

## SUPPORTING STATEMENT

### FOR THE PAPERWORK REDUCTION ACT SUBMISSION FOR A CURRENT INFORMATION COLLECTION

#### “INVESTOR FORM”

#### A. Justification

##### 1. Information Collection Necessity

In both 2008 and 2009, the SEC received over a million contacts from investors who had complaints or questions on a wide range of investment-related issues. The majority of these contacts previously came to the SEC via our [enforcement@sec.gov](mailto:enforcement@sec.gov) email box, and the [help@sec.gov](mailto:help@sec.gov) email box. The majority of these contacts were forwards of spam, or other contacts that did not require a substantive response.

In addition to the emails, the SEC’s Office of Investor Education and Advocacy received around 20,000 substantive contacts through its three investor complaint and question web forms: the Investor Complaint Form, the Financial Privacy Notice Complaint Form, and the Questions and Feedback Form. Investors can access all of this information through the consolidated [Investor Complaint and Question Web page](#). These roughly 20,000 contacts generally can be grouped into the following three categories:

- a) complaints against SEC-regulated individuals or entities;
- b) questions concerning the federal securities laws, companies or firms that the SEC regulates, or other investment-related questions; and
- c) tips concerning potential violations of the federal securities laws.

In order to make it easier for investors and for the SEC staff, the SEC replaced the web forms with one form ([the Investor Form](#)). The Investor Form does not ask for any information that was not on the previous forms, and provides drop down choices for investors so the contacts can more efficiently be routed to the appropriate staff. The dual purpose of the form is to make it easier for the public to contact the agency with complaints, questions, tips, or other feedback and to further streamline the workflow of Commission staff that record, process, and respond to investor contacts.

Investors who submit complaints, ask questions, or provide tips do so voluntarily. Investors who choose not to use the Investor Form will receive the same level of service as those who do.

## **2. Information Collection Purpose**

The SEC will use the information that investors supply on the Investor Form for the same purposes it uses the information collected from the three previous forms: to review and process the contact (which may, in turn, involve responding to questions, processing complaints, or, as appropriate, initiating enforcement referrals); to maintain a record of contacts; to track the volume of investor complaints; and to analyze trends. The Investor Form will also allow investors to opt-in to receive email alerts about rulemaking and Enforcement actions related to the issue(s) about which the investor is writing.

The Investor Form asks investors to provide information concerning, among other things, their names, how they can be reached, the names of the individuals or entities involved, the nature of their complaint or tip, what documents they can provide, and what, if any, actions they have taken. Investors do not have to provide their names or other identifying information to submit a tip or complaint.

## **3. Consideration Given to Information Technology**

The online Investor Form automatically routes the investor's complaint, question to the appropriate division or office. Many questions on the Investor Form appear in multiple-choice format or employ drop-down boxes so that the investor can provide information by simply checking a box or selecting a pre-loaded option. The drop down options help the SEC deliver the inquiry to the correct staff members, and recognize trends of inquiry in real time. Correspondence that is routed to the Division of Enforcement will receive an automatic response. Contacts not only receive an immediate, online confirmation of their submissions, but they also receive custom responses from the Office of Investor Education and Advocacy, which includes an automatically generated file number.

## **4. Duplication of Information**

There is no other collection instrument available to collect the information necessary to meet the purposes described in item 2 above.

## **5. Reducing the Burden on Small Businesses**

The burden of compliance with the information collection requirement does not impact small businesses or other small entities.

## **6. Consequences of Not Requiring Collection**

Investor use of the Investor Form is strictly voluntary. Moreover, the SEC does not require investors to submit complaints, questions, tips, or other feedback. Absent the form,

investors still have several ways to contact the agency, including telephone, facsimile, letters, and e-mail.

#### **7. Inconsistencies with Guidelines in 5 CFR 1320.8(d)**

There are no special circumstances. This collection is consistent with the guidelines in 5 CFR 1320.8(d).

#### **8. Consultations Outside the Agency**

We have published the required Federal Register Notice allowing public comment. The 60 day notice was published April 12 2011, (76 FR 20386) No comments were received.

#### **9. Payment or Gift to Respondents**

There are no such gifts or payments to respondents.

#### **10. Assurance of Confidentiality**

A link to the agency's [privacy web site](#) is provided within the form's web page.

#### **11. Sensitive Questions**

No questions will be asked that are of a personal or sensitive nature.

#### **12. Estimate of Hour Burden**

We anticipate that the figure of 20,000 contacts will continue to remain consistent, so the burden is based on 20,000 users annually.

The staff of the SEC estimates that the total reporting burden for using the Investor Form is 5,000 hours. This calculation is based on the number of investors who use the form each year and the estimated time it takes to complete the form: 20,000 respondents x 15 minutes = 5,000 burden hours.

#### **13. Estimate of Total Annual Cost Burden**

There is no fee or cost to use the Investor Form.

#### **14. Estimate of Cost to Federal Government**

Costs are minimal to maintain the electronic form.

**15. Explanation of changes in Burden**

No changes were made to the previous burden estimate.

**16. Information Collection Planned for Statistical Purposes**

Not applicable. The information collected is not used for tabulation, statistical analysis or publication.

**17. Approval to Not Display Expiration Date**

We request authorization to omit the expiration date on the electronic form for design and scheduling reasons. The OMB control number will be displayed.

**18. Exceptions to Certification Statement**

This collection complies with the requirements in 5 CFR 1320.9.