

Acting Director Mick Mulvaney
Consumer Financial Protection Bureau
1700 G St. N.W.
Washington, D.C. 20552

April 30, 2018

Dear Acting Director Mulvaney:

Consumers, and the many groups who represent them, are alarmed by your recent remarks that report that you are considering banning public access to the CFPB consumer complaint database.

The public complaint database is a tool that empowers individuals to inform and protect themselves in the marketplace. It helps consumers evaluate a company's practices as they decide where to take their business, it creates incentives for companies to treat their customers fairly and resolve problems when they arise and it helps the market reward good products and services by allowing consumers to vote with their feet. The complaint database also allows companies to identify and correct problems on their own, rather than being required to by a new rule or enforcement action.

The CFPB has an obligation under the Dodd Frank Wall Street Reform and Consumer Protection Act for "collecting, researching, monitoring and *publishing* information.... to identify risks to consumers." Publication of the complaint database is an important contribution to that explicit and specific goal. Making the database public makes it more useful and more visible, which in turn makes it more likely to be used, and to provide more valuable information to the Bureau and the public about consumer financial services.

Consumers generally turn to the CFPB complaint process once they've exhausted efforts in dealing with the business directly. The CFPB public complaint database offers consumers a cost effective tool to address ongoing financial disputes.

A review of optional complaint narratives will indicate that many consumers note that their complaint to customer service was completely ignored, until they posted a complaint to the database.

Privately, firms admit that the mere existence of the public database has pushed them to improve customer service and internal dispute resolution processes, creating better outcomes for consumers *and* the company.

The fact that you have chosen to publicly announce your likely intentions for the complaint database is particularly disturbing given that you have formally requested feedback on the system in two of the 12 requests for information (RFIs) you have released. Judging the outcome prior to considering all interested parties' relevant comments is a disservice to your role as temporary, acting director of the

Consumer Financial Protection Bureau. This disregard for considering the evidence, and the views of the public makes us question the intentions behind the RFIs, and the usefulness of the considerable resources our organizations are putting into responding to them.

As to your concerns about vetting complaints, the Bureau confirms a commercial relationship between customer and company and clearly discloses that consumer claims are not confirmed. It rightly leaves the validity of the complaint and complainant up to the reader to judge its value. If the CFPB database reveals that a company has hundreds of complaints posted about the same predatory or discriminatory practice, an individual can judge if the company deserves its business. Readers also draw different conclusions from first-hand complaints and they can learn from and be influenced by successful resolutions of problems, as well as from the problems themselves.

The public consumer complaint database has served as an important tool to make markets work better. It allows consumers to make better financial choices, it encourages firms to improve their customer service, it allows competitors to take notice of practices that they should avoid and it provides academics and other researchers with an important view of the marketplace.

We note that removing the database from public view will not remove the problems it helps identify.

We request that you refrain from any further judgments on the future of the consumer complaint database until all CFPB-requested input has been carefully evaluated. We believe that the public complaint database is an important consumer protection and education tool and urge you to preserve it.

Sincerely,

Americans for Financial Reform
Allied Progress
American Federation of Teachers
California Reinvestment Coalition
CASH Campaign of Maryland
Center for NYC Neighborhoods
Center for Responsible Lending
Connecticut Fair Housing Center
Consumer Action
Consumer Federation of America
Consumers Union
Delaware Community Reinvestment Action Council
Electronic Privacy Information Center
Empire Justice Center

Generation Progress
Higher Ed, Not Debt
Holland Law Firm
Main Street Alliance
Maryland Consumer Rights Coalition
Montana Organizing Project
NAACP
National Association of Consumer Advocates
National Association of Consumer Bankruptcy Attorneys
National Community Reinvestment Coalition
National Consumer Law Center (on behalf of its low income clients)
National Consumers League
National Fair Housing Alliance
National Student Legal Defense Network
New Jersey Citizen Action
New Yorkers for Responsible Lending
Public Higher Education Network of Massachusetts
Public Citizen
Public Justice
Reinvestment Partners
Tennessee Citizen Action
The Institute for College Access & Success
U.S. PIRG
Veterans Education Success
Woodstock Institute
World Privacy Forum
Young Invincibles