

- Mechanisms to identify potential conflicts of interest posed for supervisory personnel who are covered by incentives but also are responsible for monitoring the quality of customer treatment and customer satisfaction; and
- Fair and independent processes for investigating reported issues of suspected improper behavior.

- **Training:** Implementing comprehensive training that addresses:
  - Expectations for incentives, including standards of ethical behavior;
  - Common risky behaviors for employees and service providers to foster greater awareness of primary risk areas;

- Terms and conditions of the institution's products and services so that they can be effectively described to consumers; and

- Regulatory and business requirements for obtaining and maintaining evidence of consumer consent.

- **Monitoring:** Designing overall compliance monitoring programs that track key metrics—and outliers—that may indicate incentives are leading to improper behavior by employees or service providers. Examples of possible monitoring metrics include, but are not limited to:

- Overall product penetration rates by consumer and household;
- Specific penetration rates for products and services (such as overdraft, add-on products, and online banking), as well as penetration rates by consumer segment;

- Employee turnover and employee satisfaction or complaint rates;

- Spikes and trends in sales (both completed and failed sales) by specific individuals and by units;

- Financial incentive payouts; and

- Account opening/product enrollment and account closure/product cancellation statistics, including by specific individuals and by units, taking into account the terms of the incentive programs (*i.e.*, requirements that accounts be open for a period of time or funded in order for employees to obtain credit under the program).

- **Corrective Action:** Promptly implementing corrective actions to address any incentive issues identified by monitoring reviews as areas of weakness:

- Corrective actions should include the termination of employees, service providers, and managers, as necessary, and these termination statistics should be analyzed for trends and root cause(s);

- Corrective actions should include changes to the structure of incentives, training on these programs, and return of funds to all affected consumers as

appropriate in light of failed sales or heightened levels of customer dissatisfaction;

- All corrective actions should ensure that the root causes of deficiencies are identified and resolved; and

- Findings should be escalated to management and the board, particularly where they appear to pose significant risks to consumers.

- **Consumer complaint management program:** Collecting and analyzing consumer complaints for indications that incentives are leading to violations of law or harm to consumers in order to identify and resolve the root causes of any such issues; and

- **Independent compliance audit:** Scheduling audits to address incentives and consumer outcomes across all products or services to which they apply, ensuring audits are conducted independently of both the compliance program and the business functions, and ensuring that all necessary corrective actions are promptly implemented.

For more information pertaining to the oversight of incentive programs, please review the CFPB's Supervision and Examination Manual.<sup>4</sup> Specific modules referencing these programs include: Compliance Management Review, Unfair, Deceptive, and Abusive Acts or Practices, Debt Collection, Credit Card Account Management, Consumer Reporting, Mortgage Origination, Short-Term Small Dollar Lending, and the Equal Credit Opportunity Act. Other relevant Bureau guidance includes: CFPB Bulletin 2012–06 (Marketing of Credit Card Add-on Products),<sup>5</sup> and CFPB Bulletin 2016–02 (Service Providers, amending and reissuing CFPB Bulletin 2012–03).<sup>6</sup>

## 2. Regulatory Requirements

This Compliance Bulletin is a non-binding general statement of policy articulating considerations relevant to the Bureau's exercise of its supervisory and enforcement authority. It is therefore exempt from notice and comment rulemaking requirements under the Administrative Procedure Act pursuant to 5 U.S.C. 553(b). Because no notice of proposed rulemaking is required, the Regulatory Flexibility Act does not require an initial or final

<sup>4</sup> CFPB Supervision and Examination Manual, available at [http://files.consumerfinance.gov/f/201210\\_cfpb\\_supervision-and-examination-manual-v2.pdf](http://files.consumerfinance.gov/f/201210_cfpb_supervision-and-examination-manual-v2.pdf).

<sup>5</sup> CFPB Bulletin 2012–06, available at [http://files.consumerfinance.gov/f/201207\\_cfpb\\_marketing\\_of\\_credit\\_card\\_addon\\_products.pdf](http://files.consumerfinance.gov/f/201207_cfpb_marketing_of_credit_card_addon_products.pdf).

<sup>6</sup> CFPB Bulletin 2016–02, available at [http://www.consumerfinance.gov/documents/1385/102016\\_cfpb\\_OfficialGuidanceServiceProviderBulletin.pdf](http://www.consumerfinance.gov/documents/1385/102016_cfpb_OfficialGuidanceServiceProviderBulletin.pdf).

regulatory flexibility analysis. 5 U.S.C. 603(a), 604(a). The Bureau has determined that this Compliance Bulletin does not impose any new or revise any existing recordkeeping, reporting, or disclosure requirements on covered entities or members of the public that would be collections of information requiring OMB approval under the Paperwork Reduction Act, 44 U.S.C. 3501, *et seq.*

Dated: January 5, 2017.

**Richard Cordray,**

*Director, Bureau of Consumer Financial Protection.*

[FR Doc. 2017–01021 Filed 1–17–17; 8:45 am]

**BILLING CODE 4810–AM–P**

## DEPARTMENT OF THE ARMY

### Notice of Intent To Prepare an Environmental Impact Statement in Connection With Dakota Access, LLC's Request for an Easement To Cross Lake Oahe, North Dakota

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice.

**SUMMARY:** This notice advises the public that the Department of the Army (Army), as lead agency, is gathering information necessary to prepare an environmental impact statement (EIS) in connection with Dakota Access, LLC's request to grant an easement to cross Lake Oahe, which is on the Missouri River and owned by the US Army Corps of Engineers (Corps). This notice opens the public scoping phase and invites interested parties to identify potential issues, concerns, and reasonable alternatives that should be considered in an EIS.

**DATES:** To ensure consideration during the development of an EIS, written comments on the scope of an EIS should be sent no later than February 20, 2017. The date of all public scoping meetings will be announced at least 15 days in advance through a notice to be published in the local North Dakota newspaper (The Bismarck Tribune) and online at <https://www.army.mil/asacw>.

**ADDRESSES:** You may mail or hand deliver written comments to Mr. Gib Owen, Office of the Assistant Secretary of the Army for Civil Works, 108 Army Pentagon, Washington, DC 20310–0108. Advance arrangements will need to be made to hand deliver comments. Please include your name, return address, and “NOI Comments, Dakota Access Pipeline Crossing” on the first page of your written comments. Comments may also be submitted via email to Mr. Gib Owen, at [gib.a.owen.civ@mail.mil](mailto:gib.a.owen.civ@mail.mil). If

emailing comments, please use “NOI Comments, Dakota Access Pipeline Crossing” as the subject of your email.

The location of all public scoping meetings will be announced at least 15 days in advance through a notice to be published in the local North Dakota newspaper (The Bismarck Tribune) and online at <https://www.army.mil/asacw>.

**FOR FURTHER INFORMATION CONTACT:** Mr. Gib Owen, Water Resources Policy and Legislation, Office of the Assistant Secretary of the Army for Civil Works, Washington, DC 20310-0108; telephone: (703) 695-6791; email: [gib.a.owen.civ@mail.mil](mailto:gib.a.owen.civ@mail.mil).

**SUPPLEMENTARY INFORMATION:** The proposed crossing of Lake Oahe by Dakota Access, LLC is approximately 0.5 miles upstream of the northern boundary of the Standing Rock Sioux Tribe’s reservation. The Tribe protests the crossing primarily because it relies on Lake Oahe for water for a variety of purposes, the Tribe’s reservation boundaries encompass portions of Lake Oahe downstream from the proposed crossing, and the Tribe retains water, treaty fishing, and hunting rights in the Lake.

The proposed crossing of Corps property requires the granting of a right-of-way (easement) under the Mineral Leasing Act (MLA), 30 U.S.C. 185. To date, the Army has not made a final decision on whether to grant the easement pursuant to the MLA. The Army intends to prepare an EIS to consider any potential impacts to the human environment that the grant of an easement may cause.

Specifically, input is desired on the following three scoping concerns:

- (1) Alternative locations for the pipeline crossing the Missouri River;
- (2) Potential risks and impacts of an oil spill, and potential impacts to Lake Oahe, the Standing Rock Sioux Tribe’s water intakes, and the Tribe’s water, treaty fishing, and hunting rights; and
- (3) Information on the extent and location of the Tribe’s treaty rights in Lake Oahe.

On July 25, 2016, the Corps granted permission to applicant Dakota Access, LLC, under Section 14 of the Rivers and Harbors Act of 1899, 33 U.S.C. 408 (408 permission), for a proposed pipeline crossing of Lake Oahe. Lake Oahe is on the Missouri River and owned by the Corps. The approximate 1,172-mile pipeline connects the Bakken and Three Forks oil production areas in North Dakota to an existing crude oil market near Patoka, Illinois. The pipeline is 30 inches in diameter and is projected to transport approximately 570,000 barrels per day.

The 408 permission was accompanied by a Finding of No Significant Impact based on an Environmental Assessment (EA), as contemplated under the National Environmental Policy Act (NEPA). The EA included a brief description and characterization of factors used in evaluating a potential alternative crossing location that was considered and eliminated during the analysis phase. The alternative route, which was eliminated, would cross the Missouri River approximately 10 miles north of Bismarck, ND.

On December 4, 2016, the Army determined that a decision on whether to authorize the pipeline to cross Lake Oahe at the proposed location merits additional analysis, more rigorous exploration and evaluation of reasonable siting alternatives, and greater public and tribal participation and comments as contemplated in the Council on Environmental Quality’s (CEQ’s) NEPA implementing regulations, 40 CFR 1502.14 and 1503.1. Currently, the Corps is developing a plan to implement the Army’s December 4, 2016 direction. This notice of public scoping should be integrated into the Corps’ plan of action.

Consistent with CEQ’s NEPA implementing regulations, an EIS will analyze, at a minimum:

- (1) Alternative locations for the pipeline crossing the Missouri River;
- (2) Potential risks and impacts of an oil spill, and potential impacts to Lake Oahe, the Standing Rock Sioux Tribe’s water intakes, and the Tribe’s water, treaty fishing, and hunting rights; and
- (3) Information on the extent and location of the Tribe’s treaty rights in Lake Oahe.

The range of issues, alternatives, and potential impacts may be expanded based on comments received in response to this notice and at public scoping meetings.

**Public Comment Availability:** Before including your address, telephone number, email address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask in your comment that your personal identifying information be withheld from public review, the Army cannot guarantee that this will occur.

**Authority:** This notice is published in accordance with sections 1503.1 and 1506.6 of the CEQ’s Regulations (40 CFR parts 1500–1508) implementing the procedural requirements of NEPA, as amended (42 U.S.C. 4321 *et seq.*), and the Army and Corps’ NEPA

implementation policies (32 CFR part 651 and 33 CFR part 230), and exercises the authority delegated to the Assistant Secretary of the Army (Civil Works) by General Orders No. 2017–1, January 5, 2017.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 2017–00937 Filed 1–17–17; 8:45 am]

**BILLING CODE 5001–03–P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Defense Science Board; Notice of Federal Advisory Committee Meetings

**AGENCY:** Department of Defense.

**ACTION:** Notice of Federal Advisory Committee Meetings.

**SUMMARY:** The 2017 Defense Science Board (DSB) Summer Study Task Force on Nuclear Deterrence in the 21st Century’s Multi-Polar, Multi-Threat Strategic Environment (“the Nuclear Deterrence Summer Study Task Force”) will meet in closed session on Tuesday, January 24, 2017, from 8:15 a.m. to 12:00 p.m. and 12:30 p.m. to 6:00 p.m. at the Virginia Tech Advanced Research Center, 900 Glebe Road, 7th Floor, Arlington, VA and Wednesday, January 25, 2017, from 8:00 a.m. to 3:00 p.m. at the Executive Conference Center, 4075 Wilson Blvd., Suite 350, Arlington, VA. **DATES:** Tuesday, January 24, 2017, from 8:15 a.m. to 6:00 p.m.; and Wednesday, January 25, 2017, from 8:00 a.m. to 3:00 p.m.

**ADDRESSES:** Virginia Tech Advanced Research Center, 900 Glebe Road, 7th Floor, Arlington, VA (January 24, 2017); and Executive Conference Center, 4075 Wilson Blvd., Suite 350, Arlington, VA (January 25, 2017).

**FOR FURTHER INFORMATION CONTACT:** Ms. Debra Rose, Executive Officer, Defense Science Board, 3140 Defense Pentagon, Room 3B888A, Washington, DC 20301–3140, via email at [debra.a.rose20.civ@mail.mil](mailto:debra.a.rose20.civ@mail.mil), or via phone at (703) 571–0084 or the Defense Science Board Designated Federal Officer (DFO) Ms. Karen D.H. Saunders, Executive Director, Defense Science Board, 3140 Defense Pentagon, Room 3B888A, Washington, DC 20301, via email at [karen.d.saunders.civ@mail.mil](mailto:karen.d.saunders.civ@mail.mil) or via phone at (703) 571–0079.

**SUPPLEMENTARY INFORMATION:** Due to circumstances beyond the control of the Designated Federal Officer and the Department of Defense, the 2017 Defense Science Board Summer Study Task Force on Nuclear Deterrence in the