SUPPORTING STATEMENT FOR PROHIBITION OF INCLUSION OF ADVERSE INFORMATION IN CONSUMER REPORTING IN CASES OF HUMAN TRAFFICKING (REGULATION V) OMB CONTROL NO. 3170-0002

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.

The Dodd-Frank Wall Street Reform and Consumer Protection Act, P.L. 111-203, 124 Stat. 1376 (2010) (Dodd-Frank Act) transferred rulemaking authority for most provisions of the Fair Credit Reporting Act (FCRA), 15 U.S.C. 1681 et seq., to the Bureau of Consumer Financial Protection (CFPB), effective July 21, 2011.

Section 1088 of the Dodd-Frank Act, read in combination of Section 1061, amends the FCRA to vest the CFPB with rulemaking authority over most provisions of the FCRA, excepting providing rulemaking authority over certain motor vehicle dealers engaged primarily in the sale and servicing of motor vehicles, the leasing and servicing of motor vehicles, or both. The Dodd-Frank Act also provided the CFPB with enforcement authority over certain institutions that have been under the jurisdiction of other agencies.

Section 1088 of the Dodd-Frank Act states that the CFPB "shall prescribe such regulations as are necessary to carry out the purposes of this title, except with respect to sections 615(e) and 628 [of the FCRA]," and therefore on December 21, 2011, the CFPB issued an interim final rule (76 FR 79308) establishing the CFPB's Regulation V (12 C.F.R. § 1022). The new Regulation V assembles applicable regulations, commentary, and model notices formerly promulgated by the transferor agencies, with minor revisions to reflect accurate references and contact information.

Accordingly, the CFPB requests approval from the Office of Management and Budget (OMB) to continue requiring the disclosures described within Regulation V from certain populations over which the CFPB now has enforcement authority.

The Bureau amended Regulation V to implement section 605C of the Fair Credit Reporting Act (FCRA), added by the National Defense Authorization Act for Fiscal Year 2022 (2022 NDAA). In brief, section 605C provides that a "consumer reporting agency may not furnish a consumer report containing any adverse item of information about a consumer that resulted from a severe form of trafficking in persons or sex trafficking if the consumer has provided trafficking documentation to the consumer reporting agency." that prohibition in section 1022.142 is implemented by establishing a method for consumers to submit the required documentation to consumer reporting agencies, creating obligations on consumer reporting agencies to act on trafficking documentation submitted by consumers, and requiring recordkeeping and policies and procedures requirements to facilitate compliance.

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.

The consumer disclosures included in Regulation V are designed alert consumers that a financial institution furnished negative information about them to a consumer reporting agency, that they have a right to opt out of receiving marketing materials and credit or insurance offers, that their credit report was used in setting the material terms of credit that may be less favorable than the terms offered to consumers with better credit histories, that they maintain certain rights with respect to a theft of their identity that they reported to a consumer reporting agency, that they maintain rights with respect to knowing what is in their consumer reporting agency file, that they can request a free credit report, and that they can report a theft of their identity to the CFPB. Consumers then can use the information provided to consider how and when to check and use their credit reports.

The information collections are designed to implement section 605C by providing a method for consumer reporting agencies to collect documentation submitted by consumers establishing that the consumer is a victim of trafficking and identifying adverse items of information that should no longer be furnished under the statute. The recordkeeping and policies and procedures requirements for consumer reporting agencies are designed to ensure compliance with section 605C's prohibition.

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.

Consistent with the aims of the Government Paperwork Elimination Act, PL 105-277, Title XVII, 112 Stat. 2681-749, 44 U.S.C. § 3504 note, the forms allow creditors to use applicable technologies to reduce compliance costs. Financial institutions may use any existing technology relevant to producing the notice, obtaining the consumer opt out determination, and maintaining records of the notice and opt out determination.

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.

There is no duplication. The information is not available from any other source. This regulation is also enforced by other agencies under the following control numbers:

Agency Name	OMB Control Number
Federal Reserve System (FRS)	7100-0308
Federal Trade Commission (FTC)	3084-0144
Commodities Futures Trading Commission (CFTC)	3038-0067
National Credit Union Administration[1]	3133-0165
Office of Comptroller of the Currency	1557-0230
Federal Deposit Insurance Corporation[2]	3064-0161

However, each of these agencies is responsible for different regulated entities and these collections do not overlap, so there is no duplication of the information collections.

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

Regulation V includes model notices that businesses may use to comply with regulatory requirements, and which are very similar or identical to previous model notices circulated by the FRS, the FDIC, the NCUA, and the OCC, the CFTC, and the FTC. By minimizing the approved alterations to model forms, the CFPB has sought to help businesses of all sizes reduce the burden or inconvenience of complying with the amendments to the regulations.

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 frequency of the disclosure requirements contained in Regulation V are transactional based (on occasion). Less frequent disclosures would reduce the protections to consumers that were contemplated by FCRA and Regulation V. The burden of complying is, however, diminished by the provision of model notices and that creditors may continue to use previous versions of the model notices.

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;**

[1] this collection has been submitted to OMB and is pending approval.
[2] This collection is only for the dispute resolution procedures of Regulation V

- **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 confidentially 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.**

The collections of information in Regulation V are consistent with the applicable guidelines contained in 5 C.F.R. § 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 44 USC 3506(c)(2)(A), On December 9, 2025 the Bureau published a notice allowing the public 60 days to comment on the collection of information (90 FR 57036) and a 30-day notice on March 30, 2026 (91 FR 15604) The CFPB received three comments from the 60-day notice period. Two urged reconsideration of aspects of the Burau’s most recent rulemaking on this regulation which is outside the scope of the routine renewal of this regulation’s information collection. The third urged the Bureau to consider the impact of this and other regulations on the financial system generally. Consistent with the Paperwork Reduction

Act. The bureau is always examining its information collections in an effort to reduce burden and improve utility.

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

Not applicable. This information collection does not provide payments of gifts to respondents.

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

Not applicable. No assurance of confidentiality is necessary because the CFPB does not collect any information under this collection.

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.

Not applicable. The CFPB does not collect any information under this collection. Therefore, no sensitive or personally identifying information is collected by the CFPB resulting from these requirements.

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

Information Collection Requirement	**No. of Respondents**	**Estimated Total Annual Responses**	**Average Response Time (hours)**	**Total Burden Hours**	**Estimated CFPB share of responses**	**Estimated CFPB share hours**	**Average Hourly Rate (USD)**	**CFPB Labor Cost (USD)[1]**
Pre-employment Screening Disclosures	744,400	173,378,400	.0167	2,889,600	81,500,000	1,444,800	0	0[2]
Adverse Action Notices	762,800	122,500,000	.0117	2,041,700	77,175,000	1,286,300	30.35	39,037,700
Investigative Procurement Disclosures	626	221,900	.3583	5,500	111,000	2,750	32.25	88,700
Mortgage Application Score Disclosures	18,000	8,836,900	.00667	73,300	4,215,200	36,700	40.11	1,472,000
Risk-based Pricing Notices	8,000	65,631,300	.00833	546,900	32,815,650	273,450	24.65	6,740,500
Pre-screen Opt-out Notices	***	****	0	0	***	0	0	0[2]
Unsolicited Offer Opt-outs	47	6,139,200	0	0	3,069,600	0	0	0[2]
Affiliate Marketing Notices	***	***	0	0	***	0	0	0[2]
Fraud Alerts	3	519,000	.167	86,500	259,500	43,250	21.82	943,700
Information Block Requests	3	346,500	.117	40,400	173,250	20,200	21.82	440,800
Coordination of Complaints	3	3	88	264	3	132	45.08	5,950
Credit Scores and Reports	3	45,790,300	.0167	764,700	21,700,000	382,350	0	0[2]
Disputes with CRAs	16,247	50,155,300	.15	5,272,600	25,077,650	2,636,300	21.82	57,524,100
Disputes with Furnishers	***	***	0	0	***	0	0	0[2]
Furnisher Negative Information Disclosures	16,000	174,000,000	0	0	87,000,000	0	0	0[2]
Reseller Permissible Purpose Disclosure	***	***	0	0	***	0	0	0[2]
Block requests and required disclosures	****	****	. ****	****	****	0	0	0
Trafficking-related policies and procedures	***	***	0	0	***	0	0	0[2]

Information Collection Requirement	No. of Respondents	Estimated Total Annual Responses	Average Response Time (hours)	Total Burden Hours	Estimated CFPB share of responses	Estimated CFPB share hours	Average Hourly Rate (USD)	CFPB Labor Cost (USD)[1]
Trafficking-related block recordkeeping	****	****	****	****	***	0	0	0
Totals:	**779,023**	**647,518,800**		**11,721,464**	**334,665,853**	**6,126,232**		**$106,253,450**

Employment related consumer report disclosure requirements

Employment screening disclosure and consent
Before a consumer reporting agency (CRA) may furnish a consumer report for employment purposes, the person who requests the report from the agency shall disclose to the consumer, in writing on a document that consists solely of the disclosure, their intention to obtain the consumer report for employment purposes and receive authorization from the consumer, in writing, to procure that report. If a consumer applies for employment by mail, telephone, computer, or other similar means, the person requesting the report may provide this disclosure and receive consent from the consumer using one of these methods.
Adverse action disclosure
Before a potential employer takes any adverse action based in whole or in part on information contained in a consumer report, the potential employer shall provide a copy of the report and a description of the rights of the consumer as prescribed by the Bureau

Outside of employment, if any other person takes an adverse action based in whole or in part on information contained in a consumer report, that person must also provide a copy of the report and description of the rights of the consumer as prescribed by the Bureau. This requirement applies to any decision based on information in a consumer report, including but not limited to credit transactions, insurance transactions, and tenant screenings.

Investigation disclosure
Prior to a consumer report being furnished for an investigation, the person procuring the investigative consumer report shall certify to the CRA supplying the report that the consumer whose report is being furnished has or will receive a disclosure in writing. This disclosure will include a statement informing the consumer of the request and of the consumer's right to request additional information on the nature and scope of the investigation and the summary of consumer rights under 15 U.S.C. 1681g. If a consumer requests the additional information, the person procuring the investigative consumer report must provide this additional disclosure to the consumer in writing.

Mortgage application credit score disclosure
Any person who uses a consumer credit score in connection with a consumer application for a mortgage loan secured by 1 to 4 units of residential real property must provide certain information to the consumer. This information must include a disclosure of the

credit score used, the range of possible credit scores under the model that was used, all of the key factors that adversely affected the credit score of the consumer, the date on which the credit score was created, and the name of the person or entity that provided the score or file upon which the score was created. The consumer must also receive a notice to home loan applicants that is prescribed in 15 U.S.C. 1681g.

Risk-based pricing disclosure

Any person that (1) uses a consumer report in connection with an application for, or a grant, extension, or other provision of, credit to a consumer that is primarily for personal, family, or household purposes; and (2) provides credit to that consumer on material terms that are materially less favorable than the most favorable terms that it makes available to a substantial number of consumers, must provide the consumer with a risk-based pricing notice. Creditors must determine whether the terms that are offered to a consumer result in a significantly greater cost of credit by comparing the terms offered to other consumers for a specific credit product, or by using a credit score proxy method or a tiered pricing method as prescribed under Regulation V Section 1022.72. If a person uses a consumer report to review an extension of credit made to the consumer and based on that consumer report increases the annual percentage rate on the consumer's account, that entity must also provide a risk-based pricing notice.

A person is not required to provide a risk-based pricing notice if the consumer applies for specific material terms and is granted those terms as long as the material term is specified before the consumer applied for or requested credit. Similarly, a creditor is not required to provide the risk-based pricing notice to a consumer who receives a firm offer of credit from a prescreened solicitation, so long as that consumer is offered a specific material term. If a creditor provides the consumer with an adverse action notice, then the creditor is not required to provide a risk-based pricing notice. In addition, a creditor that is extending credit secured by a 1-4 family residential property is not required to provide a risk-based pricing notice, but must provide a separate credit score notice to any consumer whose credit report is used in the application (see discussion above).

Consumer solicitation disclosure and opt-out requirements

Pre-screen opt out notice

Any person who uses a consumer report in connection with any credit or insurance transaction that is not initiated by the consumer shall provide with each written solicitation made to the consumer two notices. The first notice, referred to as the "short notice", shall state that the consumer has the right to opt out of receiving prescreened solicitations. It shall also provide a telephone number, maintained by the CRAs, that the consumer can call to opt out of these solicitations. The short notice shall also direct the consumer to the existence and location of the second notice referred to as the "long notice." The long notice shall state that: information in the consumer's consumer report was used in connection with the transaction; the consumer received the offer because the consumer satisfied the selection criteria; the credit or insurance may not be extended if the consumer does not meet the selection criteria after the consumer responds to the offer (if applicable); the consumer has a right to prohibit the use of their file for unsolicited offers; and the consumer may exercise their right to prohibit unsolicited offers by notifying the CRA using a notification system that the CRA is required to establish and maintain. Any person who makes an offer of credit or insurance in this way must also maintain on file the criteria that was used to select the consumer to receive the offer and criteria that may be used for determining whether or not to extend credit or insurance pursuant to the offer.

The Bureau assumes that the burden related to providing the short notice and long notice is minimal. The notices are standardized, small, and may be included on the same page as other information provided by the offeror. Therefore, these notices should take minimal time to include when designing an offer and rarely result in increased materials costs. The Bureau believes that the notification system used by CRAs to receive requests from consumers to prohibit unsolicited offers consists largely of a website and an automated phone line. The Bureau assumes that the time burden associated with these systems is minimal. The Bureau believes that companies using prescreened solicitation advertising campaigns likely maintain the selection criteria and offer criteria in their usual course of business for operations and marketing research, therefore the Bureau assumes that the maintenance of this information does not result in additional burden. The Bureau is seeking comment on these assumptions.

Unsolicited offer opt-out systems
Consumer reporting agencies must maintain notification systems permitting consumers to elect to be excluded from unsolicited credit and insurance transactions. CRAs that operate nationwide must maintain such a system jointly with other CRAs. These systems must include a toll-free number that consumers may call to make a request to be excluded. When a CRA receives notification from a consumer through the notification system it maintains, it shall inform the consumer that the election is effective for a 5-year period if the consumer does not sign a notice of election form, and it shall provide a form to any consumer that requests one.

The Bureau believes that the maintenance of opt-out websites and automated phone systems result in minimal time burden for CRAs.

Affiliate marketing opt-out disclosure
Before making a solicitation to a consumer based on eligibility information obtained from an affiliate, a consumer must receive a clear and conspicuous disclosure that the person may use information provided by the affiliate for the purposes of making solicitations to the consumer. The consumer must also be provided a reasonable opportunity and a reasonable and simple method to prohibit the use of their eligibility information in this way. The notice must be provided by an affiliate that has or has previously had a pre-existing business relationship with the consumer, or as part of a joint notice from members of an affiliated group, provided that at least one of the affiliates has or has previously had a pre-existing business relationship with the consumer. A consumer who opts out of receiving solicitations from a group of affiliates is granted an opt-out period of at least 5 years. A consumer who is opted out must be given an opportunity to renew their opt-out status before their election expires.

The Bureau believes that affiliate marketing notices are generally included with account opening agreements. Affiliate marketing notices are sometimes included with the initial and annual privacy notice. In other instances, the notice may be a standalone document. However, the Bureau believes that the notice is rarely sent to a consumer by itself. Given that there exist model forms for affiliate marketing notices and the notices themselves are generally sent along with other disclosures, the Bureau assumes that the time burden required to provide these forms is minimal. The Bureau is seeking comment on this assumption and data to better estimate the impact of this requirement.

Identity theft and fraud reporting, recordkeeping, and disclosure requirements

Fraud reporting and required disclosures
Consumer reporting agencies must maintain policies and procedures to allow consumers to report suspected identity theft and fraudulent activity. Upon verifying the identity of a consumer who has alerted a CRA of potential fraud, a CRA shall include fraud alerts with any credit score generated for that consumer for a time period specified by the type of request, refer the information regarding the fraud alert to the other CRAs, disclose to the consumer that they may request a free copy of their consumer report, and provide the summary of consumer rights disclosure and the summary of rights of identity theft victims disclosure required under 15 U.S.C. 1681(g).

Information block requests
Upon receipt of a request from a consumer to block information resulting from identity theft from being included in a consumer report, a CRA shall promptly notify the furnisher of the information identified by the consumer that the information may be the result of identity theft, that a report has been filed, and that a block has been requested along with the effective dates for the block. If a CRA decides to decline or rescind a block of information, the CRA shall promptly notify the affected consumer in writing. The CRA shall include the business name, address, and telephone number of any furnisher that was contacted in connection with the decision to decline or rescind the block of information, and a notice that the consumer has the right to add a statement to the consumer's file disputing the accuracy or completeness of the disputed information.

Fraud related consumer complaints recordkeeping and annual report
Each nationwide CRA must submit an annual summary report to the Bureau on consumer complaints received by the agency on identity theft or fraud alerts. The Bureau believes that the mechanism to track complaints has already been established and results in minimal annual burden

Credit score, consumer report, and disclosure requirements

Consumer report disclosure
Upon the request of a consumer, a CRA shall disclose to the consumer all of the information in that consumer's file at the time of the request, the sources of information in the consumer's file, a list of each person that procured a consumer report for a specified period in advance of the request (depending on the purpose for that report)

including each person's address and telephone number; the dates, original payees, and amounts of any checks upon which any adverse characterization of the consumer is based; a record of all inquiries received by the agency in the previous year that identified the consumer in connection with a transaction that was not initiated by the consumer; and, if the consumer requests the credit file and not the credit score, a statement that the consumer may request and obtain the credit score. The CRA must also include the summary of consumer rights under 15 U.S.C. 1681g.

Credit score disclosure
Upon request, a CRA shall supply a consumer with their current credit score (or the most recent credit score that was previously calculated for a purpose related to the extension of credit), the range of possible credit scores under the model used, all of the key factors that adversely affected to consumer's credit score, the date on which the score was created, the name of the entity that provided the score or the file upon which the score was created, and a statement indicating that the information and scoring model may be different than the credit score that may be used by a lender. A CRA may charge a fair and reasonable fee to the consumer for providing this information.

Free credit scores and reports
All nationwide CRAs, upon the request of a consumer, must make all disclosures pursuant to 15 USC 1681g once during any 12-month period free of charge. The nationwide CRAs maintain a centralized source for consumers to make these requests. Consumers may make requests through the centralized website, a dedicated toll-free phone number, or a mailing address. Consumers may also receive these disclosures without charge under other circumstances, including after a consumer receives an adverse action, in connection with a fraud alert, after notification from a debt collector that the consumer's credit rating may or has been adversely affected, during a period of unemployment, during a period where the consumer is a recipient of public welfare, or if the consumer has reason to believe that the file contains inaccurate information due to fraud.
Dispute resolution and disclosure requirements

Disputes handled by consumer reporting agencies
Consumer reporting agencies, upon receiving a notice of dispute from a consumer, shall conduct an investigation with respect to the disputed information. If the CRA determines that the dispute is frivolous or irrelevant, then it shall notify the consumer of the determination, the reasons for the determination, and any information required to investigate the disputed information. If the CRA is unable to make a determination, the CRA shall promptly notify the furnisher of the dispute and provide the furnisher with information related to the dispute. The furnisher is then tasked with making a determination and notifying the CRA of that determination. Once a final determination has been reached, the CRA shall notify the consumer that the investigation is complete and include in that notification a consumer report that is based on the consumer's revised file; a notice that (if requested by the consumer) a description of the procedure used to make the determination can be provided by the CRA, a notice that the consumer has the right to add a statement to the consumer's file disputing the accuracy and completeness of

the information, and a notice that the consumer has the right to request that the CRA furnish notification of deleted information to persons specified by the consumer within time periods specified in 15 U.S.C. 1681i.

Disputes handled by furnishers

Furnishers of information to CRAs, upon receiving a notice of dispute from a consumer, shall conduct an investigation with respect to the disputed information, review all relevant information provided by the consumer; report the results of the investigation to the consumer, and (if the investigation finds that the information reported was inaccurate) modify, delete, or permanently block the reporting of that information; and promptly notify each CRA to which the person furnished the inaccurate information. If a furnisher determines that the dispute is frivolous or irrelevant, the furnisher shall notify the consumer by mail (or other means if authorized by the consumer) and include with that notification the reasons for the determination and identification of any information required to investigate the disputed information.

Negative information disclosure requirements

If a financial institution furnishes or may furnish negative information to a CRA regarding credit extended to a consumer, the financial institution shall provide a notice of such furnishing of negative information, in writing, to the consumer. If a financial institution furnishes additional negative information to a CRA with respect to the same transaction, extension of credit, account, or customer, that institution is not required to provide additional notice to the customer. This notice must be clear and conspicuous, but may be included with any notice of default, any billing statement, or any other materials provided to the consumer (with the exception of the initial disclosures provided under section 127(a) of TILA). The notice may be provided to the consumer prior to the furnishing of negative information or within 30 days of the furnishing of negative information.

The Bureau believes that these negative information disclosures are given at account opening. The Bureau provides model forms of this notice and there is little modification needed to adapt the model notice for an institution. Furthermore, these model notices can be combined with certain other disclosures, and the model notice is only 2 sentences long. Therefore, the Bureau believes that the burden to provide this notice is negligible.

Reseller permissible purpose disclosure requirement

Any person who procures a consumer report for purposes of reselling information contained in the report must disclose to the CRA that originally furnishes the report (1) the identity of the end-user(s) of the information and (2) each permissible purpose for which the information is furnished to the end-user. The Bureau does not have comprehensive data with which to estimate the burden of this requirement and is requesting public comment to better inform its estimate. In the absence of better data, the Bureau assumes that this requirement is part of the regular cost of doing business for resellers and therefore results in minimal burden.

Government agency requests and reporting requirements

At the request of the Federal Bureau of Investigations, CRAs must provide certain information related to a consumer's credit report. Similarly, CRAs must provide certain information related to a consumer's credit report when requested to do so by other government agencies for counterterrorism purposes. The Bureau assumes that such requests are made in the conduct of an individualized investigation or equivalent and therefore, according to 5 CFR 1320.4(a), are not collections of information subject to the Paperwork Reduction act.

The Bureau is responsible for burden for the 135 institutions for which the Bureau has primary enforcement authority. The Bureau is also responsible for half of the burden for non-depository institutions, not including motor vehicle dealers. Therefore, the Bureau is assuming half of the burden for requirements of CRAs, firms conducting investigations, resellers, and employers procuring consumer reports for employment screening. The Bureau estimates that it is responsible for 63 percent of the burden for requirements of furnishers and for procurers of consumer reports who may send adverse action notices. Since the 135 institutions for which the Bureau has primary enforcement authority make approximately 25 percent of the mortgage loans, and non-depository institutions make approximately 45 percent of mortgage loans, the Bureau has assumed 48 percent (25 percent plus half of the 48 percent for non-DIs) of the burden for the mortgage application credit score requirement. The Bureau has assumed the same percentage of burden for risk-based pricing notices and pre-screen opt out notices. Using estimates from a study of privacy notices, the Bureau estimates that it is responsible for 95 percent of the burden for affiliate marketing opt-out notices.

Block requests, recordkeeping, and disclosure requirements in cases of trafficking
B lock requests and required disclosures

Consumer reporting agencies are required to accept requests from consumers who are victims of sex trafficking to block adverse items of information in credit reports that resulted from sex trafficking or a severe form of trafficking in persons. After receiving and processing such a request, a consumer reporting agency would be required to notify the consumer in writing of the outcome of the block request. This written notice must inform the consumer that the review of the block request is completed and of the outcome of that review, providing the consumer with a free copy of the revised consumer report (if applicable), a notice explaining the outcome, and a notice describing the procedures used to determine the outcome. If the consumer reporting agency declines to block or rescinds any prior block of adverse items of information resulting from trafficking, the consumer reporting agency must provide the consumer with a written explanation.

he Bureau lacks data to form an estimate as to the frequency of its use and therefore the burden it is likely to impose. The Bureau is particularly interested in public comments regarding the estimated burden of this information collection. The next time this collection is renewed, The Bureau will revise these estimates based on actual usage of this provision.

Trafficking-related policies and procedures

Consumer reporting agencies are required to establish and maintain written policies and procedures reasonably designed to ensure and monitor the compliance of the consumer reporting agency and its employees with the requirements of section 1022.142.

The Bureau estimates that most credit reporting agencies retain such policies and materials a part of their ordinary course of business, and therefore there is no additional burden imposed by this requirement. The Bureau is especially interested in any public comments about this estimate.

Trafficking-related block recordkeeping

A consumer reporting agency are required to retain evidence of block requests in cases of trafficking and maintain documentation concerning the outcome of the requests, reasons for declining or rescinding the block requests (if applicable), and compliance with Section 1022.142. Consumer reporting agencies would need to retain this information for a period of seven years after the date the block request is submitted.

Since this is a new collection of information, the Bureau lacks data to form an estimate as to the frequency of its use and therefore the burden it is likely to impose. The Bureau is particularly interested in public comments regarding the estimated burden of this information collection. The next time this collection is renewed, The Bureau will revise these estimates based on actual usage of this provision.

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).

Description of Costs (O&M)	**Action**	**Per Unit Costs**	**Quantity**	**Bureau Allocation**	**Costs**
Pre-employment screening disclosures				50%	$15,412,800
	In person	$0.10	53,796,600		
	Mail	$0.47	53,796,600		
Adverse Action Notices				63%	$26,182,700
	In person	$0.10	72,530,187		
	Mail	$0.47	19,855,000		
Investigative Inquiries				50%	$262,800
	Mail Disclosure	$0.47	1,037,328		
	Mail Additional Information	$0.67	51,866		
Mortgage Application Score Disclosures				48%	$313,500
	In person	$0.10	3,286,000		
	Mail	$0.10	3,286,000		

Risk Based Pricing				48%	$3,523,300
	In Person	$0.10	12,890,790		
	Mail	$0.47	12,890,790		
Unsolicited Offer Opt-Outs				50%	$346,000
	Phone	$0.24	2,882,926		
Affiliate Marketing Opt-out	***	***	***	95%	***
Fraud Alert				50%	$257,300
	Phone	$1.20	126,023		
	Mail	$0.67	562,256		
Information Block Requests		$0.47	12,759	50%	$3,000
Credit Scores and Reports				50%	$20,325,600
	Phone Request	$0.36	4,406,621		
	Mail Report	$1.77	22,033,105		
Disputes with CRAs				50% (CRAs) 63% (Furnishers)	$642,800
	Frivolous Notice	$0.47	1,757,525		
	Outcome Notice	$.10	8,034,400		
Total Burden Material Costs:		/////////	///////////		$66,627,000

. The Bureau does not possess data to estimate the number of election forms sent to consumers who have requested that they be excluded from unsolicited credit and insurance transactions for a period longer than the minimum 5 years. The Bureau is seeking comment on this issue and data to better estimate the impact of this requirement.

The Bureau is seeking comment on the burden experienced by financial institutions as a result of the requirement to provide an affiliate marketing opt-out notice. The Bureau does not possess data with which to accurately estimate the burden imposed by this requirement.

Material Costs: $66,627,000.

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 does not incur any additional Federal annualized cost as a result of these information collection requirements.

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

There are no program changes related to this information collection or the related request for reinstatement.

However, there is an increased number of responses (10,941,899) and a decreased time burden (-142,433 hours) due to the availability of better data and estimates for Bureau staff.

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.

Not applicable. The Bureau will not publish the collected information.

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 Bureau is not seeking to avoid displaying the expiration date. The OMB control number will be displayed in the Code of Federal Regulations. Further, the OMB control number and expiration date will be displayed on the federal government's electronic PRA docket at www.reginfo.gov.

18. Explain each exception to the certification statement.

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