

April 2, 2025

Consumer Financial Protection Bureau
1700 G Street NW
Washington, D.C. 20552

Submitted electronically via regulations.gov and email

RE: Protecting Americans from Harmful Data Broker Practices (Regulation V), Docket No. CFPB-2024-0044 or RIN 3170-AB27

Dear CFPB Officials:

We write to express our strong support for the Consumer Financial Protection Bureau's recent rulemaking [proposal](#) to modernize implementation of the Fair Credit Reporting Act (FCRA) through Regulation V, including provisions to clarify that data brokers are subject to FCRA when they deal in Americans' consumer data.

This Proposed Rule comes at a time when the modern credit reporting and data broker industry is out-of-control and rife with harmful business practices, which are proliferating unchecked and fueling scams, discrimination, violence, cybercrime, and serious threats to [national security](#). As such, we call on the CFPB to use the full force of its legal authority under FCRA to move the proposal forward to a final rule to rein in these corporate abuses.

The Consumer Financial Protection Bureau is the leading federal agency devoted to protecting consumers from predatory financial practices and to ensuring that markets for consumer financial products are transparent, fair, and competitive. Since its creation in response to the 2008 global financial crisis, the [CFPB](#) has returned more than \$21 billion in relief back to 200 million people and collected \$5 billion in civil money penalties for misconduct and wrongdoing. The CFPB has been exceptionally effective in protecting everyday Americans and honest businesses from crooked companies that rip off people and violate their rights.

Among the federal laws enforced by the CFPB is the landmark Fair Credit Reporting Act of 1970, which ensures the privacy and accuracy of consumer information communicated by consumer reporting agencies. Given dramatic changes in technology and the current state of data markets—including the systemic threats that data brokers pose—the Proposed Rule's updates to FCRA implementation are long overdue.

Today, data brokers are a juggernaut industry that collects, aggregates, analyzes, and monetizes hundreds of billions of data points on billions of people, often without their consent or even their awareness. The unprecedented amounts and types of data amassed by data brokers include the most intimate details about people's lives, including the digital trails we generate with every moment we use the internet or cell phone—such as our whereabouts, demographics, family composition, romantic relationships, finances, political views, shopping habits, and medical conditions. These data points and inferences based on them are also often riddled with junk, mistakes, and systemic biases.

The ways consumer data is wielded in this [exploding market](#) are [opaque and unfair](#), subjecting people to devastating harms such as denied [jobs](#), [loans](#), [housing](#), or [government benefits](#)—including [life-altering decisions](#) made unjustly on the basis of [protected characteristics](#) like [race and gender](#). Because data brokers make it [alarmingly easy](#) to obtain [detailed personal information](#) about Americans, they also enable malicious actors to [target](#) specific constituencies and individuals for [extortion](#), [spying](#), [fraud](#), or even [violence](#). Americans facing these heightened risks include [domestic violence victims](#), [economically distressed families](#), [military servicemembers](#), [law enforcement agents](#), [judges](#), and [lawmakers](#).

Data brokers have nonetheless argued that they are not consumer reporting agencies offering consumer reports and thus not subject to federal oversight and accountability under the FCRA. They insist on those flawed, self-serving arguments even though data brokers deal in the same information in the same ways as other consumer reporting agencies and perpetuate the same kinds of consumer harms and risks that the FCRA was enacted to prevent.

The Proposed Rule sensibly affirms that a wide range of data brokers and data broker activities are indeed subject to FCRA standards, thereby reining in the reckless free-for-all with Americans’ personal data that data brokers currently engage in with impunity. Through clarifications such as what counts as a “consumer report” and which entities count as a “consumer reporting agency,” the Proposed Rule would subject many data brokers to the same accuracy, confidentiality, and dispute resolution legal requirements as other companies like credit rating agencies that handle consumers’ sensitive financial information. We especially appreciate the Proposed Rule’s provisions to better protect “credit header data”—i.e., an individual’s name, aliases, age or birth date, Social Security number, current and prior addresses, telephone number, email addresses, and similar identifiers. Although industry’s purported concerns about impacts on fraud prevention and law enforcement are deeply [flawed](#), the Proposed Rule would also continue to allow fraud prevention and law enforcement uses under the FCRA—including the option to obtain more information beyond what statutory and regulatory exemptions already allow via a court order, a subpoena, or a consumer’s written instructions.

For the American people, the takeaway is simple: the CFPB’s Proposed Rule will protect people’s personal data and crack down on predatory business practices that invade our privacy, violate our rights, and expose us to cybercrimes like identity theft and blackmail. The personal privacy, civil liberties, and data security of hundreds of millions of Americans should not depend on profit-obsessed corporations’ goodwill or discredited vows to self-regulate.

For all these reasons, we ask the CFPB to move this FCRA rulemaking forward to a final rule, with improvements as appropriate to strengthen the protections for regular consumers and to more robustly oversee predatory corporate actors. The CFPB’s clear mission is to protect everyday Americans against powerful, predatory corporate interests—and that is exactly what the Proposed Rule aims to do.

Sincerely,

Accountable Tech
Americans for Financial Reform Education Fund (AFREF)
Asian Americans Advancing Justice - AAJC
Autistic Women & Nonbinary Network, Inc. (AWN)
Blue Future
Center for Digital Democracy
Center for Economic Justice
Center for LGBTQ Economic Advancement & Research (CLEAR)
Common Sense Media
Consumer Action
Consumer Federation of America
Consumer Reports
Consumer Watchdog
Demand Progress Education Fund
Economic Action Maryland Fund
Electronic Privacy Information Center
Fight for the Future
JustLeadershipUSA
JustUS Coordinating Council
Lawyers' Committee for Civil Rights Under Law
National Association for the Advancement of Colored People
National Consumers League
National Disability Institute
National Partnership for Women & Families
New Jersey Appleseed Public Interest Law Center
Oregon Consumer Justice
Oregon Consumer League
Public Citizen
Public Justice Center
Tech Justice Law Project
Texas Appleseed
UltraViolet Action
Virginia Citizens Consumer Council
William E. Morris Institute for Justice
X-Lab