

Department of the Treasury, Departmental Offices
Consumer Financial Protection Bureau
Information Collection Request
Consumer Response Intake Form

(1) Circumstances Necessitating the Data Collection

Title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”) created the Consumer Financial Protection Bureau (“CFPB”) and provides the statutory mandate for the development of a consumer response intake system. The primary functions of the CFPB include “collecting, investigating, and responding to consumer complaints.” Dodd-Frank Act § 1021(c)(2). As directed under Section 1013 of the Dodd-Frank Act, the CFPB must facilitate the centralized collection of, monitoring of, and response to complaints and inquiries concerning consumer financial products and services. *Id.* § 1013(b)(3); see also *Id.* §§ 1034, 1064. This function will also help the CFPB fulfill its obligations to: (1) monitor for risks to consumers in the offering or provision of consumer financial products or services, including developments in the markets for such products or services; and (2) provide an annual report to Congress on complaints received in the prior year regarding such products and services, including information about complaint numbers, types, and resolution. *Id.* §§ 1022(c); *Id.* § 1013(b)(3)(C). In its effort to meet these responsibilities, the CFPB is developing a series of intake fields, hereinafter referenced as the Consumer Response Intake Form (“Intake Form”), the subject of this information collection request.

(2) Use of Information

The Intake Form is designed to aid consumers in the submission of complaints, questions, and comments and to help the CFPB fulfill the aforementioned statutory requirements. Consumers (hereinafter “respondents”) will be able to complete and submit information through the Intake Form electronically on the CFPB’s website. Alternatively, respondents may request that the CFPB email a fillable PDF version or, by telephone, request a “paper” copy of the Intake Form, and then email, mail, or fax it to the CFPB. The questions within the Intake Form prompt respondents for a description of, and key facts about, the complaint at issue, the desired resolution, contact and account information, information about the institution they are filing a complaint against, and any previous action taken to attempt to resolve the complaint. Responses to these questions will help document the substance of the complaint, question, or comment; information necessary to identify the subject incident, consumer, and institution; and contact information needed to follow-up on the complaint, question, or comment.

Additional optional fields of information may include, if applicable or necessary for resolution of a complaint or to help the CFPB monitor possible violations of law:

- Total dollar value of any loss
- Account Number
- Loan Number
- Mortgage Loan Number
- Mortgage Loan Originator Unique Identifier
- Policy Number
- Social Security Number (“SSN”)
- Individual Taxpayer Identification Number (“ITIN”)
- Credit Card Number (without expiration date or security code information)

- Third-party Complaint Submissions
- Servicemember or Servicemember Dependency Status

The information gathered from the Intake Form will not be treated like information that would be gathered by random sampling and will not be generalized as representative of the larger population.

(3) Use of Information Technology

The CFPB primarily will use the Internet for this data collection. A web-based data collection system was selected to minimize the cost burden to respondents. The Internet also facilitates cost-efficient data analysis.

Respondents may complete and submit the Intake Form electronically on the CFPB's website. Alternatively, respondents may request the CFPB email a fillable, PDF version of the Intake Form or may telephone a request for a "paper" copy of the form for emailing, mailing, or faxing to the CFPB. Respondents who elect not to submit the Intake Form on the web or manually using the fillable PDF or "paper" version may request personalized assistance with completing the "paper" Intake Form telephonically.¹

(4) Efforts to Identify Duplication

The CFPB is authorized by Section 1013 of the Dodd-Frank Act to develop a database (or utilize an existing database) to facilitate the centralized collection of, monitoring of, and response to consumer complaints regarding consumer financial products or services. The database will yield unique data for the processing of individual consumer complaints and inquiries and, while other entities, such as other Federal agencies, state attorneys' general offices, consumer advocacy groups, and financial institutions, may gather the same type of consumer complaints, the CFPB currently does not have reasonable access to these hundreds of entities and databases to both collect individual consumer complaints *and* meet statutory requirements for responding to consumers in a timely manner. See Dodd-Frank Act § 1034.

(5) Impact on Small Entities

The data collection is not anticipated to burden small entities significantly. The Intake Form does not require information collection from small businesses or other small entities. The only potential impact on small entities is that the CFPB, *as required by law*, will utilize the information obtained from respondents to request responses from, and potentially initiate investigations of, entities named in the complaints, some of which may be small entities. The CFPB is sympathetic to the need to minimize the burden on small businesses and, to that end, will evaluate the development of useful compliance programs or other guidance.

(6) Consequences of Less Frequent Collection and Obstacles to Burden Reduction

Under Dodd-Frank, the CFPB is required to facilitate the centralized collection of, monitoring of, and response to consumer complaints regarding consumer financial products or services. The proposed

¹ The CFPB is currently developing telephone scripts. Any information collected through the scripts will remain within the universe of questions on the paper version of the Intake Form and will be submitted to Office of Management and Budget ("OMB") via a non-substantive change request.

collection is voluntary and if the proposed collection is not conducted, the CFPB would not be able to fulfill its consumer response mandate.

(7) Circumstances Requiring Special Information Collection

Not applicable.

(8) Solicitation of Comments on Information Collection, Consultation, and Pilot Project

(8)(a) Comments in Response to 60-day Federal Register Notice

Background

On March 9, 2011, the Department of the Treasury, on behalf of the CFPB implementation team published a notice in the Federal Register, 76 Fed. Reg. 13,018 (the "Notice"), requesting public comment (60 days) on possible intake fields. The comment period for this notice expired on May 9, 2011.

In the Notice, the CFPB invited the public to submit written comments concerning:

- Whether the intake of complaints, questions, and other information relating to consumer financial products and services is necessary for the proper performance of the functions of the CFPB, including whether the information will have practical uses;
- The accuracy of the burden estimate of the information collection;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected;
- Ways to minimize the reporting and/or recordkeeping burdens on respondents, including the use of automated collection techniques or other forms of information technology;
- Estimates of capital or start-up costs of operation, maintenance, and purchase of services to provide information; and
- Specific types of information that would be useful for the CFPB to collect through its intake forms, in order to advance the mission of the CFPB.

The CFPB received 13 comments in response to the 60-day notice on the proposed information collection. All comments were carefully considered and a number of suggestions were incorporated into the current version of the Intake Form. In many cases, interested parties provided similar comments; the responses to these comments are grouped accordingly below.

Policy and procedure

A number of comments focused on policy and procedural issues that were beyond the scope of the Notice. For example, nearly all commenters made recommendations concerning CFPB policies and procedures relating to the processing of complaints, questions or comments, such as:

- The provision of CFPB guidance prior to implementation of a complaint system;
- A record retention policy for insurance-related complaints;
- The interface between the CFPB and other Federal agencies, financial institutions, and the States;
- Appropriate complaint referral based on CFPB jurisdiction;

- Publication of investigation procedures and complaint data;
- Consumer access to complaint data;
- Complaint coding and classification; and
- Regulatory burden.

The CFPB appreciates and will consider these recommendations. However, as these recommendations do not specifically relate to the Intake Form or burden, they fall outside of the scope of the comments requested through the Notice, and therefore, they are not addressed below.

Necessity of information collection and practical use

The CFPB received several comments relating to the necessity of the CFPB's efforts to collect information and the practical use that such collection will have. The American Association of Retired Persons ("AARP") commented that effective implementation of a consumer response function is essential to the success of CFPB's mission to create a fair, transparent and competitive marketplace. Americans for Financial Reform ("AFR") commented that a complaint database will provide the CFPB with timely and valuable information. The Greater Cincinnati Credit Union expressed concern that the collection of data and information is usually time consuming, costly, and inconclusive, with no guarantee of positive results for the consumer. The CFPB appreciates the divergence of views on the practicality and necessity of the statutorily-mandated consumer response intake system and will strive to meet statutory requirements without causing respondents undue burden.

Accuracy of the burden estimate

The CFPB received several comments concerning the reporting burden that will be imposed by the Intake Form information collection. In comments that specifically addressed the paperwork burden estimates, the National Association of Federal Credit Unions ("NAFCU"), the AARP, and the Credit Union National Association ("CUNA") expressed support for the estimated 10 minutes required to complete an Intake Form, finding such time reasonable. Some comments indirectly related to paperwork burden estimates provided. For instance, the AARP recommended that the CFPB provide options for submission of intake information by telephone and mail for respondents who do not have access to the Internet.

The CFPB appreciates the support of the commenters concerning the estimated time to complete the Intake Form and observes that, when completing the Intake Form on the Internet, the estimated time is less than 10 minutes. Members of the public who wish to complete a "paper" copy of the Intake Form may telephone the CFPB and request one. Completing a "paper" copy of the Intake Form should take approximately 10 minutes. Intake Form submissions that are incomplete will be considered feedback and the time needed to provide feedback is factored in the estimated time to complete the Intake Form. The CFPB will strive to collect the necessary data without causing respondents undue burden.

Enhancement of quality, usefulness, and clarity of the information collection and ways to minimize the reporting and/or recordkeeping burdens on respondents, including the use of automated collection techniques or other forms of information technology

Several commenters highlighted the need for the Intake Form to be clear, user-friendly, straightforward and transparent. The AARP noted that the initial collection of more information reduced the burden on the respondent. The Mortgage Bankers Association ("MBA") also suggested that the CFPB require a strong level of detail and information at intake. The Community Financial Services Association of

America (“CFSA”) noted that information on the Intake Form should be specific enough to identify a substantially legitimate problem rather than mere customer dissatisfaction.

In related comments, the CUNA recommended using “answer choice” formatting for questions rather than only blank text boxes, noting that such formatting will increase “quality” of information and help filter complaints. The NAFCU also suggested using “yes or no” questions or questions that provide a list of possible responses or checkboxes, but also noted that the Intake Form should provide a brief, narrative statement field for describing the complaint (limited to 200 or 300 words). The CFPB believes the intake form reaches the balance necessary to not only maximize the opportunity for consumers to provide all of the information needed to review their complaints during their initial contact with the CFPB, but also extract the specific complaint elements needed by the company in question for complaint resolution.

Several commenters recommended that the CFPB draw on the experience of and coordinate with other financial regulatory agencies. The Financial Services Roundtable (“FSR”) and the MBA both cited OCC CAGNET as an example of an advanced and successful consumer complaint system for the information and level of detail and timely processing of complaints. The CFPB has undertaken a general review of the consumer complaint management systems of sister agencies and this review has informed the development of the Intake Form.

The NAFCU recommended providing a checklist of likely items or information needed to file the complaint. The AARP and AFR recommended certain Intake Form enhancements such as multilingual complaint forms, large font, and assistance for individuals with limited English proficiency. The NAFCU and AFR recommended a “save” option which would allow respondents to complete the Intake Form during multiple sessions. These are excellent suggestions and the CFPB will consider these enhancements in a future iteration. Notably, the CFPB will be working with language support providers to facilitate the receipt of complaints from respondents who have limited English proficiency.

Several commenters, such as the Consumer Bankers Association (“CBA”) and the FSR, commented that the number of questions on the Intake Form should be limited and the questions should request only information pertinent to resolve, or facilitate the resolution of, specific complaints. The NAFCU asserted that SSNs or other personal information, such as home addresses, would be unnecessary for complaint resolution by a financial institution. The CFPB observes that the Intake Form only requires the provision of information necessary for appropriate response to the individual respondent’s submission. Moreover, Dodd-Frank contemplates that respondents will receive case status information and timely responses to their complaints and inquiries; a respondent’s home address may assist the CFPB in maintaining such correspondence. In cases where a respondent does not provide relevant or complete and accurate account information, a home address may help financial institutions identify the respondent’s account.

The American Bankers Association (“ABA”) also commented that the intake fields should be simple and straightforward and designed to record only the facts relevant to satisfactory resolution of the complaint and not to collect market or customer satisfaction data. Furthermore, the ABA cautioned against blending the collection of consumer complaints and collection of information about markets into a single intake process, arguing, among other things, that it would lead to unnecessary complication, potentially impede the CFPB’s ability to route complaints to proper entities, potentially degrade the quality or usefulness of data, and increase the “follow up” burden by banks that might need to request additional information instead of resolving complaints. The ABA also maintained that the CFPB should focus on consumer complaints and de-prioritize obtaining feedback and market data. The CBA

submitted similar comments and recommended the collection of data related to consumer financial markets through a process separate from the Intake Form to avoid subjective data submitted disproportionately by dissatisfied respondents.

In response to these concerns, the CFPB notes that the Intake Form is not intended only for specific consumer complaints but also for consumers who may wish to alert the CFPB to issues they have observed. The Intake Form differentiates between complaints and alerts at the outset to facilitate efficient complaint processing. Furthermore, the Intake Form addresses commenters' concerns by focusing on information necessary to resolve complaints, such as information that identifies the subject incident, consumer, and institution. While information on the Intake Form also may be used by CFPB for supervisory, market analysis, or other purposes, the Intake Form is not designed to be a consumer satisfaction survey. The Intake Form contains a limited number of optional questions (including servicemember status) which will not significantly burden respondents. The rationales for these questions are described in Section 11 below.

Estimates of capital or start-up costs of operation, maintenance and purchase of services to provide information

The CFPB received no comments on such estimates.

Specific information that the CFPB should collect through its intake forms to advance the CFPB's mission

Several commenters recommended including certain introductory language on the Intake Form. The CUNA recommended including language encouraging respondents to first attempt to resolve issues by contacting financial institutions directly before filing a formal complaint. The AARP recommended including a list of financial products (e.g., credit cards, mortgages, stocks, and bonds) in plain English at the beginning of the Intake Form. The National Association of Mutual Insurance Companies ("NAMIC") recommended the Intake Form, as an initial notice, clarify that insurance-related complaints should be made to state regulators. These recommendations do not relate to information gathering or collection and are, therefore, outside the scope of the PRA, but the CFPB will take these suggestions into consideration as policy matters.

Nearly all commenters had specific recommendations on what types of information the CFPB should collect. Several commenters recommended a set of required fields including name; address; city, state, and zip code; email address; "topic" or "type of complaint" and complaint information. The AARP suggested the "Topic" intake field should provide for a set number of pre-existing categories using drop down menus. Other recommended fields included: day and evening contact information; whether the consumer has already complained to the company (and any other agency) and whether a response has been received; the desired outcome; and permission to share the complaint. Many of these recommended fields have been incorporated into the Intake Form.

The AARP, CUNA, Ohio Credit Union League, and the CFSA recommended including a field to enter the history of a complaint. In response to these concerns, the CFPB points to the item on the Intake Form that prompts respondents to provide for any previous actions taken on their complaint.

The Conference of State Bank Supervisors ("CSBS") submitted a model complaint form and suggested adding a set of required data fields that include: respondent information, contact and authorization information (if respondent is an attorney or other representative), information about the subject of the

complaint, details of the complaint and copies of documents, whether the respondent had contacted another government agency, desired resolution, disclaimers, authorization to forward to another agency, date, and signature. The CSBS also suggested looking to the Nationwide Mortgage Licensing System and Registry as an existing database that the CFPB may use to monitor, collect and respond to consumer complaints. Nearly all of the fields reflected in the Intake Form may be found in the CSBS's submitted model complaint form. The Privacy Act statement associated with the Intake Form apprises the respondent that the CFPB may refer complaints to other agencies. The fields recommended by AFR, et al., also appear in the Intake Form.

The AARP recommended providing for optional, sensitive categories, including age, race, ethnicity or income. The AARP noted that such information is important to request in order to fully understand problems faced by certain populations. It further noted that the CFPB should explain that the personal information would only be used to resolve a person's complaint and/or for statistical research in order to understand issues of concern with particular groups. AFR also recommended that the Intake Form include a mechanism to capture or report increases in the frequency of specific problems by region and community (e.g., military, ethnicity, etc.). The CFPB will evaluate the need for additional Intake Form fields that capture consumer information in the pilot program described below.

The AARP, the CBA, the NAFCU and the CFSA recommended that the intake forms have a capacity to upload attachments (such as PDFs) of relevant documents. The CFPB will evaluate the technological capacity to provide respondents with the means to both upload relevant documents.

The AARP recommended creating a separate field or category for "policy positions" where respondents can state positions but not be subject to complaint fields if no complaint is being filed. While the Intake Form does not have a specific field for consumer policy positions, the Intake Form does provide an opportunity for respondents to provide comments, or submit questions, about a financial institution, financial product or service, practice, or the CFPB.

Finally, the NAMIC recommended that an attestation under penalty of perjury should be included which attests that the submitter is in fact the named party in the complaint or holds valid power of attorney. The Intake Form requires respondents to certify that the information they provide is true to the best of their knowledge and belief. Individuals who submit false or fraudulent information to the federal government may be subject to criminal prosecution under Section 1001 of Title 18 of the United States Code. The CFPB recognizes that some complaints will require a second contact to determine whether a third party respondent holds valid authorization.

Privacy and confidentiality

Several interested parties, such as the NAFCU, expressed concerns about consumer privacy and protection of sensitive data and the reputational risk to financial institutions due to the public release of complaint data. Issues of privacy and confidentiality are discussed in Section 10 below.

(8)(b) Comments in Response to 30-day Federal Register Notice

Background

On June 30, 2011, the CFPB provided its information collection request package to OMB. The same day, the CFPB's final notice for public comments on the proposed information collection appeared in the Federal Register, allowing for an additional 30-day comment period. 76 Fed. Reg. 38458 (June 30, 2011).

The CFPB has received three comments in response to the 30-day notice from ACA International (“ACA”), the ABA, and the MBA.

Necessity of information collection

In its second comment letter, the ABA questioned CFPB’s authority to collect information in the absence of an appointed Director. Although the CFPB does not have a Senate-confirmed Director, the CFPB may continue to operate under the Secretary of Treasury (“Secretary”). Specifically, until a Director is confirmed, Dodd-Frank grants the Secretary authority to carry out many of the functions of the CFPB.

Enhancement of quality, usefulness, and clarity of the information collection and ways to minimize the reporting and/or recordkeeping burdens on respondents, including the use of automated collection techniques or other forms of information technology

In its comments, ACA pointed to a report issued by the Federal Trade Commission (“FTC”) in which the FTC provided that the annual, total number of debt collection complaints received by the FTC was small when compared to the number of consumer contacts made by collectors over the same period. ACA recommended that the Intake Form clearly distinguish complaints from inquiries primarily to ensure results consistent with the cited FTC report. The CFPB observes that the Intake Form distinguishes between complaint submissions and inquiries using visual markers or verbal prompts.

The ABA has provided feedback apart from its PRA comments, and the CFPB will continue to engage the ABA and other external stakeholders to improve the consumer complaint handling process.

Privacy and confidentiality

ACA expressed concern that the Intake Form, when used for the submission of debt collection complaints, may not meet the confidentiality requirements of the Fair Debt Collections Practices Act (“FDCPA”). Specifically, the ACA opined that, under the FDCPA, the CFPB would not have authority to discuss the respondent’s alleged debt or otherwise permit debt collectors to disclose records to the CFPB. However, the FDCPA may not be applicable in the context of CFPB’s processing of an alleged debtor’s complaint against a debt collector.² The debt collection complainant, by submitting an Intake Form, gives CFPB his or her consent to communicate with the debt collector concerning the alleged debt, an act which would meet an exception to the FDCPA restrictions on third party communication.³ Moreover, if a debt collector communicates with the CFPB in response to a consumer complaint, the exchange may not be characterized as “communication” actionable under 15 U.S.C. § 1692c(b) because the contact does not involve a debt collection practice or a related, “serious invasion of privacy.”⁴

² See 15 U.S.C. § 1692c(b).

³ Through disclaimers which appear in all versions of the Intake Form and the Privacy Act Statement, a debt collection complainant is advised that relevant information from the Intake Form may be sent to the debt collector for purpose of complaint resolution. In the absence of evidence to the contrary, the submission of a complaint to the CFPB authorizes the CFPB to, in turn, send the complaint to the debt collector and, by the same form, provide the debt collector with the complainant’s consent to communicate with the CFPB. See 15 U.S.C. § 1692c(a)(a debt collector may communicate with a third party with prior consent of the consumer given directly to the debt collector).

⁴See, e.g., *Acosta v. Campbell*, 309 Fed. Appx. 315 (11th Cir. 2009)(citing *Vega v. McKay*, 351 F.3d 1334 (11th Cir. 2003)(debt collector communication with third party was not “communication” under 15 U.S.C. § 1692c(b) as it did not result in a serious invasion of privacy, was not for the purpose of harassing or embarrassing alleged debtor, nor

Policy and procedure

The ABA raised several other concerns in its comments, including: inadequate complaint processing standards and CFPB staffing; deficient coverage of the potential scope of complaints; over-inclusive provision for inquiries and consumer feedback; and potential misuse of consumer complaint information. The MBA requested that the CFPB commence rulemaking proceedings on complaint processing and that the CFPB address the privacy requirements of Section 1022 of the Dodd-Frank Act in its complaint processing rules. The CFPB believes that these comments relate to substantive rulemaking or policy decisions and, therefore, fall outside the scope of this information collection. For the same reason, the CFPB will not address the MBA's recommendations on database design.

Finally, the CFPB appreciates the MBA's suggestion that the CFPB provide sufficient time and guidance to ensure that companies are not unduly burdened by CFPB's complaint processing system and that the system include ample time for companies to address any errors which may raise reputational risk. The CFPB is sympathetic to the need to minimize such burdens and will regularly gather feedback from entities impacted by the Intake Forms and related processes.

(8)(c) Pilot Intake Form Project and Expert Consultation

The CFPB initiated an exploratory program and tested a pilot version of the Intake Form (OMB Control Number 1505-0236), a credit card complaint intake form. The success of the pilot project has informed the development of another product-specific form based on the Intake Form, the mortgage-specific intake form. The mortgage-specific form borrows exclusively from the inventory of questions provided with the Intake Form in its information collection, but requires significantly less time to complete by reducing the number of optional products and categories and, instead of space for manual text input, providing checkboxes with relevant options. In addition, after reviewing complainants' responses to the ECOA discrimination question, the question has been revised to include a prompt for the complainant to provide details in the description area provided.

The CFPB has sought input from IDEO, LLC, ("IDEO") a customer experience vendor, to review and provide feedback on the Intake Form and to provide recommendations for improving the clarity and accessibility of the Intake Form for respondents. IDEO's recommendations have included the elimination of unnecessarily wordy and indirect language and reformatting for ease of use.

(9) Provision of Payments to Respondents

Not applicable. This information collection does not provide any payment or gift to respondents.

(10) Assurance of Confidentiality

All information collection activities will be conducted in full compliance with the requirements of the Privacy Act, 5 U.S.C. § 552a. At the point of information collection, the CFPB's website will explain that personally identifiable information will be kept confidential to the extent permitted by law and CFPB

did it jeopardize debtor's employment)._

rules. The CFPB website privacy policy will further explain the CFPB's privacy practices. For complaints submitted through a CFPB call center, complainants similarly will be told that their personally identifiable information will be kept confidential subject to the law and CFPB rules. Telephone complainants who so elect will be read the CFPB's Privacy Act statement or will be guided to the CFPB website for the same.

The CFPB will implement the appropriate security measures to ensure data is safeguarded including the use of locked file storage, confidentiality stamping, restricted system access, data encryption, restricted print options and disposal by cross-cut shredding. The information system will be fully compliant with the Federal Information Security Management Act of 2002 with the security category of "Moderate, Moderate, Low."

The Contractor will maintain documented security policies and procedures in accordance with the contract and is bound by the terms of the Privacy Act, as required in 5 U.S.C. 552a(m). In addition, the Contractor will follow confidentiality guidelines as set out in the Statement of Work (SOW). Data protection initiatives will provide for electronic data security, permitting access only to authorized individuals and only during authorized times. The Contractor will have procedures in place to prevent unauthorized access to respondent information and the CFPB Office of Security will conduct announced and unannounced inspections of Contractor facilities.

Section 1057 of the Dodd-Frank Act provides protection for "whistleblowers" who work for covered persons or service providers and who experience employer retaliation secondary to their provision of information about their employers to the CFPB. The CFPB will take all reasonable steps as permitted by law during this information collection process to maintain the confidentiality of such persons.

Whistleblower complainants who choose to submit an Intake Form may identify themselves on the Intake Form or, upon answering a series of questions on the Intake Form, will be identified by the complaint management system. (As an added measure, CFPB will explore whether self-identified whistleblower complainants should access a whistleblower-specific web Intake Form through a separate and distinct portal.) Otherwise, the identity of, or information which could be used to reveal the identity of, a whistleblower will be kept in strict confidence as provided by law. Whistleblowers who are employees of the financial institution they are complaining about will receive a copy of the relevant Dodd-Frank Act anti-retaliation provision, Section 1057, and will be provided with a set of Section 1057 FAQs which explain the whistleblower retaliation protections.

(11) Justification of Sensitive Questions

The Intake Form does not include questions about sexual behavior and attitudes or religious beliefs. The Intake Form will prompt the respondent for sensitive information such as credit card account or other financial account numbers only to facilitate complaint resolution and to minimize the burden of follow-up contact with the respondent. For instance, for credit card inquiries or complaints, certain account information such as a credit card number may be the most effective way to accurately identify the subject financial institution in question. Moreover, the provision of a credit card account number may ensure the institution reviews the correct account when addressing a complaint. The provision of a credit card number is optional and, if provided, respondents will not be asked to provide the three to four digit card security codes or the expiration dates. All Intake Form questions requesting account numbers or policy numbers for financial accounts are non-essential and optional fields that will be enabled on the web-based Intake Form only when necessary, based on the type of complaint. Security measures will be taken to ensure restricted access to such numbers.

The CFPB is tasked with enforcing certain Federal laws that are intended to ensure fair, equitable, and nondiscriminatory access to credit, including the Equal Credit Opportunity Act (“ECOA”). Dodd-Frank Act §§ 1002(12)(D), 1021(b)(2), 1024(c), 1025(c). ECOA prohibits discrimination by any creditor against an applicant in a credit transaction because of race, color, religion, national origin, sex, marital status, or age. 15 U.S.C. § 1691(a). ECOA also prohibits discrimination by a creditor because all or part of the applicant’s income derives from any public assistance program or based upon the good faith exercise of any right under the Consumer Credit Protection Act. Id. For these reasons, the Intake Form inquires about possible discrimination based upon these factors.

In addition, Section 1013(e)(1)(A) of the Dodd-Frank Act specifically charges the CFPB with the task of monitoring complaints by servicemembers and their families. Thus, the Intake Form includes a series of questions to help identify and correctly route such complaints.

Finally, the Intake Form includes an optional question which prompts the respondent for his or her age. Pursuant to the Credit Card Accountability Responsibility and Disclosure Act of 2009 (“CARD Act”), there are several statutory protections extended to underage credit card applicants and account holders. 15 U.S.C. § 1637(c). For this reason, eliciting the respondent’s age will help identify issues related to young consumers.

(12) Estimated Burden of Information Collection

Type of Intake	Estimated Number of Respondents	Estimated Number of Intakes per Respondent	Average Burden Hours per Intake	Estimated Total Annual Burden Hours Requested
Web	2,250,000	1	7 minutes	262,500
Paper/Telephone	750,000	1	10 minutes	125,000
Total	3,000,000	1	7.75 minutes	387,500

The annual burden hours are based upon consultation with a sample of fewer than 10 respondents.

The web-based Intake Form will take approximately seven minutes to complete. Complaints from respondents who wish to provide additional details and more complicated complaints may take longer to complete. Relevant factors to consider in estimating time for completion and in reference to the “paper” version items:

- Most respondents will be required to complete only the following items: Items 1-6, 10-13, 15, 17-18;
- Individuals filing third-party complaints will also need to complete Items 17;
- Servicemembers or dependents of servicemembers will need to provide the name and contact information for the servicemember in Item 22;
- Only respondents submitting concerns about a mortgage issue will complete Item 23, an optional field; and
- Items 7-9, 14, 16, 19-21 will never be required.

(13) Estimated Total Annual Cost Burden to Respondents

There will be no annualized capital or start-up costs for the respondents to collect and submit this information.

(14) Estimated Cost to the Federal Government

Based on an independent government cost estimate, including the cost of call center operations, software, and hardware, the estimated annualized cost for this information collection is \$16,035,342.

(15) Reasons for Change in Burden

Not applicable. This information collection is a new program.

(16) Plans for Tabulation, Statistical Analysis, and Publication

Data collected through the Intake Form will be analyzed and may be provided in annual reports to be issued by the CFPB to Congress. In particular, subsection 1013(b)(3)(c) requires the CFPB to report annually to Congress information and analysis about complaint numbers, types, and when applicable, resolution. The responses of individual respondents may be subject to publication without release of personally identifying information except as required by law or by the CFPB’s rules. The CFPB may post trend reports based on aggregate data in summaries, reports, and briefings.

(17) Reasons Why Displaying the OMB Expiration Date is Inappropriate

Not applicable. The expiration date for OMB approval will be displayed on the Intake Form.

(18) Exceptions to the Certification Requirement of OMB Form 83-I

Not applicable. The CFPB is not requesting any exceptions to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act Submissions”.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Not applicable. Due to the limitations of the information collected through the Intake Form, most importantly the ability to select randomized or stratified samples, the responses will not be representative of any larger group. Because any aggregate results of the Intake Form will not be

statistically valid representations of a larger group, and are not meant to be, statistical methods cannot reduce or improve the accuracy of results.