-in-credit-reports-a1061511185/>.

¹² Chi Chi Wu, Michael Best & Sarah Mancini, NCLC, Automated Injustice Redux: Ten Years after a Key Report, Consumers Are Still Frustrated Trying to Fix Credit Reporting Errors (Feb. 25, 2019), <https://bit.ly/ajustre>. See also Consumer Credit Reporting: Assessing Accuracy and Compliance: Hearing Before the Subcomm. on Oversight and Investigations of the H. Comm. on Financial Servs., 117th Cong.

The dispute system that is supposed to serve as a safety net to fix errors is an automated travesty, with the nationwide CRAs and some furnishers conducting pro forma, perfunctory investigations. Credit bureaus automatically defer to what a furnisher tells them, like a judge who always rules for the defendant.¹³

Claiming that the bulk of complaints against the nationwide CRAs are merely the product of bots or illegitimate credit repair is not only unsupported, but also minimizes the pain and frustration of millions of consumers who've been unfairly burdened with the credit reporting abuses discussed above. And instead of fixing the problems with inaccuracies and poor dispute handling by the nationwide CRAs, which is supposed to be CFPB's mission, the Bureau appears ready to bow to the industry's demands to sweep the problem under the rug by suppressing the volume of complaints.

Incorrect information on a credit report, whether caused by errors or identity theft, can be devastating, costing families thousands of dollars in higher interest rates or denying access to loans altogether. It can prevent people from becoming homeowners, buying cars, or opening small businesses and can also cost people a job opportunity, insurance, or an apartment rental. In a time when consumers are struggling already with the affordability of everyday expenses, the CFPB should be helping consumers address credit reporting problems, not caving to the industry's wish list to prevent people from complaining about them in the first place.

B. New Notices on Complaint Intake Form are Unnecessarily Threatening and Impose Requirements Not Found in Applicable Law

The CFPB has already instituted one of the changes suggested by CDIA in its January 27, 2026 letter: the recommendation to place a notice at the beginning of the complaint process telling consumers they must first contact a CRA and wait for its response. On or around February 4, 2026, the CFPB added, not one, but three webpages to the Complaint Intake Form that include intimidating warnings to this effect. These webpages are inappropriately menacing, and they misinterpret the law. They appear to be deliberately designed to illegitimately discourage consumers from submitting complaints against the nationwide CRAs and perhaps other companies.

(2021) (statement of Chi Chi Wu), <https://www.congress.gov/117/meeting/house/112712/witnesses/HHRG-117-BA09-Wstate-WuC-20210526.pdf>.

¹³ *Id.*

The first warning appears on the Submit a Complaint page and reads in all caps and bold text, which is the online equivalent of aggressive yelling:

Warning Notice 1¹⁴

Credit and consumer reporting complaint notice

THIS CONSUMER COMPLAINT PORTAL IS DESIGNED TO HELP CONSUMERS, INCLUDING TO RESOLVE COMPLAINTS AGAINST CREDIT REPORTING AGENCIES.

CONSISTENT WITH THE LAW, CONSUMERS MUST FIRST DISPUTE INACCURATE OR INCOMPLETE INFORMATION ON THEIR CREDIT REPORT WITH THE CREDIT REPORTING AGENCY. PREMATURE SUBMISSIONS SLOW DOWN THE SYSTEM FOR THOSE MOST IN NEED OF HELP AND WHO HAVE CORRECTLY FOLLOWED THE PROCESS.

HAVE YOU SUBMITTED YOUR DISPUTE TO A CREDIT REPORTING AGENCY MORE THAN 45 DAYS AGO, OR IS YOUR DISPUTE WITH THEM NO LONGER PENDING?

IF NOT, DO NOT SUBMIT YOUR COMPLAINT HERE AT THIS TIME.

Proceed

In addition to the problems discussed below with respect to all three warning notices, the last two sentences of this particular warning notice are confusing because of the use of multiple negatives. Consumers may find it hard to understand and may lack confidence that they can submit their complaint.

¹⁴ This page can be found at <https://www.consumerfinance.gov/complaint/credit-and-consumer-reporting-complaint-notice/> (last visited Mar. 1, 2026).

If a consumer clicks “Proceed,” they then see Warning Notice 2:¹⁵

Credit and consumer reporting complaint notice

WHEN YOU MUST FIRST DISPUTE THE COMPLAINT WITH THE CRA:

Before submitting a complaint against a credit or consumer reporting agency about inaccurate or incomplete information on your consumer report, you are required by law to first dispute the information directly with the credit or consumer reporting agency. 15 U.S.C. 1681i(a) & (e). You can learn more about how to submit a direct dispute [here](#).

To submit a complaint, you must attest that the information you have provided is true to the best of your knowledge and belief, and, if your complaint to a CRA concerns inaccurate or incomplete information, that you have already submitted your dispute to a CRA more than 45 days ago or that your dispute with the CRA is no longer pending.

Furthermore, if you submit a complaint to the CFPB against a credit or consumer reporting agency about inaccurate or incomplete information without first disputing the information directly with that company:

- They may not respond to your complaint
- The CFPB will discontinue processing your complaint if the company alerts us that you did not first dispute the information with them directly.

DO NOT SUBMIT UNLESS YOUR DISPUTE WITH THE CRA IS NO LONGER PENDING OR 45 DAYS HAVE ELAPSED SINCE YOU FILED THAT DISPUTE:

Even if you have already submitted a dispute and can attest that the information you have provided is true to the best of your knowledge and belief, do not submit a complaint to the CFPB about inaccurate or incomplete information while your dispute with the relevant credit or consumer reporting agency remains active. Credit and consumer reporting agencies are required to respond to disputes submitted to them within 30-45 days. By prematurely submitting your complaint here, you are impeding the system from serving other consumers who have correctly followed the process.

Proceed

If the consumer has not been deterred from filing a complaint by that point, they are then required to attest to the truth of the complaint and that the complaint has been submitted to the CRA and that 45 days has elapsed.

¹⁵ This page can be found at <https://www.consumerfinance.gov/complaint/credit-and-consumer-reporting-complaint-notice-2> (last visited Mar. 1, 2026).

Credit and consumer reporting complaint notice

I attest that:

- the information I am providing is true to the best of my knowledge and belief, and
- if my complaint to a CRA concerns inaccurate or incomplete information:
 - I have already submitted my dispute to the CRA, and
 - either 45 days have elapsed or my dispute is no longer pending with the CRA.

I Agree

These heavy-handed, duplicative, and menacing pages appear to be designed to deter consumers from filing complaints, which is an entirely inappropriate tactic for a consumer protection agency. They also mis-state the law.

There is simply no legal requirement for an individual to first submit a complaint with a nationwide CRA before they are permitted to file a complaint with the CFPB. The CFPB complaint provision in the Consumer Financial Protection Act (CFPA) at Section 1034, 12 U.S.C. 5534, statutorily requires the CFPB to take complaints, but includes nothing about requiring consumers to contact a CRA or other covered company before complaining to the CFPB.

A separate statute, the Fair Credit Reporting Act (FCRA) at Section 611(e), 15 U.S.C. § 1681i(e), does have a specific process with respect to complaints submitted to the CFPB after a consumer lodges a dispute with a nationwide CRA. But that process is not mandatory, and is not referred to at all in Section 1034 of the CFPA.

Notably, Section 611(e) was added to the FCRA in 2003 by the Fair and Accurate Credit Transactions Act. This was *seven years before* the Dodd-Frank Act added the CFPA and Section 1034 establishing the CFPB complaint function. Indeed, Section 611(e) of the FCRA originally applied to the Federal Trade Commission (FTC), and in fact the Government Printing Office (GPO) version of Section 611(e), as codified as 15 U.S.C. § 1681i(e) still refers to the FTC.¹⁷

¹⁶ This page can be found at <https://www.consumerfinance.gov/complaint/credit-and-consumer-reporting-complaint-notice-3/> (last visited Mar. 1, 2026).

¹⁷ The GPO version can be found at <https://www.govinfo.gov/content/pkg/USCODE-2011-title15/pdf/USCODE-2011-title15-chap41-subchapIII-sec1681i.pdf>. This version does have a footnote stating “So in original. Probably should be ‘Bureau.’” *Id.* This is probably a scrivener’s error, as the CFPA clearly changed each occurrence of “Commission” to “Bureau” except for specified exceptions, which do not include Section 611(e). Pub. L. 111–203, § 1088 (a)(2)(C)(July 21, 2010).

Congress could not have intended to require consumers to invoke this longstanding pre-existing process before filing a complaint with the CFPB because it fails to mention Section 611(e) or the FCRA at all in Section 1034 of the CFPA. Congress was well-aware of the existence of Section 611(e) given that the *it amended numerous provisions of the FCRA itself, including Section 611(e), in the CFPA*.¹⁸ If Congress intended to require consumers use the Section 611(e) process before filing a complaint with the CFPB, it would have said so.

It does not make sense to say that just because the FCRA has a specific pre-existing provision about one particular type of complaint — complaints submitted post-dispute under the FCRA — that consumers are prohibited from submitting any other type of complaint to the CFPB about the nationwide CRAs using the complaint process set up *seven years later* by the CFPA. The fact that these are separate and independent processes is highlighted by the fact that consumers have a private legal remedy under the FCRA when they dispute to a CRA, if the CRA and/or data furnisher fail to conduct a reasonable investigation, but have no private remedy under Section 1034 of the CFPA.

Furthermore, the vast majority of consumers do try to resolve problems with companies before turning to the CFPB for help. Only after people have been ignored or dismissed, do they tend to file a complaint with the CFPB. With respect to credit reporting, the CFPB has reported that:

- Between 2018 and 2020, more than 83% of complaints were covered complaints, *i.e.*, complaints for which the consumer first disputed to a CRA under Section 611(e) of the FCRA.¹⁹
- In 2023, 64% of complaints sent by the CFPB to the nationwide CRAs were covered complaints,²⁰ but over 92% of complaints about *covered issues* were covered complaints.²¹ That is because, as discussed below, not all complaints against CRAs involve accuracy or dispute issues that would implicate Section 611(e). And in that same year, for complaints where the CRA confirmed a commercial relationship with the consumer and responded with an explanation or relief, 93% of those consumers reported that they attempted to resolve their issue with the company before submitting a complaint to the CFPB.²²
- In 2024, 86% of consumers with a credit or consumer reporting complaint who received a closure response reported that they attempted to resolve their issue with the CRA first.²³
- In the period of January 2024 to June 2025, consumers reported they had previously disputed with the CRA in 85% of complaints about covered issues.²⁴ The CFPB noted

¹⁸ Pub. L. 111–203, § 1088 (a)(2)(C)(July 21, 2010).

¹⁹ CFPB First Annual Consumer Reporting Complaints Report at 44.

²⁰ CFPB 2023 Consumer Response Annual Report at 24.

²¹ The math is as follows: 64% of the approximately 1 million complaints that the CFPB sent to the NCRAs for review and response is about 640,000. *Id.* In 2023, there were 692,800 complaints involving “Incorrect Information on Your Report” and “Problems with a company’s investigation into an existing issue. *Id.* at 21. 640,000 divided by 692,800 is 92.4%

²² *Id.* at 20.

²³ CFPB 2024 Consumer Response Annual Report at 62.

²⁴ In Jan 2024 to June 2025 period, there were 2,397,000 complaints about covered issues. Of those, consumers in 2,033,000 complaints reported that had previously disputed with the CRA. CFPB, Annual

“The share of consumers reporting a previous dispute has hovered around 90% since 2020 for all three NCRAs.”²⁵

Another problem with the new menacing notices is that a significant portion of the complaints against CRAs are not concerning an inaccuracy or dispute investigation, but other issues for which a dispute to the CRAs under Section 611(e) would not be applicable. These include the following issues, as well as their number and percentage of credit reporting complaints they constituted in 2024.²⁶

Improper Use of Your Report	691,100 (30%)
Credit monitoring or identity theft protection services	11,400 (0.5%)
Problem with fraud alerts or security freezes	8,400 (0.4%)
Unable to get your credit report or score	8,200 (0.4%)

This is why, for the later period of January 2024 to June 2025, 85% of consumers with a covered issue reported they had previously disputed with the CRA, but only 52% of complaints were covered complaints – because over 2 million of the credit reporting complaints to the CFPB were not about a covered issue that would implicate Section 611(e).²⁷ It would not make sense for consumers to attempt to dispute some of these issues with a nationwide CRA. In fact, they likely would not even get a tracking number. These consumers may be deterred from filing a complaint with the CFPB because they have no way of submitting a dispute to the nationwide CRAs about their issue, or cannot document a dispute submission without a tracking number.

Furthermore, relying on the nationwide CRAs to determine when a consumer has previously filed a dispute is problematic. As the CFPB noted in January 2022, the nationwide CRAs themselves have deficiencies in their processes that prevent adequately filing and tracking of disputes with them. The CFPB stated:

Initially, only covered complaints where the consumer could provide a dispute tracking number were transmitted to the NCRAs and required a response, but this requirement proved too stringent. Some consumers complained about difficulties they encountered when attempting to submit disputes to the NCRAs. Other consumers had previously submitted disputes but no longer were able to identify their tracking number. To remedy this constraint, the CFPB made the decision to accept all covered complaints and to ask consumers about prior attempts to correct their issues with the company.²⁸

This is why the CFPB, just this past December 2025, noted a wide divergence between the number of consumers who reported that they previously disputed with a nationwide CRA and the numbers that the nationwide CRAs themselves reported. About 90% of consumers with a

report of credit and consumer reporting complaints 8, Dec. 2025, https://files.consumerfinance.gov/f/documents/cfpb_fcra-611e-report_2025-12.pdf [hereinafter “CFPB 2025 Consumer Reporting Complaints Report”].

²⁵ *Id.* at 9.

²⁶ CFPB 2024 Consumer Response Annual Report at 21.

²⁷ CFPB 2025 Consumer Reporting Complaints Report at 8.

²⁸ CFPB First Annual Consumer Reporting Complaints Report at 42.

covered issue reported they had submitted a previous dispute to a CRA.²⁹ In contrast, Equifax reported a rate of only 37% in mid-2025 of complaints where the consumer had submitted a previous dispute, while TransUnion reported a rate of about 30%.³⁰ Given the overall dysfunction with the nationwide CRAs systems and procedures,³¹ one should not leap to the conclusion that the divergence is a result of consumer misrepresentation.

Finally, note that there is a category of complaints called “Difficulty submitting a dispute or getting information about a dispute over the phone.”³² These consumers literally tried to submit a dispute to the CRA first, but their complaint is about not being able to do it. Those people cannot comply with the intimidating instructions in the ALL CAPS text because the very problem with the CRA that they seek to raise with the CFPB prevents them from doing so.

C. Other changes demanded by the credit reporting companies would even more unjustifiably deter consumers from filing complaints with the CFPB

In addition to the warning notices discussed above, the January 27 CDIA letter to CFPB demands a number of other changes to the complaint intake form and process. Each of these changes is unjustified, problematic, and would harm consumers. We urge the CFPB not to adopt them.

The changes requested by CDIA are not justified and will only serve to deter legitimate complaints from consumers. They would deter, not only complaints against the nationwide CRAs, but against other entities that the CFPB regulates, such as debt collectors, banks, and servicers.

CDIA Demand: Monitor and/or restrict the IP addresses used to access the portal and submit complaints to block bots and credit repair organizations from submitting complaints on behalf of multiple consumers. If an organization wishes to submit complaints for multiple consumers, it would need to register with the CFPB.

Response: A restriction on multiple complaints from the same IP address would unduly and illegitimately restrict the ability of consumers to file complaints with the CFPB. It would harm the most vulnerable consumers, the 22% of households (and 46% of very low-income

²⁹ CFPB 2025 Consumer Reporting Complaints Report at 9.

³⁰ *Id.*

³¹ *See, e.g.,* Andrew Ackerman & AnnaMaria Andriotis, Equifax Sent Lenders Inaccurate Credit Scores on Millions of Consumers, Wall St. J., Aug. 2, 2022 (Equifax sold inaccurate credit scores to lenders for millions of consumers due to a coding error); U.S. House of Representatives Committee on Oversight and Government Reform, The Equifax Data Breach, September 2018 (discussing multiple computer and governance failures leading to massive data breach in 2017), https://drive.google.com/file/d/1FezNz6ckjYFW5HhWV5ci9_rzX_lcedpE/view?usp=sharing.

³² *See* CFPB First Annual Consumer Reporting Complaints Report at 33, n. 107 (“Consumers who identify Problem with a credit reporting company’s investigation into an existing problem can select from one of five sub-issues: Investigations took more than 30 days; Was not notified of investigation status or results; Their investigation did not fix an error on your report; Difficulty submitting a dispute or getting information about a dispute over the phone; Problem with personal statement of dispute”). There were 15,868 of these complaints in 2025 based on an analysis of the CFPB Complaint Database.

households) on the other side of the digital divide who do not have home broadband Internet.³³ These consumers may need to rely on public or group locations to file complaints, such as libraries, schools, social services providers, legal services offices, and domestic violence shelters. While some of these organizations might be able to register with the CFPB, other locations (such as a school or domestic violence shelter), might be deterred because of legal issues or confidentiality concerns. The CFPB should not place a restriction on the number of complaints that can be submitted from a particular IP address.

CDIA Demand: Implement two-factor authentication by means such as a phone number, and restrict the volume of complaints that can be associated with any given phone number.

Response: This restriction would effectively and unduly limit how many complaints that an individual consumer can file with the CFPB. Some consumer might need to file multiple complaints because of a complicated or widespread issue in their financial lives. For example, a consumer who is the victim of a mixed credit reporting file or identity theft might need to dispute dozens of incorrect or fraudulent accounts on their credit report, which would involve complaints against dozens of data furnishers (*i.e.*, creditors or debt collectors) as well as all three nationwide CRAs. This restriction would also prevent social services providers or credit counselors from assisting multiple consumers who might not have cell phone access, such as unhoused or very elderly consumers. As even a debt collection agency recognized “[l]imiting complaints per phone number, in particular, would hit low-income households in which several adults share one phone line, effectively forcing families to decide who gets to seek help.”³⁴ The CFPB should not place a restriction on the number of complaints that can be submitted using a particular phone number, nor should it prohibit the use of a virtual phone number, such as a Google Voice number, for two-factor authentication.

CDIA Demand: If a consumer complains that a CRA did not fulfill its legal obligations with regard to a previously submitted FCRA Request but there was in fact no prior interaction, allow the CRAs to provide an administrative response that the consumer never filed a FCRA Request in the first place, and remove the complaint from the aggregate total as not a legitimate complaint (since there is no failure of the CRA to complain about).

Response: As discussed above, the nationwide CRAs’ systems and processes are often deficient and dysfunctional. Relying on them to determine whether a consumer has previously filed a dispute would be unreliable and “too stringent,” as the CFPB itself noted in its January 2022 report.³⁵ The nationwide CRAs’ ability to identify and track previous disputes is also suspect and likely subpar. According the data from the CFPB issued just two months ago, the nationwide CRAs were only able to identify a fraction of consumers who self-reported having submitted a previous dispute. And one of the complaint categories itself literally consists of the consumer’s inability to lodge a dispute with a company. Given these serious deficiencies, the nationwide

³³ Colleen McCain and William Bishop, Pew Research Center, What we know about internet use, smartphone ownership and digital divides in the U.S., Jan. 8, 2026, <https://www.pewresearch.org/short-reads/2026/01/08/internet-use-smartphone-ownership-digital-divides-in-u-s/>.

³⁴ Kate Berry, Experts weigh whether CFPB database tweaks help or hurt, *American Banker*, Feb. 13, 2026, <https://www.americanbanker.com/news/experts-weigh-whether-cfpb-database-tweaks-help-or-hurt?>

³⁵ CFPB First Annual Consumer Reporting Complaints Report at 42.

CRAAs should not be permitted to decide whether the consumer’s dispute is legitimate based on whether they filed a previous dispute, and thus is entitled to assistance from the CFPB.

CDIA Demand: Require more identification from consumers and/or third parties who submit complaints, such as address, date of birth, or other demographic information from consumers, and business name and business address for businesses submitting complaints on behalf of consumers.

Response: The nationwide CRAAs have an unfortunate history of requiring onerous levels of identification from consumers, stymieing their ability to exercise their rights under the FCRA, such as the right to a free file disclosure or their ability to block information that is the result of identity theft.³⁶ Examples include Equifax’s refusal to send a free file disclosure when the consumer’s driver’s license did not list the consumer’s current address even though the consumer submitted other documentation that did,³⁷ and TransUnion’s refusal to place an identity theft block on a consumer’s credit file, even though the consumer provided a copy of her Social Security card, state-issued learners permit, and utility bill, due to a small discrepancy in the consumer’s address on the latter two documents.³⁸

Furthermore, a requirement that consumers submit personal identifying information, such as date of birth, demographic information, or SSNs, puts such data at risk for security breaches when the collection of this sensitive data is unnecessary. It also puts more pressure on the CFPB to protect that personal data and could deter consumers from filing complaints because of the risk of breaches.

D. Changes Sought by CDIA Would Increase the Burden on Consumers

The threatening warning notices adopted by the CFPB in response to demands from CDIA during the prior comment period have resulted in more time spent by consumers in filing complaints with the CFPB. These changes have substantially reduced the utility of the system for potentially millions of people seeking CFPB assistance with a major financial problem. The other changes demanded by CDIA would place even more time burdens on consumers and reduce the utility of the complaint system. Also, the timing of the threatening warning notices is suspect, as they were adopted just days after the close of the initial comment period required by the Paperwork Reduction Act (PRA), which means that other comments filed during that period were likely not yet considered.

We specifically encourage the administration to consider the following factors under the PRA:

1. ***The implemented changes reduce the practical utility of the complaint portal:*** the changes implemented following the initial notice of November 28, 2025 make the

³⁶ See NCLC, Re: Prohibition on Inclusion of Adverse Information in Consumer Reporting in Cases of Human Trafficking, Docket No. CFPB–2022–0023/RIN 3170-AB12, May 9, 2022, <https://www.nclc.org/resources/consumer-and-survivor-advocacy-groups-comments-to-cfpb-on-proposed-rule-to-protect-trafficking-survivors/>.

³⁷ Hicks v. Smith, 2020 WL 5824031, at *1 (W.D. Ky. Sept. 30, 2020).

³⁸ Ogbon v. Beneficial Credit Serv., Inc., 2013 WL 1430467 (Apr. 8, 2013).

consumer database less useful to the entire agency and are contrary to the CFPA requirements for both consumer responses and for supervision, enforcement, and market monitoring.

2. ***The changes increase the burden to the public and underestimate time spent:*** the three warning notices and required attestations significantly increase the time that consumers need to spend to file a complaint. If the changes require the consumer to spend 1 minute to read, comprehend, and respond to each webpage, that is 3 minutes per consumer. With over 6 million consumers filing complaints with the CFPB, that is 18 million minutes or 300,000 additional hours that consumers must spend to file complaints. Moreover, consumers who are not filing complaints against the nationwide CRAs, or who are filing complaints regarding issues other than accuracy or dispute investigations, are nonetheless forced to spend time on these webpages which are unrelated to their complaint.

We note that the CFPB estimated in its original notice on November 28, 2025 that the total annual burden hours for consumers to file complaints was 1,123,334 hours;³⁹ it gave the exact same estimate the second notice on January 30, 2026.⁴⁰ This would imply that the addition of these warning notices, added at the request of previous commenters, did not increase the burden on consumers at all, which would be a gross underestimate given the substantial changes that were made prior to seeking final OMB approval.

3. ***Public purpose of the PRA:*** The PRA is designed to minimize information collection burdens on the public and encourage government efficiency, but protecting the public is the primary purpose. The recent changes burden the public substantially while doing little to increase efficiency or reduce costs at the CFPB.

We urge that these changes be reversed and the CFPB continue to collect complaints in a similar manner to the process in place prior to early February 2026. We also urge the CFPB not to adopt any of the other changes demanded by CDIA.

If you have any questions about these comments, please contact Chi Chi Wu, Director of Consumer Reporting and Data Advocacy at cwu@nclc.org or 617-542-8010.

³⁹ CFPB, Notice and request for comment, 90 Fed. Reg. 54,643, Nov. 28, 2025, <https://www.federalregister.gov/documents/2025/11/28/2025-21451/agency-information-collection-activities-comment-request>.

⁴⁰ CFPB, Notice and request for comment, 91 Fed. Reg. 4,066, Jan. 30, 2026, <https://www.federalregister.gov/documents/2026/01/30/2026-01895/agency-information-collection-activities-comment-request>.