

October 21, 2025

Russ Vought
Acting Director
Consumer Financial Protection Bureau
1700 G Street NW,
Washington, DC 20552

Re: Advanced Notice of Proposed Rulemaking on Personal Financial Data Rights Reconsideration

Dear Director Vought:

On behalf of the Merchants Payments Coalition (MPC), we write regarding the Advanced Notice of Proposed Rulemaking on Personal Financial Data Rights Reconsideration. By way of background, our coalition is comprised of a broad cross-section of Main Street businesses, including neighborhood retailers, family-owned stores, independent shops, and large national retailers that are collectively the backbone of the U.S. economy.

The MPC strongly supports efforts to advance open banking in the United States, which has the potential to bring long-overdue competition and innovation to the U.S. payments ecosystem.

Today, the payments system is dominated by a small handful of large banks and global card networks that exercise outsized control over how transactions are routed, processed, and priced. This lack of competition has stifled innovation while driving the cost of payments sky-high for both merchants and consumers. In 2010, total U.S. card fees were approximately \$64 billion. By 2024, those fees had soared to \$187 billion, with more than \$111 billion stemming from credit card transactions alone.

These escalating costs are not the result of market forces or improved service. They are the product of an anti-competitive system in which Visa and Mastercard centrally set the interchange fees that the largest banks charge merchants. Because these fees are collectively fixed rather than competitively determined, there is no meaningful price competition in the market. Merchants and consumers are left with no choice but to pay ever-rising fees.

Compounding the harm, these fees are assessed as a percentage of the transaction amount, typically 2–3 percent, meaning they increase automatically with inflation and act as an inflation multiplier across the economy. Every time prices rise for goods and services, so too do the swipe fees, amplifying inflationary pressure and increasing costs for consumers and profits to credit card companies.

In this context, open banking represents a critical corrective. Congress, through the Dodd-Frank Act's Section 1033, made clear that consumers have the right to access their own financial information. The statute is unambiguous: consumers should be able to access their financial

data without being charged for it, and the statute does not dictate who the consumer may ask to serve as an intermediary. The choice of intermediary is the consumer's alone. Consumers should be free to authorize the financial technology provider, payments platform, or other third party of their choosing to access and use their data securely on their behalf.

This right is essential to a competitive market. If large financial institutions or card networks are allowed to impose fees, limit data access, or restrict who may serve as an intermediary, then consumers' statutory rights become hollow. The result would be to reinforce the incumbents' market dominance and perpetuate the very barriers to entry that open banking is meant to dismantle.

Open banking presents a transformative opportunity to break this stranglehold by enabling new entrants, technologies, and business models to compete on price and innovation. By giving consumers secure, permission-based access to their financial data, open banking can empower payment providers that offer lower-cost, safer, faster, and more transparent alternatives to the current card-dominated system.

The United States lags behind other major economies that have successfully implemented open banking frameworks to enhance competition and consumer choice. A thoughtful, pro-competitive approach to personal financial data rights can help ensure that American consumers and businesses finally benefit from the same innovation and cost savings seen elsewhere.

We urge the Administration to move forward with an open banking framework that promotes interoperability, security, and competitive neutrality while ensuring that the largest incumbents cannot use their market power to block new entrants. We urge the Consumer Financial Protection Bureau to finalize a strong rule under Section 1033 that fully realizes Congress's intent, giving consumers true ownership of their financial data and the freedom to choose the providers that best serve their needs.

We appreciate the opportunity to comment on this Notice. Thank you for your leadership and for considering the perspective of the nation's merchants, who are integral to the payments ecosystem and bear a disproportionate share of the costs of today's broken market.

Sincerely,

Merchants Payments Coalition