

**CONSUMER FINANCIAL PROTECTION BUREAU  
INFORMATION COLLECTION REQUEST –  
SUPPORTING STATEMENT PART A**

**APPLICATION FOR ADVISORY BOARDS, GROUPS, AND  
COMMITTEES  
(OMB CONTROL NUMBER: 3170-0037)**

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**TERMS OF CLEARANCE:** Not applicable. When the Office of Management and Budget (OMB) last approved this information collection in July 2013 it provided no Terms of Clearance.

**ABSTRACT:** The Consumer Advisory Board (CAB) and other Advisory Groups may invite individuals with special expertise to advise the groups on an ad hoc basis (Special Advisors). The selection-related information will allow the Bureau to obtain information on the qualifications of individuals nominated to the CAB and will aid the Bureau in selecting members for other Advisory Groups. The selection-related information from potential Special Advisors will aid the Bureau in selecting Special Advisors to the CAB and other Advisory Groups. The selection-related information will also aid the Bureau in determining the appropriateness of participation in particular matters. The information collected/advice from members and Special Advisors will aid the Bureau in the exercise of its functions. The feedback collected will allow the Bureau to evaluate and improve its advisory group program. Information collected will be used to issue travel orders or provide reimbursement for travel expenses, as applicable.

**JUSTIFICATION**

**1. Circumstances Necessitating the Data Collection**

On July 21, 2010, President Barack Obama signed into law the Dodd-Frank Wall Street Reform and Consumer Protection Act, P.L. 111-203, 124 Stat. 1376 (2010) (Dodd-Frank Act). Title X of the Dodd-Frank Act created the Consumer Financial Protection Bureau (CFPB or the Bureau) and provides that the Director of the CFPB “shall establish a Consumer Advisory Board to advise and consult with the Bureau in the exercise of its functions under the Federal consumer financial laws, and to provide information on emerging practices in the consumer financial products or services industry, including regional trends, concerns, and other relevant information.” *See* Dodd-Frank Act § 1014.

Pursuant to Section 1014(b) of the Dodd-Frank Act, in appointing members to the Consumer Advisory Board (CAB), “the Director shall seek to assemble experts in consumer protection, financial services, community development, fair lending and civil rights, and consumer

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financial products or services and representatives of depository institutions that primarily serve underserved communities, and representatives of communities that have been significantly impacted by higher-priced mortgage loans, and seek representation of the interests of covered persons and consumers, without regard to party affiliation.”

In addition to the CAB, the Bureau anticipates that it may establish additional advisory boards, bodies, panels, groups, committees, pilot program advisors or other similar groups (collectively referred to as “other Advisory Groups”) to advise and consult with the Bureau in the exercise of its functions. Most of these other Advisory Groups will be discretionary; some may be required by the Dodd Frank Act.<sup>1</sup> Some, such as the CAB, may be formal, with a charter, appointments made by the Director, etc.; others may be more informal. Two additional Advisory Groups that the Bureau has already established are the Credit Union Advisory Council and the Community Bank Advisory Council.

The CAB and other Advisory Groups may invite individuals with special expertise to advise the groups on an ad hoc basis (Special Advisors).

The Bureau seeks a standard clearance from OMB to collect selection-related information from nominees to the CAB, such as background information, information related to financial holdings, and other supplemental information relevant to the application process. The Bureau may collect similar information from potential candidates for other Advisory Groups, members of other Advisory Groups, and Special Advisors to the CAB and other Advisory Groups, as relevant to the particular group. The Bureau may use this information to screen potential candidates for, members of, and advisors to CAB and other Advisory Groups for status as a federally registered lobbyist and/or status as a convicted felon.

Once selected, Bureau staff may ask members of the CAB and other Advisory Groups and Special Advisors, as part of their participation, to respond to questions, or to provide information/advice based upon their expertise on issues before the CAB and other Advisory Groups that are related to the Bureau’s exercise of its functions.

Collection instruments for the CAB include an application form with questions about assets and income, affiliations and representations, financial interests and liabilities, and relevant professional experience. Collection instruments for other Advisory Groups or for Special Advisors also include these same types of questions as the CAB questions, as well as questions about professional experience relevant to the particular group and/or certifications regarding financial interests relevant to a particular group or a particular meeting or project.

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<sup>1</sup> 1 For example, the Dodd-Frank Act requires the Bureau to comply with the Small Business Regulatory Fairness Act (SBREFA) and to convene a review panel (SBREFA Panel) prior to issuing certain proposed rules. Once convened, the SBREFA Panel meets with and collects feedback from representatives of small entities on the potential impacts that a proposed rule may have on small entities subject to the rule and any significant, less burdensome alternatives to the proposed rule that accomplish the objectives of applicable statutes.

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Additionally, nominees, applicants, members, former members, and Special Advisors may be asked to provide information/feedback on their experiences with the selection process or participation in the group. Collection instruments include feedback forms and other similar questionnaires about the experience on or with the CAB or other Advisory Groups, including the experience with the Bureau's information collections.

Collection instruments also include certifications, travel order forms and travel reimbursement forms.

### 2. **Use of the Information**

The selection-related information will allow the Bureau to obtain information on the qualifications of individuals nominated to the CAB and will aid the Bureau in selecting members for other Advisory Groups. The selection-related information from potential Special Advisors will aid the Bureau in selecting Special Advisors to the CAB and other Advisory Groups. The selection-related information will also aid the Bureau in determining the appropriateness of participation in particular matters. The information collected/advice from members and Special Advisors will aid the Bureau in the exercise of its functions. The feedback collected will allow the Bureau to evaluate and improve its advisory group program. Information collected will be used to issue travel orders or provide reimbursement for travel expenses, as applicable.

### 3. **Use of Information Technology**

Selection-related materials and advisory group materials may be accepted via e-mail, telephone, facsimile, web-based tools or other electronic means. Some participation information may be collected via these means as well.

### 4. **Efforts to Identify Duplication**

Because qualifications for membership on the CAB and other Advisory Groups are unique to the individual and the particular advisory group, there is no opportunity to obtain this information from other sources, and this information collection therefore does not duplicate existing collections. The Bureau also will not duplicate existing information when it asks members of the CAB and other Advisory Groups to answer questions and to provide information and advice based on their expertise. These answers, information, and advice will be based on the unique interaction among the group members and the Bureau.

### 5. **Efforts to Minimize Burdens on Small Entities**

Information collections under this clearance are not anticipated to burden small entities.

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The Bureau anticipates that the majority of information collected will be from individuals, not small entities. Individuals from small business and other small entities may be asked to participate voluntarily in particular advisory groups, but this information collection should not significantly burden small businesses or other small entities.

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

Without this collection, the Bureau could not ensure that the CAB and other Advisory Groups have qualified candidates who meet established requirements relevant to the particular advisory group and who can provide advice to the Bureau on topics before the particular advisory group.

#### **7. Circumstances Requiring Special Information Collection**

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 C.F.R. 1320.5(d)(2).

#### **8. Consultation Outside the Agency**

In accordance with 5 C.F.R. 1320.8(d)(1), the Bureau has published a notice Federal Register allowing the public 60 days to comment on the proposed extension of this currently approved collection of information. The Bureau received no comments in response to this Notice. Further and in accordance with 5 C.F.R. 1320.5(a)(1)(iv), 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.

Additionally, as part of standard practice, the CAB and other Advisory Boards provide an opportunity for participants to provide feedback on the experience, including the feedback on the forms..

#### **9. Payments or Gifts to Respondents**

Members of the CAB who are not full-time employees of the United States will receive compensation and be allowed travel expenses consistent with Section 1014(d) of the Dodd-Frank Act. Members of certain other Advisory Groups, as well as Special Advisors to the CAB and other Advisory Groups, may also receive compensation and may be allowed travel expenses, including transportation and subsistence, while away from their homes or regular places of business. Whether a group is compensated and allowed travel expenses will be based upon a determination by the Bureau, and will depend on the unique circumstances of the particular advisory group.

#### **10. Assurances of Confidentiality**

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All information collection activities will be conducted in full compliance with the requirements of the Privacy Act, 5 U.S.C. § 552a, and collection instruments will contain a Privacy Act statement consistent with the Privacy Act and the Bureau's confidentiality regulations at 12 C.F.R. Part 1070, et seq. For the CAB and other Advisory Groups, the names, business affiliations and other agreed-upon biographical information of members and Special Advisors may be released in a press release, on the Bureau's website and in other similar publications. This information is covered by two System of Records Notices (SORN), CFPB.016: CFPB Advisory Boards and Committees (78 FR 25428), published May, 2013 and CFPB.017: CFPB Small Business Review Panels and Cost of Credit Consultations (77 FR 24183) published April 23, 2012 and the Industry, Expert, and Community Input and Engagement Privacy Impact Assessment (PIA), published November 21, 2014.

#### **11. Justification for Sensitive Questions**

The Bureau will be requesting date of birth and social security numbers from nominees to certain groups, including the CAB and other advisory groups. Such information will also be needed for those individuals who are receiving compensation and/or reimbursement for travel expenses. The collection of the social security number on the application form is voluntary and is noted as such on the form but the failure to provide the form may mean the Bureau is unable to respond to the applicants request. The Bureau will also request information necessary using the FBI Name Check form to complete a background check of potential CAB or council members.

#### **12. Estimated Burden of Information Collection**

Based on program records and actual use of the forms, we estimate that, each year an average of 425 individuals will apply to serve on the CAB and other Advisory Boards. Each of these individuals will spend between 10 and 60 minutes completing the information collections associated with the application process. Additionally, approximately 70 individuals, including some individual business representatives, will participate in the CAB and other Advisory Boards. Each of these individuals will spend approximately 130 minutes completing the information collection associated with participation in the group, the FBI Name Check form, the TSA travel information form, the CFPB travel information form and the feedback process, in addition to time spent in the application process. The total burden for all applicants and participants is estimated to be 503 hours, and \$0 annually. Exhibit 1 illustrates the breakdown of the burden associated with each of the forms associated with the CAB and other Advisory Boards.

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**Exhibit 1: Burden Hour Summary**

<b>Information Collection Requirement</b>	<b>No. of Respondents</b>	<b>Frequency</b>	<b>Annual Responses</b>	<b>Average Response Time (hours)</b>	<b>Annual Burden Hours</b>
Application to Serve on Advisory Board	250*	1x	250	1	250
Application to serve on the Academic Research Council	15*	1x	15	.75	11
Application to serve on the Community Bank Advisory Council or Credit Union Advisory Council	150*	1x	150	1	150
Application to Serve as a Small Entity Representative	10*	1x	10	.17	2
FBI Name Check Form	30	1x	30	1	30
TSA Travel Information Form	70	3x	70	.17	12
CFPB Travel Form	70	3x	210	.17	36
Consumer Advisory Board Member Survey	70	1x	70	.17	12
<b>Totals:</b>	<b>425</b>	//////////	<b>805</b>	//////////	<b>503</b>

\*Unique respondents. The remaining respondents are a subset of the unique respondents.

**13. Estimated Total Annual Cost Burden to Respondents or Record-keepers**

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**

The Bureau does not incur any unique or additional costs as a result of this collection of information.

**15. Program Changes or Adjustments**

No program changes are proposed with this renewal. The burden has been adjusted to reflect the Bureau's experience over the past three years with using the forms associated CAB and other Advisory Boards.

**Exhibit 2: Summary of Burden Changes:**

	<b>Total Respondents</b>	<b>Annual Responses</b>	<b>Burden Hours</b>	<b>Cost Burden (O &amp; M)</b>
<b>Total Annual Burden Requested</b>	<b>425</b>	<b>805</b>	<b>503</b>	<b>\$0</b>
Current OMB Inventory	1,700	6,400	2,071	\$0
Difference (+/-)	(1,275)	(5,595)	(1,568)	\$0
Program Change	0	0	0	\$0
Discretionary	0	0	0	\$0
New Statute	0	0	0	\$0
Violation	0	0	0	\$0
<b>Adjustment</b>	<b>(1,275)</b>	<b>(5,595)</b>	<b>(1,568)</b>	<b>\$0</b>

**16. Plans for Tabulation, Statistical Analysis, and Publication**

The names, business affiliations and other agreed-upon biographical information for members and Special Advisors may be released in a press release, on the Bureau's website and in other similar publications. No other statistical analysis or publication is expected to result from this collection.

**17. Display of Expiration Date**

Not applicable. We intend to display the expiration date with the OMB Control Number on any instruments given to nominees, applicants, or members of the CAB or Advisory Boards.

**18. Exceptions to the Certification Requirement**

The Bureau certifies that this collection of information is consistent with the requirements of 5 C.F.R. 1320.9, and the related provisions of 5 C.F.R. 1320.8(b)(3) and is not seeking an exemption to these certification requirements.

**SUPPORTING STATEMENT PART B COLLECTIONS EMPLOYEING STATISTICAL MEHTODS**

Not applicable. The collections of information (forms) inventories under OMB control number 3170-0037 do not use statistical methods.

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