

**[DISCUSSION DRAFT]**

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend the Consumer Financial Protection Act of 2010 to require the attestation of certain information as part of the consumer complaint submission process, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M\_\_\_\_. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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**A BILL**

To amend the Consumer Financial Protection Act of 2010 to require the attestation of certain information as part of the consumer complaint submission process, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. COLLECTING AND TRACKING COMPLAINTS.**

4       Section 1013(b)(3) of the Consumer Financial Pro-  
5       tection Act of 2010 (12 U.S.C. 5493(b)(3)) is amended  
6       by adding at the end the following:

1           “(E) CONSUMER ATTESTATION.—The Di-  
2           rector shall require, using such verification  
3           mechanisms as the Director determines appro-  
4           priate, each consumer who submits a complaint  
5           to the unit established under this paragraph to  
6           attest, under penalty of perjury, that—

7                   “(i) the information and documenta-  
8                   tion provided in the complaint is true and  
9                   accurate to the best of the consumer’s  
10                  knowledge;

11                  “(ii) the complaint is being submitted  
12                  directly by the consumer or by an indi-  
13                  vidual authorized to act on the behalf of  
14                  the consumer; and

15                  “(iii) the complaint is not being sub-  
16                  mitted by an unauthorized third party or  
17                  for any fraudulent or misleading purpose.

18           “(F) CLOSURE OF DUPLICATIVE, FRIVO-  
19           LOUS OR UNAUTHORIZED COMPLAINTS.—

20                   “(i) IN GENERAL.—A financial insti-  
21                   tution or service provider that receives a  
22                   consumer complaint from the unit estab-  
23                   lished under this paragraph may, upon  
24                   reasonable determination, close such com-  
25                   plaint without further action if the com-

1                   plaint, as determined by such financial in-  
2                   stitution or service provider—

3                   “(I) is duplicative of a previously  
4                   submitted and resolved complaint sub-  
5                   mitted by the same consumer relating  
6                   to the same issue;

7                   “(II) is frivolous or lacking a  
8                   basis in fact;

9                   “(III) was not submitted by the  
10                  consumer or an individual authorized  
11                  to act on the behalf of the consumer;  
12                  or

13                  “(IV) was submitted for a fraud-  
14                  ulent or misleading purpose.

15                  “(ii) RECORDING.—If a financial in-  
16                  stitution or service provider closes a com-  
17                  pliant under clause (i), such financial insti-  
18                  tution or service provider shall notify the  
19                  unit established under this paragraph of  
20                  such closure and the reason for such clo-  
21                  sure and such unit shall record such infor-  
22                  mation in the database established under  
23                  this paragraph.

24                  “(G) CONFIDENTIALITY.—

1                   “(i) IN GENERAL.—Notwithstanding  
2                   any other provision of law, the Bureau  
3                   shall ensure that narrative content in-  
4                   cluded in complaints submitted by con-  
5                   sumers to the unit established under this  
6                   paragraph and narrative content included  
7                   in responses from financial institutions and  
8                   services providers who receive complaints  
9                   from the unit established under this para-  
10                  graph remain confidential and are not pub-  
11                  lished or made publicly viewable.

12                  “(ii) AGGREGATION OF DATA.—The  
13                  Bureau may publish aggregated data about  
14                  complaints received from consumers and  
15                  analyses of trends in such complaints if  
16                  such data and analyses do not include per-  
17                  sonally identifiable information or specific  
18                  narrative content that could reasonably be  
19                  linked to an individual consumer, financial  
20                  institution, or service provider.”.