

**SUPPORTING STATEMENT FOR
CONSUMER RESPONSE GOVERNMENT AND CONGRESSIONAL PORTAL
BOARDING FORMS
OMB CONTROL NO.: 3170-0057**

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.

Section 1013(b)(3)(A) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act or Act) requires the Bureau to “facilitate the centralized collection of, monitoring of, and response to consumer complaints regarding consumer financial products or services.”¹ The Act also requires the Bureau to “share consumer complaint information with prudential regulators, the Federal Trade Commission, other Federal agencies, and State agencies.”² To facilitate the collection of complaints, the Bureau accepts consumer complaints submitted by members of Congress on behalf of their constituents with the consumer’s express written authorization for the release of their personal information.

Due statutory requirements related to consumer complaints, the Bureau uses Government and Congressional Portal Boarding Forms (Boarding Forms) to register users for access to secure web-based portals. The Bureau has developed separate portals for congressional users and other government users as part of its secure web portal offerings (the “Government Portal” and the “Congressional Portal,” respectively).³

Via the Government Portal, government users can view consumer complaint information in a user-friendly format that allows easy review of complaints currently active in the Bureau process, complaints referred to a prudential federal regulator, and other closed/archived complaints.

Via the Congressional Portal, members of Congress and authorized congressional office staff can view data associated with consumer complaints they submit on behalf of their constituents with the consumer’s express written authorization for the release of their personal information. The Congressional Portal only displays information about complaints submitted by the individual congressional office.

¹ Codified at 12 U.S.C. Section 5493(b)(3)(A).

² Dodd-Frank Act Section 1013(b)(3)(D), codified at 12 U.S.C. Section 5493(b)(3)(D).

³ In addition to the boarding forms for congressional and government users, the Bureau utilizes a separate OMB-approved form to board companies onto their own distinct portal to access complaints submitted against them through OMB Control No. 3170-0054 (Consumer Complaint Intake System Company Portal Boarding Form Information Collection System).

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.

Information collected from congressional offices and other government users completing the Government Boarding Form or Congressional Boarding Form will support providing access to authorized individuals to the appropriate portal.

Government Boarding Form

The Government Portal Boarding Form (“Government Boarding Form”) is used to collect information from government users to identify the individuals who will have authorization to access the Government Portal.

Congressional Boarding Form

The Congressional Portal Boarding Form (“Congressional Boarding Form”) is used to collect information from congressional offices to identify the individuals who will have authorization to access the Congressional Portal to monitor consumer complaints submitted by that congressional office.

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 Government Boarding Form and Congressional Boarding Form provide comprehensive lists of questions to be posed to the offices’ representatives through collections that will be primarily web-based (i.e., the representative will submit the completed form by email). Questions are primarily open-ended.

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 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 access the congressional offices and other government users have to consumer complaint information. The Bureau strives to use technology to make the process secure, efficient, and user-friendly for congressional offices and other government users.

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

There will be no impact on small entities.

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 Dodd-Frank Act requires the Bureau to “share consumer complaint information with prudential regulators, the Federal Trade Commission, other Federal agencies, and State agencies.”⁴ The submission of information by government representatives using these forms will be voluntary. If the Boarding Form collections are not conducted, the Bureau will not be able to maximize the efficiency of complaint information sharing in partnership with other government offices. Additionally, the Bureau will be unable to efficiently or securely update members of Congress and their staffs with information about consumer complaints submitted on behalf of their constituents.

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 instituted procedures to protect the information's confidentially 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).

⁴ Dodd-Frank Act Section 1013(b)(3)(D), codified at 12 U.S.C. Section 5493(b)(3)(D).

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.

Per requirements in 44 USC 3506(c)(2)(a), the Bureau published a 60-day notice within the Federal Register⁵. No comments were received.

Per requirements in 44 USC 3507(b), the Bureau also published a 30-day notice within the Federal Register⁶. That notice directed respondents to submit comments directly to the OMB desk officer per normative procedure.

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

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

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 be conducted in full compliance with the requirements for the protection of the confidentiality 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 Section 1070.50 et seq) pursuant to the Privacy Act (5 U.S.C. Section 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 privacy policy

⁵ 87 FR 4569 (1/28/2022).

⁶ 87 FR 31539 (5/24/2022).

further explains the Bureau's privacy practices.⁷ The forms include a Privacy Act Statement.

The Bureau has implemented 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."

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 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 CFPB takes to address these risks. The PIA is published on the Bureau's website at https://files.consumerfinance.gov/f/201303_CFPB_PIA-Consumer-Response-System.pdf. The PIA is currently in the process of being updated.

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—CFPB Consumer Response System. The SORN is available on the Internet at https://s3.amazonaws.com/files.consumerfinance.gov/f/documents/bcfp_sorn_consumer-response-system.pdf.

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.

While some information requested in the Government Boarding Form and Congressional Boarding Form is generally available to the public, some information requested constitutes personally identifiable, non-public information. For instance, the forms ask for contact information. Nonpublic information will not be disclosed to the public and will be held in an encrypted system for their protection.

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**

⁷ See <https://www.consumerfinance.gov/privacy/privacy-policy/>.

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.

- **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.**

Government Boarding Form

Respondents will include agencies that are interested in having access to complaint information collected by the Bureau. The Bureau estimates that approximately 10 agencies will submit a Government Boarding Form for the first time per year. Additionally, an estimated five agencies will submit an updated form per year.

Congressional Boarding Form

Respondents will include congressional offices that are interested in having access to complaint information collected by the Bureau. The Bureau estimates that about 50 congressional offices will submit a Congressional Boarding Form for the first time per year. Additionally, the Bureau estimates 25 congressional offices will submit an updated form per year.

Type of Information Collection	Estimated Number of Respondents	Frequency of Response	Estimated Number of Annual Responses	Response Time (Hours)	Burden (Hours)
Government Boarding Form (Initial Intake)	10	1	10	0.17	2
Government Boarding Form (Revisions)	5	1	5	0.08	1
Congressional Boarding Form (Initial Intake)	50	1	50	0.17	9
Congressional Boarding Form (Revisions)	25	1	25	0.08	2
Total	60⁸		90		14

⁸ Offices that submit revised forms are a subset of those that submitted an initial Government Boarding Form or Congressional Boarding Form. Therefore, the estimated total of annual Respondents is approximately 60

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.

Generally, respondents will be provided a copy of the form electronically. 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). Beyond that, there will be no costs to the Federal government.

$\$2.05 * 90 \text{ responses} = \$184.50 \text{ or } \$185 \text{ (rounded)}$.

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

There are no program changes to this information collection.

The Bureau has made updates to the Privacy Act Statements on both forms. Despite these updates, the burden on respondents remains the same. Additionally, the estimated number of annual responses (90) remains the same as the prior period.

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 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. Particularly, 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

⁹ Codified at 12 U.S.C. Section 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. Section 5496(c)(4).

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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 date for OMB approval will be displayed on both forms. Further, the OMB control number and expiration date will be displayed on the Federal government's electronic PRA docket at www.reginfo.gov (<https://www.reginfo.gov/public/do/PRAMain>).

18. Explain each exception to the certification statement.

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.