

November 30, 2023

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

Re: Docket No. CFPB-2023-0052

Submitted via Federal Rulemaking Portal

Dear Director Chopra:

We the undersigned 18 civil society groups write to express our support for the goals of the proposed Personal Financial Data Rights Rule you [recently announced](#). As you know, the new rule will advance the twin objectives of promoting competition and safeguarding consumer data privacy and security within the financial services sector.

As you also know, this rule is long overdue. In 2010, when Congress created the Consumer Financial Protection Bureau (CFPB) as part of the Dodd–Frank Wall Street Reform and Consumer Protection Act, it also provided consumers with the right to access and transfer their financial data in Section 1033 of that legislation. President Biden’s [Executive Order on Promoting Competition in the American Economy](#) explicitly encouraged the CFPB to commence rulemaking under Section 1033 “to facilitate the portability of consumer financial transaction data so consumers can more easily switch financial institutions and use new, innovative financial products.”

The proposed rule seeks to do exactly that, by providing consumers with the ability to switch service providers without fear of [losing their transaction history or disrupting their automatic bill pay arrangements](#). This, in turn, empowers individuals to access better financial products and services while encouraging financial institutions to compete on quality and service.

[Market concentration within the financial industry](#) has reduced options for consumers and disincentivized financial service providers from improving their offerings. The [challenge of transitioning between providers](#) has deterred many consumers from seeking better alternatives, raising concerns about a lack of competition, undesirable fees, and barriers to more favorable rates.

The proposed Personal Financial Data Rights rule seeks to [break down these barriers](#), offering consumers greater agency in their financial choices and [enabling smaller community banks and emerging competitors to vie for customers](#) based on superior products and services at competitive rates. Polling indicates Americans' strong support for [data portability](#) and for the [CFPB's role in helping make it possible for consumers to switch banks](#).

In addition, the proposed rule aligns with the CFPB's mission to protect consumers from financial abuse and misuse of their personal data. The rule recognizes the inherent risks associated with financial data and ensures that such data will not be exploited in unintended or unauthorized ways. This data protection helps to maintain the trust and privacy of consumers, a vital component of a healthy financial system. We commend the rule's requirement that financial providers delete data upon the end of a consumer's relationship with a firm. This is essential to ensure consumer privacy and data security.

We applaud the CFPB's initiative to jumpstart competition in the banking and consumer finance sectors, and we believe that this rule will address the [ongoing imbalance between financial service providers and consumers](#). It promises to strengthen and improve the industry, allowing individuals to find affordable credit cards, loans, and savings accounts while enjoying improved customer service.

As the proposed Personal Financial Data Rights rule progresses through the review and finalization process, we commend the effort and look forward to commenting further. In announcing the rule, you made a particularly apt comparison: After the FCC required wireless phone number portability, it dramatically changed consumer behavior and transformed the industry: "Rather than being locked in, you could now switch with less hassle, and that led to better prices and service."

This rule, as well, will lead to better prices and service for consumers. Thank you for your leadership.

Sincerely,

Access Now
American Economic Liberties Project
Center for Digital Democracy
Center for Justice and Democracy
Consumer Action
Consumer Federation of America
Demand Progress Education Fund

Electronic Privacy Information Center (EPIC)
Fight for the Future
The Greenlining Institute
Incarcerated Action Network
Institute for Local Self-Reliance
Main Street Alliance
Media Alliance
Open Markets Institute
Public Citizen
Revolving Door Project
Rise Economy (formerly California Reinvestment Coalition)