

**CONSUMER FINANCIAL PROTECTION BUREAU
INFORMATION COLLECTION REQUEST – SUPPORTING STATEMENT
PART A
CFPB OFFICE OF INTERGOVERNMENTAL AFFAIRS OUTREACH ACTIVITIES
(OMB CONTROL NUMBER: 3170-XXXX)**

TERMS OF CLEARANCE:

On April 26, 2013, the Office of Management and Budget (OMB) provided the following Term of Clearance for the resubmission of this request for a generic information collection plan: “OMB returns this collection as improperly submitted at this time. In its resubmission, [the Consumer Financial Protection Bureau] CFPB will make modifications to this information collection to make it suitable for a generic clearance request.” In response to this Term, the CFPB has revised this request to be more specific with respect to the intended scope of the clearance by including the following in this resubmission to OMB:

- Examples of the types of information to be collected.
- Categories of respondents.
- Examples types of information collection methods.
- Examples of the uses of the information collected.

ABSTRACT:

The Office of Intergovernmental Affairs at the Consumer Financial Protection Bureau requests approval of a generic clearance to collect information from state, local, and tribal governments. These governments interact closely with consumers and are critical partners in promoting transparency and competition in the consumer financial products marketplace, eliminating unfair and unlawfully discriminatory practices, and enforcing consumer financial laws. The information collected through the Office of Intergovernmental Affairs Outreach Activities will be shared, as appropriate, within the Bureau, such as with the Bureau’s rulemaking, market monitoring, supervision, fair lending monitoring, outreach to traditionally underserved populations, financial education, and enforcement functions.

A. JUSTIFICATION

1. Circumstances Necessitating the Data Collection

The Dodd-Frank Wall Street Reform and Consumer Protection Act contemplates that the Bureau will conduct outreach activities, as appropriate. Accordingly, as detailed below, the types of information that the Office of Intergovernmental Affairs will seek to collect through this generic clearance include:

1. Section 1015—12 USC § 5495—Contemplates that the Bureau will coordinate with state regulators to promote consistent regulation of consumer financial and investment products and services. The information collected through the Office of Intergovernmental Affairs Outreach Activities will enhance the Bureau’s knowledge about the regulatory and supervisory trends at the state level, thereby improving its ability to promote a consistent regulatory environment for these products and services.
2. Section 1022(c)(1)—12 USC § 5512(c)(1)—Contemplates that the Bureau will monitor consumer financial products or services markets for risks to consumers. The information collected through the Office of Intergovernmental Affairs Outreach Activities will facilitate gathering observations of consumer financial markets trends and emerging risks from state, local, and tribal governments.
3. Section 1013(d)—12 USC § 5493(d)— Contemplates that there will be an Office of Financial Education established at the Bureau responsible for developing and implementing initiatives intended to educate and empower consumers to make better informed financial decisions. The information collected through the Office of Intergovernmental Affairs Outreach Activities will provide the Bureau with information from local, tribal, or state governments about the types of financial education and empowerment initiatives operating at the local level, as well as innovations that governments would be interested in implementing in their jurisdictions.
4. Section 1013(b)(2)—12 USC § 5493(b)(2)—Contemplates that there will be a unit established at the Bureau that provides information, guidance, and technical assistance regarding the provision of consumer financial products or services to traditionally underserved consumers and communities. The information collected through the Office of Intergovernmental Affairs Outreach Activities will provide the Bureau with information from local governments about their observations of financial trends and needs in their communities, thereby guiding the Bureau’s Community Affairs and Financial Empowerment functions with current and relevant data.
5. Section 1021(c)(6)—12 USC § 5511(c)(6)—Contemplates that the Bureau’s primary functions will include performing such support activities as may be necessary or useful to facilitate the other functions of the Bureau. The Office of Intergovernmental Affairs Outreach Activities will facilitate several primary functions at the Bureau, including Financial Education, Community Affairs, Supervision, Enforcement, and Rulemaking.

2. Use of the Information

The outreach activities performed by the Intergovernmental Affairs office will collect low-burden, non-generalizable information through this generic clearance on trends in consumer financial markets, enforcement actions, regulatory and supervisory issues, and consumer needs at the state, local, and tribal levels. Most of this information will be in the form of government representatives providing impressions and overviews of their activities. Information will be collected on an occasional and voluntary basis from state, local, and tribal governments and from their respective trade associations.

Types of information to be collected may include:

- Examples of trainings state and local government officials would like to complete with CFPB experts and staff;
- Examples of best practices as seen from the state and local government consumer financial protection arena;
- Examples of effective practices or programs that were created and/or implemented on the state or local level;
- Respondents' assessments of the usability and effectiveness of CFPB reports, studies, rules and regulations;
- Respondents' assessments of the usability and effectiveness of CFPB roundtables, conferences, webinars, field hearings and conference calls.

The categories of respondents to this information collection will include the following:

- State Attorneys General;
- State and local representatives;
- State Governors;
- Trade Associations;
- State supervisory boards or commissions;
- State bank or financial institution regulators;
- Tribal government representatives;
- Mayors or his/her representatives;
- State/local consumer financial empowerment offices;
- County Executives; and
- State Treasurers.

The types of information collection methods that this generic clearance covers may include, but are not limited to:

- In-person meetings;
- Interviews;
- Focus groups;
- Qualitative surveys;
- Online discussion forums;
- Online surveys; and
- Other qualitative methods as necessary.

This clearance will cover information collections that may have the following uses:

- Identify issues and challenges facing various states and localities;
- Identify state, city and local best practices for program creation and implementation to inform potential CFPB programs;
- Provide input into the development of the CFPB's reports, rules, regulations, policies and studies;
- Provide qualitative feedback on the effectiveness of financial empowerment and education strategies and initiatives the CFPB is developing;
- Connect and facilitate working relationships with state, local, and federal governments;
- Connect and facilitate working relationships with state, local and city representatives with CFPB experts and staff;
- Inform State and Federal cooperation on the supervisory and enforcement of Federal consumer financial laws;
- Monitor trends and needs among consumers at the local, state, or tribal level;
- Develop CFPB understanding of local experiences, needs and innovations.

These collections may be conducted electronically, face-to-face, over the phone, or over the internet, depending on the specific collection. The frequency and duration of each information collection will vary depending on the specific parameters of each information collection. Details on the specific information to be collection, the method of collection, number and type of respondents, and purpose and use of each specific information collection will be retained.

The information collected under this generic clearance will be used by Intergovernmental Affairs staff in collaboration with other relevant teams at the Bureau. Other Bureau employees who may use the information include staff in the Consumer Education and Engagement Division; External Affairs Division; Supervision, Enforcement, and Fair Lending Division; and Research, Markets, and Regulations Division.

Further, in a comment letter responding to this proposed clearance, the Cities for Financial Empowerment Coalition (CFE) (a coalition of cities engaged in financial empowerment and consumer protection work) noted that formalized information collections, such as targeted inquires on specific regulatory or enforcement issues, would maximize efficiency and minimize burden on respondent governments. It suggested that the Bureau could benefit from local data about employment, housing, and consumer complaints, as well as qualitative information garnered from community partners working on the ground in cities around the country. As described in greater detail below, the Bureau anticipates learning from the experiences of state, local, and tribal governments. At times, this learning may include gathering information from local data sources, where governments choose to make the data available to the Bureau research, policy, supervision, and enforcement functions through the standard procedures of these offices.

In their comment letter, CFE recommended that the Bureau develop (1) a regular mechanism, such as a standing conference call, for local governments to offer information about local trends and issues and (2) protocols to regularly solicit data on specific issues from local governments. The letter further urged the Bureau to hold regular conference calls, webinars, and events with local officials to inform local governments about new regulations, public enforcement activity, resources, emerging market trends, and to amplify Federal activity relevant to a local audience. The Bureau intends to explore these communication mechanisms to collect information on a regular and voluntary basis from local governments. Similar mechanisms may also be used to collect information from tribal and state governments.

The Bureau notes that the information sharing will not cover privileged information, except to the extent that a state, local, or tribal government chooses to enter into an agreement establishing confidentiality of information shared between the government entity and the Bureau, pursuant to Bureau policy on information sharing.

The Bureau further notes that in the event CFPB collects information from all 50 states (or from states which comprise the universe of affected entities for specific issues), information collected under this generic will not be used to make a policy change. While information collected under this generic can provide insights into areas for further consideration in policy-making, if CFPB does intend to make a policy change, it will seek OMB approval under the standard clearance processes as outlined in 5 CFR §§ 1320.10, 1320.11, or 1320.12, as applicable, for any information upon which such a change is ultimately made.

3. Use of Information Technology

Nearly all information collections under this generic clearance will involve the use of electronic communication or other forms of information technology, including electronic posting of responses to formal Requests for Comment or Requests for Information, and telephonic means. Such use of information technology to gather information from respondents across the country will minimize the time burden on respondents and the cost to the Federal government by reducing paper transmission and employee travel expenses.

4. Efforts to Identify Duplication

The Office of Intergovernmental Affairs does not believe that information similar to that which may be sought through this generic clearance is already available from other Federal government sources or from outside sources.

In developing the outreach activities under this generic clearance, the Intergovernmental Affairs staff will collaborate with other offices within the Bureau to identify any relevant information already provided to the agency. Such information will be integrated into Intergovernmental Affairs activities and not collected in a redundant manner. Other divisions involved in planning

covered outreach activities include Consumer Education and Engagement; Research, Markets and Regulations; Supervision, Enforcement, and Fair Lending; and External Affairs.

Information collections under this generic clearance by the Office of Intergovernmental Affairs will reduce the need for entities to provide duplicative information to other offices within the Bureau. As the CFE letter noted, cities and the Bureau both benefit from the communication of information about rulemaking, enforcement concerns, consumer complaints, financial education and empowerment programs, and local priorities for protecting consumers. The CFE comment urges the Bureau to “offer a separate, clear communication channel...facilitated by the Office of Intergovernmental Affairs” that can provide the formal conduit for this information sharing and use within the Bureau.

Intergovernmental Affairs staff plans to use information provided by local, state, and tribal governments in collaboration with staff in the Financial Education and Financial Empowerment offices to enhance the Bureau’s success in reaching traditionally underserved consumers. Intergovernmental Affairs staff will also share the information collected from local, state, and tribal governments with the Bureau’s rulemaking, supervision, and enforcement teams, as appropriate, in connection with their monitoring of the consumer financial products markets, and to facilitate, where appropriate, formalized relationships for sharing sensitive information. This should reduce the need for local, state, and tribal governments to provide the same information to multiple offices at the Bureau.

5. Efforts to Minimize Burdens on Small Entities

Some of the local and tribal governments who choose to respond to information collections under this generic clearance may be small entities, such as cities and towns with populations of fewer than 50,000 people. At this time, the Bureau is unable to estimate the percentage of respondents that will be small entities. However, Intergovernmental Affairs staff will work with smaller local governments to ensure that the information collection burden is manageable for such entities.

6. Consequences of Less Frequent Collection and Obstacles to Burden Reduction

The mission of the Bureau is to make consumer financial markets work better for consumers through promoting transparency and competition in the market, eliminating unfair practices, and enforcing consumer financial laws. To achieve this goal, the Bureau should be able to learn from the experiences of state, local, and tribal governments. If the Bureau is unable to collect the information covered by this generic clearance, learning from other governments may be ad hoc and nonstandardized. This may jeopardize the Bureau’s coordination responsibilities, along with effective market monitoring and consumer outreach. Additionally, if the Bureau is unable to collect information in a standardized manner through a formalized channel facilitated by Intergovernmental Affairs, government partners may experience an increased burden fielding requests from multiple offices within the Bureau without the benefit of a specified point of contact and regularized communication mechanism to provide insight and gather information

about regulations, research, enforcement, and programs.

If the Bureau does not collect the information covered by this request, or collects it less frequently, some of the Bureau's primary functions may not be as well-informed. The Bureau will be hindered in its ability to work with state entities, which coordination is contemplated by 12 USC § 5495. The Research, Markets, and Regulations teams may have more limited access to information about trends and needs among consumers at the local level with regard to consumer financial products or services, which information would contribute to the Bureau's monitoring of markets under 12 USC § 5512(c)(1). New programs, including those implemented by the Office of Financial Education and the Community Affairs Office under 12 USC §§ 5493(b)(2) and (d), may be less-informed and less able to respond to the needs of communities if there is a lack of information flowing to the Bureau about local programs and innovations.

7. Circumstances Requiring Special Information Collection

There are no special circumstances. The collections of information submitted under this generic clearance will be conducted in a manner consistent with the guidelines in 5 CFR § 1320.5(d)(2).

8. Consultation Outside the Agency

In accordance with 5 CFR 1320.8(d)(1), on April 30, 2012, the Bureau published a notice in the Federal Register allowing the public 60 days to comment on the proposed generic clearance. (See 77 FR 25438). The Bureau received one comment in response to this notice). That comment is attached to the OMB submission.

Please see section 2, "use of the information" for additional detail regarding the comment letter from the Cities for Financial Empowerment.

Further, in accordance with 5 CFR 1320.5(a)(1)(iv), on August 23, 2012, the Bureau has published a notice in the Federal Register allowing the public 30 days to comment on the submission of this information collection request to the Office of Management and Budget. (See 77 FR 51020).

The surveys conducted under this clearance are by nature attempts to consult the public on the quality and content of the work of the Bureau. Further, in conducting the outreach activities covered by this generic request, Intergovernmental Affairs staff will consult with representatives of state, local, and tribal governments regarding their views on the data elements, the availability of relevant data, and the frequency of collection. Staff will continue to consult with these representatives at least once every three years.

9. Payments or Gifts to Respondents

No payments or gifts are provided to respondents. To the extent that the information collection

occurs within the context of formal meetings (i.e. regional meetings of local governments taking part in the formalized network) hosted by the CFPB, any food will be provided in accordance with the CFPB's Use of CFPB Funds to Purchase Food Policy.

10. Assurances of Confidentiality

Any personal information collected through information collections approved under this generic clearance will comply with applicable privacy laws. The Office of Intergovernmental Affairs anticipates collecting basic professional contact information from state, local, and tribal governments who choose to engage with the Bureau. This information will include the name, phone number, and email address of a designated point of contact at the government entity. These contacts will be covered by the CFPB's External Contacts Systems of Records Notice, CFPB-013 and the uses of the information will be limited to those as listed therein.

11. Justification for Sensitive Questions

This information collection does not include questions of a sensitive nature. Privileged information will be covered by a separate memorandum of understanding, should a state or local government choose to enter into such an agreement with the Bureau, establishing general confidentiality of information shared between the government entity and the Bureau.

12. Estimated Burden of Information Collection

The Office of Intergovernmental Affairs expects to collect information from approximately 250 tribal and local respondents on an occasional basis and, in some cases, a quarterly basis. We anticipate that each response from tribes and cities will require approximately two hours of the respondent's time, with potentially significant variation by respondent level of interest, degree of activity, and size. For example, cities with active consumer affairs offices may have more information that they choose to share with the Bureau than cities without such offices. In this instance, the city with more information to share will likely spend more time responding to the Bureau's information collection than a city with less information to share or less interest in sharing that information with the Bureau.

The Office of Intergovernmental Affairs expects to collect information from approximately 150 state respondents—the governor, legislature, and attorney general in each of the 50 states—on an occasional basis. We anticipate that each response from a state official will require approximately two hours of the respondent's time, with variation as described above.

Notably, much of the information that the Bureau seeks to collect is readily available to respondents in the course of their customary and usual business practices. Most of the burden on respondents will be incurred in conversing with or drafting comments to the Bureau.

The majority of collections will be electronic, including through email, or via telephone,

including conference calls. Staff may collect some information through in-person visits and occasional meetings with multiple respondents, at the discretion of respondents.

There will be three primary respondent groups: (1) state officials including legislators, managers, and attorneys; (2) local officials, including mayors, treasurers, service managers, and attorneys; and (3) tribal officials. In 2010, the median hourly wage for both managers and attorneys in state government was \$37.¹ The median hourly wage for managers in local and tribal governments was \$35 and for attorneys in local and tribal governments was \$41.²

Entity	Median Hourly Rate	Hours Per Response	Number of Collections per Year	Number of Respondents	Total Hour Burden	Total Annual Burden
State Officials & Attorneys	\$37	2	4	150	1200	\$44,400
Local & Tribal Officials	\$35	2	4	225	1800	\$63,000
Local & Tribal Attorneys ³	\$41	2	4	25	200	\$8,200

TOTAL:

400 Respondents	3,200 Hours	\$115,600 Annual Cost
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On occasion, respondents may choose to provide their responses to the Bureau through a physical visit to an office. Such travel will be at the discretion of respondents. At this time, an estimate of travel time and the associated cost is not available.

13. Estimated Total Annual Cost Burden to Respondents

There are no capital/start-up or ongoing operation/maintenance costs associated with this generic clearance.

14. Estimated Cost to the Federal Government

¹ U.S. Department of Labor, Bureau of Labor Statistics, *May 2010 National Industry-Specific National Employment and Wage Estimates: State Government*, available at http://www.bls.gov/oes/current/naics4_999200.htm.

² U.S. Department of Labor, Bureau of Labor Statistics, *May 2010 National Industry-Specific National Employment and Wage Estimates: Local Government*, available at http://www.bls.gov/oes/current/naics4_999300.htm. The Bureau of Labor Statistics includes tribal governments in its analysis of local government wages: <http://www.bls.gov/news.release/annpay.tn.htm>.

³ Among local and tribal officials, the Bureau anticipates that approximately 10 percent of the respondents will be in the counsel office for their government.

There are no additional costs to the Federal Government.

15. Program Changes or Adjustments

This is a new generic information collection request; there are no changes to a prior information collection.

16. Plans for Tabulation, Statistical Analysis, and Publication

There are no anticipated statistical analyses or tabulation of information.

17. Display of Expiration Date

The Bureau plans to display the expiration date for OMB approval of the information collection on all instruments.

18. Exceptions to the Certification Requirement

There are no exceptions to the Certification Requirement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Instruments submitted for approval under this generic clearance will not employ statistical methods.