

**SUPPORTING STATEMENT FOR  
GENERIC INFORMATION COLLECTION PLAN FOR  
CONSUMER COMPLAINT AND INFORMATION COLLECTION SYSTEM  
(TESTING AND FEEDBACK)  
OMB CONTROL NO.: 3170-0042**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

As provided in the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”), the Consumer Financial Protection Bureau (CFPB or Bureau) is tasked with collecting, monitoring, investigating, and responding to complaints and inquiries about consumer financial products or services.<sup>1</sup> The tasks of developing new and improving upon existing complaint questions, along with obtaining feedback to improve the complaint processing system benefit from the streamlined flexibility of the generic clearance process.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

Section 1021(c)(2) of the Dodd-Frank Act provides that some of the primary functions of the Bureau are the collection, investigation, and response to consumer complaints.<sup>2</sup> These functions underlie the core information collection, currently represented by the Bureau’s Consumer Response Intake Form.<sup>3</sup> This generic clearance will allow the Bureau to test and pilot questions for possible inclusion in the complaint and inquiry processes.

This generic clearance has facilitated the testing of new and updated questions for the complaint and inquiry processes and the gathering of feedback for process improvement. This includes utilizing enhanced fields and values that more clearly identify the root cause of a consumer’s problem by offering new sub-products, sub-issues, and data-driven questions.

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<sup>1</sup> See Pub. L. No. 111-203, Title X, Sections 1013(b)(3), 1021(c)(2), and 1034, codified at 12 USC Sections 5493(b)(3), 5511(c)(2), and 5534.

<sup>2</sup> 12 USC Section 5511(c)(2).

<sup>3</sup> See the Bureau’s Consumer Response Intake Form, OMB Control No. 3170-0011.

Consumer (and authorized third party representative) demographic and identifying data are used to identify the consumer within the Consumer Response System and to aid identification by respondents and agencies in receipt of referrals. In addition to identifying questions, additional questions are asked to help the Bureau determine the appropriate way to process consumers' complaints. The form of questions will include open-ended, closed-ended (e.g. multiple choice, yes/no), ranked or ordinal, and rating (e.g. Likert) types. Examples of collections that will be undertaken under this clearance may include:

- web, telephone, and in-person based collections;
- feedback/complaint forms; small discussion groups;
- focus groups; customer satisfaction surveys (e.g. post-transaction surveys; opt-out web surveys); and
- in-person and online observation testing (e.g. website or software usability tests).

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

The Bureau operates a system that provides consumers and their authorized representatives with the ability to submit their complaints through its website, by telephone, and by mail. It accurately, efficiently, and securely sends complaints to companies for response. The toll-free number to U.S based contact centers also provides Bureau services (including inquiry handling) to consumers in more than 180 languages and to those who have hearing or speech disabilities. The Bureau will continue to use enhancements such as helper text, drop down menus, error checks, and auto-completion when possible to minimize burden.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.**

This generic clearance information collection request does not seek to duplicate any other complaint system being developed by other federal or State agencies. The information collections proposed will improve the processing of individual consumer complaints and inquiries by the Bureau. Duplication is further minimized as all Bureau information collections are considered and reviewed through an internal clearance process which includes several offices within the agency, including the Bureau's Office of the Chief Data Officer.

**5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

The information collection is voluntary and is not anticipated to burden small businesses significantly. The complaint and inquiry processes do not require information collection from small businesses or other small entities. A potential impact on small entities is that the Bureau (as required by law) will utilize the information obtained from consumers to request responses from, and potentially initiate investigations of, entities named in the complaints, some of which may be small entities. A potential impact on small entities is that small business owners may submit complaints to the Bureau and experience the same level of burden as consumers. The Bureau will minimize any burden by striving to request readily available information and using plain, short, easy-to-complete information collection instruments.

**6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

The Bureau's collection of voluntarily submitted consumer complaints is a primary function of the Bureau under section 1021(c)(2) of the Dodd-Frank Act.<sup>4</sup> Information collected from consumers using the piloted complaint, inquiry or feedback forms will be voluntary. Any participation in feedback surveys will be voluntary. If the proposed pilot or survey collections are not conducted, the Bureau could not properly evaluate and improve the complaint response function.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has**

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<sup>4</sup> 12 USC Section 5511(c)(2).

**instituted procedures to protect the information's confidentiality to the extent permitted by law.**

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. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

**Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years -- even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

In accordance with 5 CFR Part 1320.8(d)(1), the Bureau published a notice in the Federal Register that provides the public 60 calendar days to comment on the extension of reporting requirements contained within OMB Control No. 3170-0042.<sup>5</sup> One comment was received expressing general approval of the Bureau's activities. The comment did not pertain to information collection activities.

Also, in accordance with 5 CFR Part 1320.5(a)(1)(iv), the Bureau has also published a notice in the Federal Register providing the public 30 days to comment on reporting requirements contained within this information collection request.<sup>6</sup>

**9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.**

The Bureau may provide payment or other forms of remuneration to respondents of its various forms of collecting input on complaint, feedback, and inquiry processes. The Bureau has as its goal the protection and empowerment of all consumers. This includes pursuing programs and policy initiatives that serve lower-income and traditionally underserved consumers.

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<sup>5</sup> 86 FR 73744 (published on 12/28/2021).

<sup>6</sup> 87 FR 23499 (published on 4/20/2022).

Incentives will be used if information collections include hard-to-reach groups and are linked to response rates. Justifications for the type and level of incentive will be provided in the request for clearance of these specific activities.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.**

All information collection activities will conform to the requirements for the protection of the confidentiality of nonpublic information and personally identifiable information and for data security and integrity set forth in federal privacy laws, including the Bureau's rules (12 C.F.R. § 1070 et seq.) and the Privacy Act (5 U.S.C. § 552a). At the point of information collection, individuals will be provided with the Bureau's Privacy Act Statement or Privacy Notice, as applicable. The Bureau 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.

Section 1057 of the Dodd-Frank Act provides additional protections for "whistleblowers" who work for covered persons or service providers and who experience employer retaliation after providing certain information about their employers to the Bureau. The Bureau will take all appropriate steps as permitted by law to maintain the confidentiality of such persons when piloting new, or testing to improve existing, complaint intake questions about whistleblower status.

On March 20, 2013, the Bureau published a Privacy Impact Assessment (PIA) for the Consumer Response System. Pursuant to the E-Government Act of 2002, 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. Additionally, the PIA identifies privacy risks associated with the system and information collection and mitigations the Bureau takes to address these risks. The PIA is published on the Bureau's website at [http://files.consumerfinance.gov/f/201303\\_CFPB\\_PIA-Consumer-Response-System.pdf](http://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 (83 FR 32640, July 13, 2018). The title for the SORN is CFPB.005—Consumer Response System. The SORN is available on the Internet at <https://www.federalregister.gov/documents/2018/07/13/2018-14990/privacy-act-of-1974-system-of-records> .

The Consumer Response System provides a Privacy Act Statement and each separate collection submitted under this generic information collection plan will provide respondents with the appropriate privacy notice.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

Information collections related to piloting new, or testing to improve existing, complaint intake questions may prompt the respondents 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 respondents. 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 company and for the company to identify the consumer's account to support efficient investigation by companies. For complaints sent to the national credit reporting bureaus and other financial services providers that use social security numbers (SSNs) as primary identifiers, consumers will be asked to provide the last four digits of their SSNs to process their complaint or, where necessary for companies to respond, their full SSNs. Oftentimes, the full or partial SSN is the only effective way for certain companies to accurately locate the consumer's relevant financial information. Consumers' SSNs, along with other sensitive financial account identifiers, will be held in an encrypted system for their protection.

The Bureau is tasked with enforcing fair lending laws such as the Equal Credit Opportunity Act ("ECOA"). ECOA prohibits unlawful discrimination by any creditor against an applicant in a credit transaction based on race, color, religion, national origin, sex, marital status, or age. ECOA also prohibits such unlawful discrimination by a creditor based on the fact that all or part of the applicant's income derives from any public assistance program or based upon the applicant's good faith exercise of any right under the Consumer Credit Protection Act. For these reasons, the piloting of new, or testing to improve existing, complaint intake questions may inquire about these factors.

In addition, Section 1013(e)(1)(B) of the Dodd-Frank Act specifically charges the Bureau with the task of monitoring complaints by servicemembers and their families. Thus, the piloting of new, or testing to improve existing, complaint intake questions may include a series of questions to help identify and correctly route such complaints.

In piloting new, or testing to improve existing, complaint intake questions, the Bureau may ask the respondent for his or her age. Pursuant to the Credit Card Accountability Responsibility and Disclosure Act of 2009 ("CARD Act"), there are statutory protections extended to underage credit card applicants.<sup>7</sup> Eliciting the respondent's age will help identify issues related to young consumers and legal competency to give consent. Furthermore, the Equal Credit Opportunity Act ("ECOA") makes it unlawful for any creditor to discriminate against an applicant for credit on the basis of age. Collecting

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<sup>7</sup> 15 USC Section 1637(c)(8).

information about the respondent's age will help identify instances where older Americans have been discriminated against when applying for credit.

In testing to improve existing, complaint intake questions, the Bureau may ask about the consumer's household size and household income. In piloting new questions to align with Presidential Executive Orders, the Bureau may ask questions about the consumer's demographic affiliation such as: gender identity, sexual orientation, disability, preferred language, justice-affiliated status, and first-generation college student status. Such questions would allow the Bureau to better execute its statutory mandates, including:

1. researching, analyzing and reporting on access to fair and affordable credit for traditionally underserved communities<sup>8</sup>;
2. providing information, guidance, and technical assistance regarding the offering and provision of consumer financial products or services to traditionally underserved consumers and communities<sup>9</sup>;
3. collecting, researching, monitoring, and publishing information relevant to the functioning of markets for consumer financial products and services to identify risks to consumers and the proper functioning of such markets<sup>10</sup>;
4. educating and empowering consumers to make better informed financial decisions<sup>11</sup>; and
5. support Presidential Executive Orders<sup>12</sup>.

These data will help the Bureau gain insights about the populations they serve (including servicemembers, students and older Americans), identify emerging issues, and pinpoint what areas may benefit from new or revised educational tools. Additionally, these questions would provide the opportunity to understand data across economic groups that enrich and reflect careful research across several Bureau offices.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. General, estimates should not include burden hours for customary and usual business practices.**

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<sup>8</sup> Dodd-Frank Act, Section 1013(b)(1)(B).

<sup>9</sup> *Id.* Section 1013(b)(2).

<sup>10</sup> *Id.* Section 1021(c)(3).

<sup>11</sup> *Id.* Section 1013(d)(1).

<sup>12</sup> [Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#); [Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation](#)

- **If this request for approval covers more than one form, provide separate hour burden estimates for each form.**
- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

The Bureau estimates the burden of this information collection as follows:

Type of Information Collection	Estimated Number of Respondents	Average Burden per Intake	Estimated Total Annual Burden Hours Requested
<b>Testing New and Improved Complaint Intake Questions</b>			
Web Complaint Intake (Testing and Piloting New Questions)	500,000	10 minutes	83,333
Paper/Telephone Complaint and Inquiry Intake (Testing and Piloting New Questions)	150,000	10 minutes	25,000
<b>Stakeholder Feedback</b>			
User Experience Process and Service Feedback	5,000	30 minutes	2,500
<b>Annual Totals:</b>	<b>655,000</b>	<b>50 minutes</b>	<b>110,833</b>

The methods of information collection within each category include burdens associated with telephonic, virtual, or in-person interviews, web or paper-based collections, surveys, and focus groups. Respondents may include individual consumers and their representatives, State agencies, Congressional offices, companies that are the subject of consumer complaints, and companies responding to consumer complaints.

**13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).**

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

**14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred**

**without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.**

The Bureau incurs operational costs to develop, implement, and support cost-effective technology solutions for all information collections such as pilot forms and surveys. Costs will be included in the documentation provided to OMB for each collection for which we will seek approval under this generic plan.

**15. Explain the reasons for any program changes or adjustments.**

This information collection's maximum number of annual responses and total time burden is being reduced by 1,475,000 responses and 244,169 hours respectively. The revised burden estimate better reflects predicted usage in the future.

There are no program changes nor additional adjustments being made in this ICR.

**16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

Data collected through the piloting of new, or testing to improve existing, complaint intake questions; and feedback collections will be analyzed and may be disclosed through the Bureau's Consumer Complaint Database<sup>13</sup> and provided in annual reports to be issued by the Bureau to Congress. In particular, under Section 1013(b)(3)(C) of the Dodd-Frank Act, the Bureau provides reports to Congress containing information and analysis about complaint numbers, types, and where applicable, resolution. 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. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The expiration dates for OMB approval will be displayed or otherwise provided to respondents for all information collections proposed as well as on OMB's public-facing docket at [www.reginfo.gov](http://www.reginfo.gov) (<https://www.reginfo.gov/public/do/PRAMain>).

**18. Explain each exception to the certification statement.**

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<sup>13</sup> 78 FR 21218 (4/10/2013), available at <https://www.federalregister.gov/articles/2013/04/10/2013-07569/disclosure-of-consumer-complaint-data>.

Generic Information Collection Plan for Consumer Complaint and Information Collection System (Testing and Feedback)

OMB Control Number: 3170-0042

OMB Expiration Date: 5/31/2022

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.