

Database where consent for publication is first obtained from the consumer. Only those narratives for which opt-in consumer consent is obtained and a robust personal information scrubbing standard and methodology is applied will be eligible for disclosure.

B. Consumer Consent To Disclose Narratives

The Bureau intends to disclose only narratives for which informed consent has been obtained and that have been scrubbed for personal information. To obtain informed consumer consent, the Bureau plans to give consumers who submit a complaint the opportunity to check a consent box, with accompanying language that will state, among other things, and in plain language, that: (1) Whether or not consent is given will not otherwise impact how the Bureau handles the complaint; (2) if given, the consumer may thereafter inform the Bureau that the consumer withdraws consent at any time and the narrative will be removed from the Consumer Complaint Database; and (3) the Bureau will take reasonable steps to remove personal information from the complaint to address risk of re-identification.

C. Personal Information Scrubbing Standard and Methodology

Sharing data containing personal information presents a tension between data utility and individual privacy. As a particular personal information scrubbing standard becomes more or less stringent, the utility of a given de-identified dataset may become respectively less or more useful.

Within its judgment and discretion, and in order to address the risk of re-identification, the Bureau intends to apply to all publicly-disclosed narratives a robust personal information scrubbing standard and methodology. In designing its scrubbing standard, the Bureau relied heavily on guidance by the Department of Health and Human Services regarding de-identification of health data, as outlined in the Health Insurance Portability and Accountability Act ("HIPAA") Privacy Rule.³² The Bureau's current scrubbing standard is modeled after the HIPAA Safe Harbor Method, which is generally considered to represent a best practice for de-identifying data. In addition to adopting (and removing) most of the specific HIPAA identifiers, the Bureau also plans to remove: (1) Demographic information such as gender, age, race, and ethnicity; (2) appropriate analogues to HIPAA identifiers in the consumer

financial domain, *e.g.*, credit card numbers; and (3) identifiers which the Bureau knows appear in complaints and could reasonably be used to identify individuals, *e.g.*, personal information pertaining to third parties other than the company that is the subject of the complaint. All consumer complaint data shared via the Consumer Complaint Database will be subject to this standard and methodology, including, *e.g.*, ZIP code. The Bureau plans to make this scrubbing standard available on the Bureau's Web site. The scrubbing methodology contemplates a computer-based automated step and a quality assurance step or steps performed by human reviewers.

D. Company Response

The Bureau plans to give companies the opportunity to respond publicly to the substance of the consumer complaints they receive from the Bureau. Within the secure web portal companies use to respond to complaints, the Bureau intends to add a set list of structured company response options; a responding company will be given an opportunity to recommend to the Bureau which option, if any, it would like included as a public-facing response to address the substance of the consumer's complaint. Companies will be under no obligation to avail themselves of this opportunity.

E. Continuous Improvement

The Bureau plans to implement a testing and continuous improvement process to ensure that as applied, the Bureau's standard and methodology for scrubbing personal information adequately protects consumers. The Bureau intends to continue to adjust its scrubbing standard and methodology, guided by the goal of simultaneously maximizing data utility and individual privacy.

VI. Effect of Policy Statement

This Policy Statement is intended to provide information regarding the Bureau's plans to exercise its discretion to publicly disclose certain data derived from consumer complaints. The Policy Statement does not impose any legal obligations on third parties, nor does it create or confer any substantive or procedural rights on third parties that could be enforceable in any administrative or civil proceeding.

Dated: March 12, 2015.

Richard Cordray,
Director, Bureau of Consumer Financial Protection.

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BUREAU OF CONSUMER FINANCIAL PROTECTION

[Docket No. CFPB-2015-0013]

Request for Information Regarding the Consumer Complaint Database

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice and request for information.

SUMMARY: The Bureau of Consumer Financial Protection (the "Bureau") is issuing a Notice and Request for Information ("RFI") to solicit and collect input from the public on the potential collection and sharing of consumer compliments about providers of consumer financial products and services and more information about a company's complaint handling.

DATES: Submit comments on or before May 26, 2015.

ADDRESSES: You may submit responsive information and other comments, identified by Docket No. CFPB-2015-0013, by any of the following methods:

- *Electronic:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Mail:* Monica Jackson, Office of the Executive Secretary, Consumer Financial Protection Bureau, 1700 G Street NW., Washington, DC 20552.
- *Hand Delivery/Courier:* Monica Jackson, Office of the Executive Secretary, Consumer Financial Protection Bureau, 1275 First Street NE., Washington, DC 20002.

Instructions: The Bureau encourages the early submission of comments. All submissions must include the document title and docket number. Because paper mail in the Washington, DC area and at the Bureau is subject to delay, commenters are encouraged to submit comments electronically. In general, all comments received will be posted without change to <http://www.regulations.gov>. In addition, comments will be available for public inspection and copying at 1275 First Street NE., Washington, DC 20002, on official business days between the hours of 10 a.m. and 5 p.m. Eastern Time. You can make an appointment to inspect the documents by telephoning (202) 435-7275.

All submissions, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. Sensitive personal information, such as account numbers or Social Security numbers, should not be included. Submissions will not be edited to remove any identifying or contact information.

³² 45 CFR 164.514.

FOR FURTHER INFORMATION CONTACT: For submission process questions please contact Monica Jackson, Office of the Executive Secretary, at (202) 435-7275. For inquiries related to the substance of this request, please contact Scott Pluta, at (202) 435-7306.

SUPPLEMENTARY INFORMATION:

Authority: 12 U.S.C. 5511(c).

Background: The Bureau, established under the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (“Dodd-Frank Act”), hears directly from the American public about their experiences with the nation’s consumer financial marketplace. An important element of the Bureau’s mission is the handling of individual consumer complaints regarding consumer financial products and services. In June 2012, the Bureau began making certain de-identified individual-level complaint data available via its Web-based, public facing database (the “Consumer Complaint Database”). Since launch, the Consumer Complaint Database has been expanded multiple times to include additional consumer financial products and data fields. Concurrent with this RFI, the Bureau is publishing a final policy statement to provide guidance on how the Bureau plans to exercise its discretion to disclose publicly unstructured consumer complaint narrative data via the Consumer Complaint Database. As part of the public comment process associated with that policy, several trade associations and companies commented that the Consumer Complaint Database should include positive feedback in conjunction with complaint narratives. One commenter suggested that if the Database is to function as a marketplace of ideas, then it should reflect the entire market and not solely consumers submitting complaints. Several trade associations stated that if the database is to be likened to private Web-based review sites, then positive feedback is necessary.

Current Bureau Operations: The Bureau currently collects and shares some positive feedback regarding company complaint handling. For example, the public Consumer Complaint Database currently shares information that can be used to highlight a company’s positive complaint handling relative to its peers, e.g., whether company responses are timely or disputed by the consumer.

Positive Consumer Feedback: Broadly speaking, the Bureau conceives of two potential avenues for sharing positive consumer feedback about companies: (1) By providing more information about a company’s complaint handling, and (2)

by collecting and providing consumer compliments (independent of the complaint process). Each will be discussed in turn.

1. Company Complaint Handling

In 2014, the Bureau sent approximately 156,600 consumer complaints to companies for response. In 2013 and 2012, that figure was 113,200 and 75,400, respectively. When a company receives a complaint from the Bureau, it has 15 calendar days for its initial response and up to 60 calendar days to provide a final response. The company reviews the information, communicates with the consumer as needed, and determines what action to take in response. Once the company responds, the Bureau alerts the consumer and invites him or her to review the response and provide feedback.

The data shared via the Consumer Complaint Database can reveal positive company behavior. The purposes of publishing the Consumer Complaint Database include providing consumers with timely and understandable information about consumer financial products and services, and improving the functioning, transparency, and efficiency of markets for such products and services. Consumer complaints are a natural part of doing business. Therefore, it is not the existence of a routine complaint, by itself, that draws the attention of the market, but instead it is factors such as the number of complaints relative to comparable companies, how a company handles its complaints, the patterns and categories that identify and show the frequency of certain complaints, and perhaps the occasional notable fact pattern. The Bureau believes there are opportunities to highlight positive company behavior within at least the first two of these characteristics—relative volume and quality of response to the consumer. With this RFI, the Bureau is specifically interested in responses that identify potential ways the Bureau could record, calculate, standardize, sort, share, and visualize the data associated with the consumer complaints the Bureau sends to companies in ways that reveal positive company behavior. The following represents a non-exhaustive list of potential metrics that the Bureau could share on its Web site:

- i. Total number of complaints, by product and issue.
- ii. Normalized number of complaints by company, by product and issue.
- iii. Company Final Responses.

Controlling for other variables, e.g., product and issue, comparison of how companies choose to close complaints.

- iv. Timeliness and speed:
 - a. Average time between complaint receipt and initial/final response.
 - b. Frequency of exceeding either the 15 or 60 day allowance.
 - v. Consumer Sentiment Analysis. Refers to the use of automated textual analysis to identify and extract subjective information in source materials, e.g., classifying the various complaint narratives fields across a spectrum of emotional states.

The Bureau also seeks comment on a potential adjustment of the consumer “dispute” function. Under one potential scenario, the dispute function would be replaced with a two-part consumer feedback process. The consumer would have the ability to rate the company’s handling of his or her complaint on a one to five scale of satisfaction and provide a description in support of the rating. Positive feedback about the company’s handling of the consumer’s complaint would be reflected by both high satisfaction scores and by the narrative in support of the score. The Bureau would consider whether and how these data elements could be disclosed to the public.

The Bureau is also seeking input on the most effective and user-friendly ways to make the above data available to the public. The ability to download the raw data may be an option. Other options may include comparison tools, dashboards, and visualizations. Lastly, the Bureau could release tables listing, e.g., the “Top Ten” (and bottom) companies across some number of the above metrics. The Bureau is interested in hearing not only whether the public believes these to be good ideas, but mechanically how they could work. The following represents some of the issues to be considered:

- **Timing.** How often should the lists be updated, e.g., daily, weekly, monthly, quarterly?
- **Normalization.** Should the lists include normalized results or just those metrics that do not require normalization, e.g., time from receipt to final company response?
- **Size Threshold.** Should there be a minimum complaint volume threshold to be included on the list?
- **Metrics.** Which metric should be subject to listing, e.g., volume of normalized complaints, types of resolutions, consumer satisfaction/dispute rates, consumer sentiment?

2. Compliments

Outside of the Bureau’s current complaint handling operation, another possible avenue for highlighting positive company behavior would be to solicit, collect, and share consumer

compliments. This could entail a new submission type, channel, and process for the Bureau as well as a new database to list such compliments. The Bureau is seeking input from the public on this idea generally, as well as focused comments across the following elements:

a. Channel

The Bureau maintains a feature on its Web site called Tell Your Story, which gives consumers the opportunity to share their experiences with consumer financial products and services. These submissions are reviewed by CFPB staff and help the Bureau understand current issues in the financial marketplace. This channel could operate as-is and instances of consumer compliments could be shared with the public (with the appropriate consumer consent). Alternatively, Tell Your Story could be altered to solicit consumer compliments more directly. Or a new channel could be launched that is specifically designed to intake only consumer compliments. The Bureau requests public comment on the possibility of expanding the Tell Your Story channel, and/or specific suggestions for alternate channels to facilitate positive feedback.

b. Operations

As detailed previously, consumer complaints follow a specific process path, from the consumer to the Bureau to the company and back to the consumer. If the Bureau established a new database to intake and publish consumer compliments, should the same process apply? How should the Bureau confirm that a commercial relationship exists between the consumer submitting the compliment and the company? Specifically, should consumer compliments be sent to the relevant company for the company to confirm that a commercial relationship exists between the consumer and the company? Are there any other operational considerations that would benefit the public that the Bureau should consider when designing, developing, and implementing a system for collecting consumer compliments?

c. Disclosure

The Consumer Complaint Database does not disclose every complaint the Bureau receives. Examples of complaints that are withheld from disclosure include complaints where the commercial relationship could not be confirmed, complaints that are referred to other regulators, complaints where the information is incomplete, complaints involving ongoing litigation with the company, and anonymous

complaints. As with complaints, the Bureau would have to determine (1) what elements of a consumer compliment to disclose publicly, and (2) which compliments should be excluded from disclosure, and (3) how scrubbing and consent should be applied. The Bureau is seeking input from the public on these questions.

Creative and Innovative Solutions.

The above framework for considering positive company feedback should be considered as just that, a framework. The Bureau is seeking innovative and creative input on the idea of highlighting positive consumer experiences and company performance. Therefore, while the above provides some focus for this solicitation, the Bureau is hopeful that it will receive a number of innovative ideas that it can evaluate and potentially implement.

Dated: March 12, 2015.

Richard Cordray,

Director, Bureau of Consumer Financial Protection.

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DEPARTMENT OF DEFENSE

Office of the Secretary

[Docket ID: DoD-2015-OS-0023]

Privacy Act of 1974; System of Records

AGENCY: United States European Command, DoD.

ACTION: Notice to add a new system of records.

SUMMARY: The United States European Command proposes to add a new system of records, AEUCOM 01, entitled "United States European Command (USEUCOM) Security Clearance Database" in its existing inventory of records systems subject to the Privacy Act of 1974, as amended. This system will be used to verify current access for personnel assigned to or visiting USEUCOM. It will also be used as an electronic request manager for scheduling Sensitive Compartmented Information indoctrinations, issuing badges, requesting access to spaces, and processing clearance certifications for visitors to USEUCOM or for USEUCOM personnel visiting other organizations.

DATES: Comments will be accepted on or before April 23, 2015. This proposed action will be effective the day following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by dock number and title, by any of the following methods:

- Federal Rulemaking Portal: <http://www.regulations.gov>.

Follow the instructions for submitting comments.

- Mail: Federal Docket Management System Office, 4800 Mark Center Drive East Tower, 2nd Floor, Suite 02G09, Alexandria, VA 22350-3100.

Instructions: All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

FOR FURTHER INFORMATION CONTACT: Ms. Mayra Lazala-Stock, USEUCOM FOIA/PA Support Specialist, USEUCOM, Unit 30400, APO AE 09131-0400, telephone: 011-49-711-680-7161.

SUPPLEMENTARY INFORMATION: The United States European Command notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from **FOR FURTHER INFORMATION CONTACT** or from the Defense Privacy and Civil Liberties Division Web site at <http://dpcl.d.defense.gov>.

The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act, were submitted on January 27, 2015, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: March 19, 2015.

Aaron Siegel,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

AEUCOM 01

SYSTEM NAME:

United States European Command (USEUCOM) Security Clearance Database

SYSTEM LOCATION:

ECJ6 HQ USEUCOM, Patch Barracks Stuttgart, Unit 30400, APO, AE 09131-0400, Germany