

# Rural Applications

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**Does the CFPB use the information to benefit or make a determination about an individual?**

No.

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**What is the purpose?**

To determine if an area can be designated as rural under the HELP Rural Communities Act of 2015.

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**Are there controls to enforce accountability?**

Yes, all standard CFPB privacy protections and security controls apply.

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**What opportunities do I have for participation?**

Appropriate opportunities for notice, consent, access, and redress.

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Consumer Financial  
Protection Bureau

# Overview

The Dodd-Frank Wall Street Reform and Consumer Protection Act (Act), Public Law No. 111-203, Title X (2010), established the Consumer Financial Protection Bureau (CFPB or Bureau). The CFPB administers, enforces, and implements federal consumer financial protection laws, and, among other powers, has the authority to protect consumers from unfair, deceptive, and abusive practices when obtaining consumer financial products or services.

The CFPB has established a process under which a person who lives or does business in a State may apply for an area to be designated as rural for purposes of a Federal consumer financial law<sup>1</sup>. The information will remain with the Bureau until it is required to be archived or destroyed in accordance with the applicable National Archives and Records Administration (“NARA”) records schedule.

The information will be collected from individuals or entities who voluntarily apply to have an area designated as rural using the process established by the procedural rule. The information will only be used to evaluate the request and to reach a decision on the request for a rural designation. Information received in hard copy will be stored in a secured filing cabinet under lock and key, which will only be accessible by members of the CFPB’s Research, Markets, and Regulations Division who are assigned to receive and review the applications. Applications that are received electronically will be stored in a limited-access electronic folder, which will only be accessible by members of the Research, Markets, and Regulations Division who are assigned to receive and review the applications. The information will only be accessed during the application evaluation period.

The CFPB will publish applications in the Federal Register, and make them available for public comment. The procedural rule permits the CFPB to redact any unnecessary personal information included in the application when publishing the application in the

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<sup>1</sup> As defined under section 1002 of the Consumer Financial Protection Act of 2010.

Federal Register. After the end of the public comment period the Bureau will make a determination to grant or deny a rural designation, either in part or in whole, and it will publish the grant or denial in the Federal Register along with an explanation of what factors the Bureau relied on in making such determination.

The Bureau will collect information based on the following statutory requirement:

- Title LXXXIX of Pub.L. No. 114-94, 129 Stat. 1312 (2015).

This Privacy Impact Assessment (PIA) covers information collected specifically for evaluating and making a determination about whether an area currently not designated by the Bureau as a rural area can be designated as rural. The information collected is not covered by a System of Records Notice because the information collection focuses on areas and not individuals. Information is retrieved by the location of the area under consideration for rural designation and not by a personal identifier. Basic contact information such as name, address and phone number are collected from the individual, however, this information is of secondary significance since this information is only used for purposes of contacting the individual in the event that the Bureau needs additional information about the request.

In accordance with the Paperwork Reduction Act of 1995, the Bureau has received clearance with the Office of Management and Budget for information collected in the application process under OMB Control Number 3170-006.

## Privacy Risk Analysis

The primary privacy risks associated with the submission of the rural applications form(s) are risks related to:

- Data minimization

*Data Minimization:* The information included in support of a request for a rural designation contains information collected directly from an individual who is requesting a rural designation for a particular area. The privacy risk associated with this information is minimal since the information collected is voluntary. Additionally, individuals are informed that the application will be published in the Federal Register, as

will the final determination, and the procedural rule permits individuals to identify parts of the application containing their personal information that they wish to be withheld from publication in the Federal Register. Individuals are afforded the opportunity to change or update their information if it is erroneous or inaccurate. Direct identifying PII is limited to basic contact information (name, email or mailing address, and phone), which is needed to confirm the eligibility of the individual to make the request for the designation and to contact the individual if questions arise.

The technical, physical, and administrative controls implemented to promote individual participation, minimization, and accountability are appropriate.

## Privacy Risk Management

1. Describe what information the CFPB collects, how the information is collected, and the sources from which the information is collected.

The information is collected by mail, hand delivery, and email to evaluate and make a determination about whether an area currently not designated by the Bureau as a rural area can be designated as rural.

Information collected in the application may include:

- Name of Applicant;
- Email Address of Applicant;
- Address of Applicant; and,
- Phone Number of Applicant.

Information is collected directly from the individual.

2. Describe CFPB's objective for the information.

The Bureau uses the application to make a determination regarding the rural designation of a particular area. Basic contact information may be collected for the purposes of contacting the individual in the event that the Bureau needs additional

information about the request. The Bureau will collect only minimal contact information required.

3. Describe how CFPB shares any of the information with third parties with whom the CFPB shares the information for compatible purposes, e.g. federal or state agencies, the general public, etc.

Rural applications will be published in the Federal Register, as will the final determination on rural designation. For additional information regarding publication, see Section 4 below.

4. Describe what opportunities, if any, individuals to whom the information pertains have to (a) receive notice regarding the CFPB's use of the information; (b) consent to such use; (c) access the information that pertains to them; or (d) obtain redress.

It is statutorily required for the rural application, and the final determination, to be published in the Federal Register. As such, individuals submitting applications are provided notice of the publication of the application in the Federal Register.

Additionally, the procedural rule permits individuals to identify parts of the application containing their personal information that they wish to be redacted from publication in the Federal Register, and the Bureau may elect to withhold from publication any unnecessary personal information included in the application.

5. Explain the standards and relevant controls that govern the CFPB's—or any third party contractor(s) acting on behalf of the CFPB—collection, use, disclosure, retention, or disposal of information.

The Bureau complies with the Privacy Act of 1974, Right to Financial Privacy Act, and E-Government Act of 2002; it voluntarily adopts Office of Management and Budget

privacy-related guidance as a best practice;<sup>2</sup> and it applies the National Institute of Standards and Technology risk management processes for privacy.

The CFPB uses the following technical and administrative controls to secure the data and create accountability for the Bureau's appropriate collection, use, disclosure, and retention of the information:

- CFPB Personnel Privacy Training
- CFPB Privacy Incident Response and Recovery Plan
- Compliance with CFPB cybersecurity policy and procedures
- Policy and Standard Operating Procedures
- Role-based Access Controls
- The information will remain in the Bureau, managed and disposed in accordance with applicable CFPB policies. All records will be identified, managed, and disposed in accordance with a National Archives and Records Administration ("NARA") approved CFPB records schedule.
- Personnel Security including background checks

The Bureau is required by statute to publish the application in the Federal Register. Applicants may identify parts of the application containing their personal information that they wish to be redacted from publication in the Federal Register, and the Bureau may elect to withhold from publication any unnecessary personal information included in the application.

**6. Discuss the role of third party(ies) that collaborate or partner with the CFPB, if any. Identify any controls used to protect against**

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<sup>2</sup> Although pursuant to Section 1017(a)(4)(E) of the Consumer Financial Protection Act, Pub. L. No. 111-203, the CFPB is not required to comply with OMB-issued privacy guidance. The Bureau follows OMB privacy-related guidance as a best practice and to facilitate cooperation and collaboration with other agencies.

inappropriate collection, use, disclosure, or retention of information. (This does not include third parties acting on behalf of the CFPB, e.g., government contractors discussed in Question 5.)

It is statutorily required for the application, and the final determination, to be published in the Federal Register. As such, individuals submitting applications are provided notice of the use of their personal information and give consent to such use and disclosure. Additionally, the procedural rule permits individuals to identify parts of the application containing their personal information that they wish to be redacted from publication in the Federal Register, and the Bureau may elect to withhold from publication any unnecessary personal information included in the application.

# Document control

Approval

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**Chief Information Officer**

**February 26, 2016**

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**Claire Stapleton**

**Chief Privacy Officer**

**February 26, 2016**

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**Terry Randall**

**Initiative Owner**

**February 18, 2016**

# Change control

Version	Summary of material changes	Pages affected	Date of change