

**BUREAU OF CONSUMER FINANCIAL PROTECTION
PAPERWORK REDUCTION ACT SUBMISSION
INFORMATION COLLECTION REQUEST**

SUPPORTING STATEMENT PART A

**CONSUMER COMPLAINT INTAKE SYSTEM
COMPANY PORTAL BOARDING FORM**

(OMB CONTROL NUMBER: 3170-0054)

OMB TERMS OF CLEARANCE:

Not applicable. The Office of Management and Budget (OMB) provided no terms of clearance when it last approved this collection of information in July 2015.

ABSTRACT

Section 1013(b)(3)(A) of the Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, requires the Bureau of Consumer Financial Protection (“the Bureau”) to “facilitate the centralized collection of, monitoring of, and response to consumer complaints regarding consumer financial products or services.”¹ In furtherance of its statutory mandates related to consumer complaints, the Bureau utilizes a Consumer Complaint Intake System Company Portal Boarding Form (Boarding Form) to sign up companies for access to the secure, web-based Company Portal (Company Portal). The Company Portal allows companies to view and respond to complaints submitted to the Bureau, supports the efficient routing of consumer complaints to companies, and enables a timely and secure response by companies to the Bureau and consumers.² This information collection reflects comments received in response to the May 14, 2018 (83 FR 22254) Notice and Request for Comment, seeking input from the public regarding renewal of the Boarding Form with modifications to improve efficiency and reduce company burden.

¹ Codified at 12 U.S.C. § 5493(b)(3)(A). *See also* Dodd-Frank Act, Section 1034 (discussing responses to consumer complaints), codified at 12 U.S.C. § 5534; Section 1021(c)(2) (noting that one of the Bureau’s primary functions is “collecting, investigating, and responding to consumer complaints”), codified at 12 U.S.C. § 5511(c)(2).

² In addition to the Boarding Form for companies, the Bureau utilizes separate OMB-approved forms to board government agencies and congressional offices onto their own distinct portals to access certain complaint information through OMB Control No. 3170-0057 (Consumer Response Government and Congressional Boarding Forms; expires December 31, 2018).

A. JUSTIFICATION

1. Circumstances Necessitating the Data Collection

Since OMB approved its use in 2015,³ the Bureau has used the Boarding Form to sign up more than 1,200 companies. Information collected via the Boarding Form helps the Bureau route complaints to the correct company.⁴ This information includes company name, names of company representatives, and affiliate/subsidiary relationships. Typically, a company completes the Boarding Form after the Bureau has received a complaint about a company. Some companies opt to complete the form in advance of the Bureau receiving a complaint, for example, when a depository institution attains an asset level that brings it under the Bureau's supervisory authority. There are operational efficiencies realized by companies and the Bureau by having a single OMB-approved form used to board companies to the secure portal. Companies benefit from being able to join the portal before a complaint has been submitted about them, receiving their first complaint via the secure portal as soon as it is available. This also enables users to become familiar with the portal. Using a single OMB-approved form also provides the public with transparency into and clarity about the nature of the information collection itself. Additionally, the Bureau realizes operational efficiencies by collecting consistent information across companies.

With this renewal, and consistent with the Bureau's efforts to ensure the complaint system's ease-of-use and effectiveness for companies, the Bureau carefully reviewed the existing form to identify opportunities for streamlining the Boarding Form. As a result, the Bureau proposes to simplify the form's instructions to provide greater clarity and eliminate several fields to reduce the burden of completing the form. The Bureau will eliminate the following fields: Financial Institution Number, whether the company is a web-based business, state business licenses and the states for which those licenses are valid, portal user information for users other than the main

³ Consumer Complaint Intake System Company Portal Boarding Form Information Collection System, OMB No. 3170-0054 (Notice of Action 7/10/15), *available at* https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201504-3170-003.

⁴ Post-complaint submission gathering of information from a company that is specifically named by a complainant in order to review the submitted complaint has not presented Paperwork Reduction Act concerns as a collection of information obtained during an agency complaint investigation. Information Collection Request Supporting Statement for Consumer Complaint Intake System Company Portal Boarding Form (approved without change) (ICR Reference No. 201504-3170-003, OMB Control No. 3170-0054). *See also* 44 U.S.C. § 3518(c)(1)(B)(ii) (information collections during the conduct of an investigation involving an agency against specific individuals or entities is not subject to the PRA); 5 CFR § 1320.4(a)(2) (stating the same).

company point-of-contact and designee,⁵ whether the company uses Bank Identification Numbers, and company logo information.

2. Use of the Information

Information collected from companies completing the Boarding Form will support due diligence authentication of company identity, inform complaint processing, and give companies secure web-portal access to complaint information.

3. Use of Information Technology

The Boarding Form provides a comprehensive list of questions to be posed to companies' representatives through collections that will be primarily web-based (i.e., the representative will submit the completed form by email). The form of questions will include open-ended and closed-ended (i.e., multiple choice).

4. Efforts to Identify Duplication

This information collection request does not seek to duplicate any other form being developed by other Federal or State agencies. The information collections proposed will improve the processing of individual consumer complaints and inquiries. The Bureau strives to integrate cutting-edge technology to make the process efficient and user-friendly for companies.

5. Efforts to Minimize Burdens on Small Entities

Some small businesses and other small entities may be involved in the proposed information collections. However, the information collections proposed under this request are voluntary for small businesses and are not anticipated to burden small businesses significantly. The Bureau will minimize any burden by striving to request readily-available information and using plain, short, easy-to-complete information collection instruments.

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

Collecting, investigating, and responding to consumer complaints is one of the Bureau's primary functions.⁶ The submission of information by companies using the Boarding Form will be

⁵ To streamline ease of use, instead of supplying additional portal user information via the Boarding Form, company point-of-contacts or their designees instead will provide that information online directly in the portal.

⁶ Dodd-Frank Act § 1021(c)(2), codified at 12 U.S.C. § 5511(c)(2). *See also* Section 1034 (discussing responses to complaints), codified at 12 U.S.C. § 5534.

voluntary. If the proposed Boarding Form is not used, the Bureau will not be able to maximize the efficiency of complaint handling in partnership with companies. There are operational efficiencies realized by companies and the Bureau by having a single OMB-approved form used to board companies to the secure portal. Companies benefit from being able to join the portal before a complaint has been submitted about them, receiving their first complaint via the secure portal as soon as it is available. This also enables users to become familiar with the portal. Using a single OMB-approved form also provides the public with transparency into and clarity about the nature of the information collection itself. Additionally, the Bureau realizes operational efficiencies by collecting consistent information across companies.

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 CFR § 1320(5)(d)(2).

8. Consultation Outside the Agency

In accordance with 5 CFR § 1320.8(d)(1), on May 14, 2018, the Bureau published a notice in the Federal Register allowing the public 60 days to comment on the proposed revision and extension of this currently-approved collection of information. In accordance with 5 CFR 1320.5(a)(1)(iv), the Bureau is publishing 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.

This information collection reflects comments received in response to the May 14, 2018 (83 FR 22254) Notice and Request for Comment, seeking input from the public regarding renewal of the Boarding Form with modifications to improve efficiency and reduce company burden. The Bureau received eleven comments in response to the Notice and Request for Comment. These comments were from: Credit Union National Association, the Otoe-Missouria Tribe of Indians, Flipkart, an executive editor from BankersOnline.com, a compliance industry professional, and six other individuals.

Some comments discussed the complaint system as a whole or aspects of the complaint system other than the Boarding Form. The Bureau is constantly looking for ways to improve its complaint system and processes, including ways to minimize burden on companies and utilize electronic collections. The revised, streamlined Boarding Form exemplifies those efforts. Comments about the underlying complaint process and publication of complaint data are not responsive for the purposes of this information collection. Moreover, the Bureau has previously addressed such concerns.⁷

⁷ *E.g.*, 2015 Notice of Final Policy Statement, 80 FR 15572 (March 24, 2015).

One commenter discussed the Bureau's relationship with Indian tribes. The Bureau remains committed to working effectively with tribal partners. This discussion of tribal activities, however, is not responsive for the purposes of this information collection.

One commenter pointed out typos in the original notice. The Bureau has already identified those errors and published a corrected notice on June 15, 2018 (83 FR 27975).

One commenter sent information about a consumer complaint, and another commenter wrote about a personal financial issue. One commenter wrote about engineering, and four commenters wrote about environmental and/or energy issues. These six comments do not appear related to the subject of this collection and, therefore, are not responsive for purposes of this information collection.

9. Payments or Gifts to Respondents

The proposed information collections do not provide any payment or gift to respondents.

10. Assurances of Confidentiality

All information collection activities will be conducted in full compliance with the requirements for the protection of nonpublic information and personally identifiable information and for data security and integrity set forth in the federal privacy laws, including the Bureau's rules (12 CFR § 1070.50 et seq.) pursuant to the Privacy Act (5 U.S.C. § 552a). At the point of information collection, the Bureau's website explains that personally identifiable information will be kept private to the extent permitted by law and Bureau rules. The Bureau website privacy policy further explains the Bureau's privacy practices.⁸ The form includes a Privacy Act Statement and the website privacy policy will be located on the bottom of the web-form page.

The Bureau has in place 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 is fully compliant with the Federal Information Security Management Act of 2002 security category of "Moderate, Moderate, Low."

On March 20, 2013, the Bureau published a Privacy Impact Assessment (PIA) for the Consumer Response System. The Bureau uses PIAs to document how the personally identifiable information (PII) it collects is used, secured, and destroyed in a way that protects each individual's privacy. The PIA is broken out into sections that reflect the Bureau's Privacy Principles. The Bureau's Privacy Principles are a set of nine rules the Bureau follows when it

⁸ See <https://www.consumerfinance.gov/privacy/privacy-policy/>.

collects or uses PII. The PIA is posted on the Bureau’s website at https://files.consumerfinance.gov/f/201303_CFPB_PIA-Consumer-Response-System.pdf.

Additionally, in accordance with the Privacy Act of 1974, as amended, the Bureau published a Systems of Records Notice (SORN) in the Federal Register (79 FR 21440, April 16, 2014). The title for the SORN is CFPB.005—Consumer Response System. The SORN is available on the Internet at <https://www.federalregister.gov/articles/2014/04/16/2014-08555/privacy-act-of-1974-as-amended>.

11. Justification for Sensitive Questions

While much of the information requested in the Boarding Form is commercial information generally available to the public, some fields do ask for sensitive, nonpublic information. For instance, the form asks for the company’s point-of-contact and a designee, and also asks for the company’s tax ID number. Nonpublic information will not be disclosed to the public and will be held in an encrypted system for their protection.

12. Estimated Burden of Information Collection

Respondents include companies that are the subjects of consumer complaints and companies that are service providers of the companies that are the subjects of consumer complaints. The Bureau estimates that approximately 500 companies will submit the Boarding Form for the first time per year. The Bureau’s earlier Supporting Statement for this renewal included an estimate of 300, but that estimate is now being changed to 500 to better reflect recent available boarding information. In addition, an estimated 50 companies will submit an updated form per year.

Exhibit 1: Summary Burden Estimates

Collection of Information	Number of Respondents	Frequency	Number of Responses	Response Time (Hours)	Burden (Hours)
Company Portal Boarding Form (Initial Intake)	500	1x	500	0.17	85
Revised Form	50	1x	50	0.17	9
Total	500*	//////////	550	//////////	94

*Companies that submit a revised form are a subset of those that submitted an initial Boarding Form; therefore, the estimated total of annual Respondents is about 500.

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

Generally, companies will submit the form electronically. The Bureau anticipates that no companies will request a paper copy of the form. However, should a paper form be requested, costs would be incurred for printing and mail distribution at a cost of approximately \$2.05 per document (i.e., 7 pages, copy costs at \$0.15 per page, and postage at \$1.00). Other than that, there will be no costs for the federal government.

15. Program Changes or Adjustments

As explained above, the Bureau is proposing streamlining the Boarding Form, including eliminating many fields. Additionally, because companies can now update user information easily in the Company Portal—rather than needing to submit a revised form—we anticipate that in situations where a revised form is needed (such as mergers and subsidiary updates), submitting a revised form will take approximately the same amount of time as submitting a form for the first time (i.e., initial intake). To better reflect these changes and how the form will be utilized, the Bureau is changing the estimated response time to 10 minutes for both initial intake and revisions.

The Bureau has also re-estimated the annual responses. The Bureau has re-estimated downward the annual number of unboarded companies who will complete this form for the first time (i.e., initial intake). Additionally, the Bureau has re-estimated downward the number of revised forms submitted annually. These re-estimates are based on recent experience and information gathered in the course of boarding companies and utilizing this form.

Exhibit 2: Summary of Burden Changes

	Total Respondents	Annual Responses	Estimated Average Response Time	Burden Hours	Cost Burden (O & M)
Total Annual Burden Requested	500	550	.17	94	\$0
Initial Intake	1,500	1,500	.25	375	\$0
Revised Form	5,000	10,000	.08	800	\$0
Current OMB Inventory	1,500	11,500	.25 (Initial Intake) .08 (Revisions)	1,175	\$0
Difference (+/-)	-1,000	-10,950	-.08 (Initial Intake) +.09 (Revisions)	-1,081	\$0
Program Change			-.08 (Initial Intake) +.09 (Revisions)	-1,081	
Discretionary			-.08 (Initial Intake) +.09 (Revisions)	-1,081	

New Statute					
Violation					
Adjustment	-1,000	-10,950			

16. Plans for Tabulation, Statistical Analysis, and Publication

Data collected through the Boarding Form will be analyzed and certain information may be provided in reports to be issued by the Bureau to Congress, as required by the Dodd-Frank Act. In particular, Section 1013(b)(3)(C) of the Dodd-Frank Act requires the Bureau to provide annual reports to Congress containing information and analysis about complaint numbers, types, and where applicable, resolution.⁹ The Bureau may publish trend reports based on aggregate data in summaries, reports, and briefings. Presentations of analyses may include frequency, classification, and cross-tabulation across consumer financial products or services, demographic and economic characteristics, and financial management behavior.

17. Display of Expiration Date

The expiration date for OMB approval will be displayed on the form. Further, the OMB control number and expiration date will be displayed on the Federal government’s electronic PRA docket at www.reginfo.gov.

18. Exceptions to the Certification Requirement

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

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This information collection does not employ statistical methods.

⁹ Codified at 12 U.S.C. § 5493(b)(3)(C). *See also* Section 1016(c)(4) (requiring that the Bureau’s semi-annual reports to Congress include “an analysis of complaints about consumer financial products or services that the Bureau has received and collected in its central database on complaints during the preceding year”), codified at 12 U.S.C. § 5496(c)(4).