

# PIA OMWI Diversity Assessment Tool

## v.1

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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 solicit voluntary assessments from financial entities regulated by the Bureau pertaining to their progress in implementing initiatives that benefit the inclusion of women and minorities.

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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?**

Generally applicable: Appropriate opportunities for notice, consent, access, and redress.

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Consumer Financial  
Protection Bureau

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# Overview

The Office of Minority and Women Inclusion (OMWI) is responsible for all matters of the Consumer Financial Protection Bureau (CFPB or Bureau) relating to diversity in management, employment, and business activities.<sup>1</sup> Per Section 342 of the Dodd-Frank Act, OMWI is to conduct periodic assessments of diversity practices to use as a resource in carrying out its diversity and inclusion responsibilities.<sup>2</sup> To facilitate these goals, OMWI will use an implementation of Salesforce Communities, the OMWI Diversity Assessment Tool, to collect voluntary assessments submitted by regulated financial institutions (entities) for processing by the Bureau. Aggregated data from the tool will be used in an annual report to Congress as well as to create internal dashboards for data analytics.

The Dodd-Frank Wall Street Reform and Consumer Protection Act (Act) grants the CFPB authority to operate the OMWI Diversity Assessment Tool, specifically, Pub. L. No. 111-203, Title III, Section 342 codified at 12 U.S.C. 5452. Personally Identifiable Information (PII) collected in the tool is covered by the System of Records Notices (SORN) CFPB.002, Depository Institution Supervision Database, SORN CFPB.003, Non-Depository Institution Supervision Database, SORN CFPB.004, Enforcement Database, SORN CFPB.005, Consumer Response System, SORN CFPB.011, Correspondence Tracking Database, and SORN CFPB.013, External Contact Database.

The information collected within the OMWI Diversity Assessment Tool requires approval under the Paperwork Reduction Act (PRA) as information collected through the Tool is a “collection of information” under 5 C.F.R. 1320.3(c) requiring OMB approval.<sup>3</sup> The Office of Management and

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<sup>1</sup> “Final Interagency Policy Statement Establishing Joint Standards for Assessing the Diversity Policies and Practices of Entities Regulated by the Agencies,” 80 Fed Reg. 33016, June 10, 2015.

<sup>2</sup> *Id.*

<sup>3</sup> The Code of Federal Regulations defines a “collection of information” as: “[T]he obtaining, causing to be obtained, soliciting, or requiring the disclosure to an agency, third parties or the public of information by or for an agency by means of identical questions posed to, or identical reporting, recordkeeping, or disclosure requirements imposed on, ten or more persons, whether such collection of information is mandatory, voluntary, or required to obtain or retain a benefit.

‘Collection of information’ includes any requirement or request for persons to obtain, maintain, retain, report, or publicly disclose information. As used in this Part, ‘collection of information’ refers to the act of collecting or

Budget (OMB) approved the collection of information for CFPB under control number CFPB—3170-0060.<sup>4</sup>

The OMWI Diversity Assessment Tool is being developed using the agile methodology. As such, system change requests and security assessment and authorization (SA&A) documentation address privacy relative to systems development, including, as warranted and appropriate: statement of need, functional requirements analysis, alternatives analysis, feasibility analysis, benefits/cost analysis, and, especially, initial risk assessment.

## Privacy Risk Analysis

The OMWI Diversity Assessment Tool provides a community where entity contacts can submit and review voluntary diversity assessments to the Bureau. Aggregated data from this system will be used in the annual report to Congress and internal dashboards for data analytics. PII collected through the OMWI Diversity Assessment Tool pertains to the entity contacts who submit voluntary assessments on behalf of a regulated financial institution, and the tool will also contain limited PII pertaining to Bureau employees and/or contractors (internal users).

Some privacy risks that the Bureau Privacy Program normally considers, including risks relating to the Bureau Privacy Principles, may be mitigated with the inclusion and application of appropriate security controls.

The primary risks associated with the OMWI Diversity Assessment Tool are risks related to:

- Limits on Uses and Sharing of Information
- Awareness and Training
- Data Minimization
- Data Quality and Integrity
- Individual Participation
- Accountability and Auditing
- Openness and Transparency

These risks and their mitigations are described below:

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disclosing information, to the information to be collected or disclosed, to a plan and/or an instrument calling for the collection or disclosure of information, or any of these, as appropriate.

<sup>4</sup> [https://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201904-3170-001](https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201904-3170-001)

## **Limits on Uses and Sharing of Information**

The development and use of the OMWI Diversity Assessment Tool creates privacy risk because the consolidation of contact and tracking information into one repository may increase the risk of improper access to PII or improper use or disclosure of information. PII contained in the OMWI Diversity Assessment Tool may be considered non-public, including private contact information. Only internal OMWI staff members or contractors authorized by the system/product owner will be able to access the OMWI Diversity Assessment Tool after being granted permissions by a system administrator.

The OMWI Diversity Assessment Tool will reside on CFPB Salesforce environment CFPB 1 (CFPB 1) along with other Salesforce applications. Contact information collected from an entity contact will be visible to all users authorized to use an application residing on CFPB 1. Any authorized user of an application on CFPB 1 will be able to search and view contact information of an entity contact if he or she searches for that contact using a data element such as the entity contact name or email address. Internal users will be able to search for, view, and generate reports containing entity contacts collected and maintained by the tool and other CFPB1 applications, however they will not be able to export full lists of entity contact information. Internal users of the OMWI Diversity Assessment Tool will have access to the entity contacts for the following applications residing on CFPB 1: Mosaic, Collect, Informal Guidance Inquiry Management System (IGIMS) and Home Mortgage Disclosure Act (HMDA) Help, and Chatter.

When an entity is created, it will be designated as either depository or non-depository. Entities are also tagged as depository or non-depository when provided by the Master Entity Database (MED).

## **Awareness and Training**

The CFPB plans to mitigate risks presented by the misuse of the OMWI Diversity Assessment Tool through training of users. Training will include guidance on appropriate use of the tool and PII contained in the system, as well as reinforce the need to quickly report unauthorized disclosures of information through the Bureau's Service Desk for routing to the privacy and cybersecurity teams. Additionally, if a disclosure occurs, the Senior Agency Official for Privacy (SAOP) will make a determination about a suspected or confirmed disclosure of PII information to Bureau personnel, contractors, or others with access to the Bureau's information and information systems as defined in the Bureau's Policy on Suspected Breach Reporting.

## **Data Minimization**

Because the Bureau cannot control the content of submitted free-text responses and attachments as part of an assessment, the submitted assessments could contain information that would be considered unnecessary PII. If an assessment inadvertently contains unnecessary PII, the Bureau will limit access to the PII to only those individuals with a bona fide need to know through role-based access controls.

## **Data Quality and Integrity**

Because the entity contact information is being collected directly from the individual in most cases, it is assumed that he or she is providing accurate information. Internal user information is imported into the system from CFPB's enterprise identity management system (IDMS), SailPoint. SailPoint serves as the hub for all identity attributes for CFPB staff. The IDMS will create and deactivate user records as well as synchronize identity attributes, however, the IDMS will not provision application-specific entitlements, such as permission sets or profiles. Since internal user information is imported into the system from SailPoint, it is assumed the PII provided is accurate. However, when entity contact information is validated or entered into the system by an internal user, there is the possibility of human error in entering the correct information.

## **Individual Participation**

Entity contacts will have the opportunity to view and correct any information in the system pertaining to them by logging into the system and accessing their information. Furthermore, information contained in the OMWI Diversity Assessment Tool is collected in accordance with the Privacy Act of 1974, and therefore, individuals will have the opportunity to access their PII and allow them to correct or amend it if it is inaccurate through the processes provided in the governing SORNs.

## **Accountability and Auditing**

The OMWI Diversity Assessment Tool is being developed in accordance with input of representatives from the Privacy Program and the Legal Division to ensure compliance with all relevant governing authorities. Additionally, both internal and independent auditors hold the Bureau accountable for complying with CFPB policies and procedures related to the processing of PII. The CFPB is committed to taking swift and immediate action if we uncover any violations of law or our policies and procedures.

## Openness and Transparency

Contact information collected in the OMWI Diversity Assessment Tool is collected directly from the individual. Prior to the collection of information, individuals will be provided a Privacy Act Notice on the onboarding form and assessment website. The Office of Management and Budget approved the collection of information for CFPB under control number CFPB—3170-0060.

The technical, physical, and administrative controls implemented to limit the risk of harm to individuals 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 OMWI Diversity Assessment Tool will be used to collect voluntary assessments submitted by financial entities regulated by the Bureau pertaining to their progress in implementing initiatives that benefit the inclusion of women and minorities. The tool utilizes Salesforce Communities to create the website, portals, and forms used to collect assessments. The OMWI Diversity Assessment Tool contains information to include the PII of contacts for the submitting financial entities and any PII included in free text responses or attachments to a submitted assessment.

The system will allow for the capture of the limited following information for entity contacts: first name, last name, title, associated entity, phone number, alternative phone number, and email address. Each assessment question includes a dedicated text field to capture optional contents related to that specific response that may contain contact PII.

Additionally, some information about employees and contractors working for the Bureau will be captured when it is imported into the system through Sailpoint. The following details about these users will be captured in the system: name, title, department, Bureau email, Bureau address, and Bureau phone number.

The PII pertaining to an entity contact is collected when the contact is onboarded to gain access to the system. To initiate the onboarding process, an entity contact must submit PII elements

through a web form available on the CFPB.gov website. An internal OMWI staff member will validate the contact's information by ensuring that only one entry for that contact exists within the system. If the contact does not already exist within the system, the OMWI staff member will enter the information into the system where it will be stored.

A voluntary assessment may be filled out and submitted annually by a contact on behalf of a financial entity. An entity contact can log in to the tool via a provided URL or the CFPB.gov website. After user authentication, the contact is directed to an entity portal where the contact can create a new (or review existing) assessments. Only one assessment record per entity is collected per submission year. Each question on the assessment includes a free-text response area that the contact may fill, and the contact may also attach documents to the assessment at his or her discretion.

## 2. Describe CFPB's objective for the information.

The OMWI Diversity Assessment tool will be used to collect voluntary assessments submitted by financial entities regulated by the Bureau pertaining to their progress in implementing initiatives that benefit the inclusion of women and minorities. Aggregated data from the tool will be reported to Congress and to create internal dashboards for data analytics. In alignment with the stated goals of the OMWI Diversity Assessment tool, it is necessary to collect limited PII related to entity contacts such as first name, last name, associated entity, phone number, alternative phone number, and email address. By associating these contact records to financial institutions, the Bureau will be able to view a clear history of the assessments that contacts are sending to the Bureau and drive improvements to how the Bureau interacts with these individuals in the future. The OMWI Directors will also continue to reach out to regulated entities and other interested parties to discuss diversity and inclusion practices and methods of assessment.<sup>5</sup>

Information pertaining to internal users is collected and maintained by the system to allow a user to log in, conduct an internal review of the responses, and flag responses that include specific criteria that CFPB would like to highlight.

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<sup>5</sup> "Final Interagency Policy Statement Establishing Joint Standards for Assessing the Diversity Policies and Practices of Entities Regulated by the Agencies," 80 Fed Reg. 33016, June 10, 2015

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.

Aggregated data from the assessments collected by the tool will be used to create the report to Congress and will contain no PII. PII collected is intended only for use by authorized users of the OMWI Diversity Tool to include employees or contractors of the Bureau. Information stored in the system about individuals will not be shared outside the Bureau except between entity contacts within the same financial institution. Entity contacts who are members of the same financial institution will be able to access their own information and view the information on all contacts tied to that entity. They will also be able to view contact information for the person identified as the Diversity Officer for their entity. Entity contacts will not be able to view information about other financial institutions nor will they be able to view information pertaining to internal users.

Under the Final Interagency Policy Statement Establishing Joint Standards for Assessing the Diversity Policies and Practices of Entities Regulated by the Agencies pursuant to Section 342 of the Dodd-Frank Act, CFPB will develop a process under its legal authorities that will allow for the sharing of submitted diversity assessments with the appropriate federal agencies to support coordination of efforts and to avoid duplication.<sup>6</sup> Once the process has been established, the OMWI office may also share or highlight entities that have exemplary diversity and inclusion programs in public facing articles or memos without disclosing any PII. Outside of these limited use cases, there are no plans to make the information contained in the OMWI Diversity Assessment tool accessible to third parties.

Under the Routine Uses of SORN CFPB.002, Depository Institution Supervision Database, SORN CFPB.003, Non-Depository Institution Supervision Database, SORN CFPB.004, Enforcement Database, SORN CFPB.005, Consumer Response System, CFPB.011, Correspondence Tracking Database, and SORN CFPB.013, External Contact Database, there are additional limited circumstances in which this information could be released to a third party.

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<sup>6</sup> “Final Interagency Policy Statement Establishing Joint Standards for Assessing the Diversity Policies and Practices of Entities Regulated by the Agencies,” 80 Fed Reg. 33016, June 10, 2015.

Any disclosures made will be in accordance with the CFPB's rules on treatment of confidential information, 12 C.F.R. Part 1070.

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.

A Privacy Act Statement is furnished as part of the onboarding process instructing individuals about the intended purpose and use of the PII and whether or how they may opt out of providing personal data. This notice is included in the web form that individuals submit as part of the onboarding process and is also located in each entity's portal on the website after logging in. By completing the onboarding process, individuals consent to the use of their PII.

PII contained in the OMWI Diversity Tool is covered under SORN CFPB.002, Depository Institution Supervision Database, SORN CFPB.003, Non-Depository Institution Supervision Database, SORN CFPB.004, Enforcement Database, SORN CFPB.005, Consumer Response System, SORN CFPB.011, Correspondence Tracking Database, and SORN CFPB.013, External Contact Database. The Bureau gives individuals the ability to request access and amendment to their personal information in accordance with the Privacy Act and the CFPB's Privacy Act regulations, at 12 C.F.R. 1070.50 et seq. Individuals will also be able to access the information that pertains to them through their entity portal. Once they have logged into the portal, they will have the opportunity to view the information and make any changes necessary. Contacts may also send an email to the OMWI Inbox to request any changes to their information.

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.

A full security review of the Salesforce Platform hosting the OMWI Diversity Assessment Tool has been conducted by the CFPB based on all applicable federal laws, directives, and standards. The CFPB has developed and followed a Security Implementation Plan (SIP) identifying the necessary steps to store PII within the Salesforce Platform. Additionally, the CFPB Salesforce platform has been issued an Authority to Operate (ATO) at the Moderate level, signed November 16, 2016. An ATO for the OMWI Diversity Assessment Tool has not yet been issued.

The CFPB issues authorized personnel non-transferrable access to the Salesforce platform following the CFPB's User Access Request process. Employees must also complete system training, including confidentiality and privacy briefings. Users will be granted roles based on their division and need to access the data in the system. The PII in the OMWI Diversity Assessment tool system will not be stripped of direct identifiers and will be fully accessible to employees, contractors, and any other personnel with access to specific records. The CFPB uses the following technical and administrative controls to secure the data and create accountability for the CFPB's appropriate collection, use, disclosure, and retention of the information:

- Implementation of applicable National Institute of Standards and Technology (NIST) 800-53 control(s)
- Audit Logs and Reviews
- CFPB Personnel Privacy Training
- CFPB Privacy Breach Response and Recovery Plan
- Compliance with CFPB cybersecurity policy and procedures
- Data Quality and Integrity Checks
- Policy and Standard Operating Procedures
- Role-based Access Controls: Initial access to data are established as private within the application, meaning only the data owner can see the data, but with the Application Owner's approval, additional data sharing rules may be built into the system that may allow multiple users to see data on a divisional or organizational wide basis.
  - The following internal users will have access to information collected and maintained by the OMWI Diversity Assessment Tool:
    - Users: External users (entity contacts) will have access to their own information and information of diversity officers for that entity. Internal users (OMWI Staff members and contractors) will have access to assessment responses and attachments and information collected pertaining to entities and entity contacts.
    - System Administrators: OMWI Diversity Assessment Tool platform system administrators have full access to the system, data, and all applications within.
    - Developers: Developers have administrator access in the sandbox environments they work in. Developers have access to User Acceptance Testing (UAT) sandboxes that contain a full copy of production data from the OMWI Diversity Assessment Tool to allow for full testing of the applications. Developer access to the UAT sandboxes is set to view all

data. Developers do not have access to the OMWI Diversity Assessment Tool and cannot make changes to the system, but they can view specific data and records as necessary to assist with testing.

- Business Analysts: Business Analysts work with development teams to configure the OMWI Diversity Assessment Tool and have Administrator level access in both the team sandboxes and the UAT sandboxes to assist with development and testing. Business Analysts do not have access to the OMWI Diversity Assessment Tool in the production environments.
- Release Management Team: The Release Management team has Administrator level access in all Salesforce environments including the OMWI Diversity Assessment Tool production environment to conduct deployments and make system changes as necessary.
- Entity contacts are initially accessible by all members of CFPB 1. Internal users of the OMWI Diversity Assessment Tool will have access to the entity contacts for the following applications residing on CFPB 1:
  - Mosaic
  - Collect
  - Informal Guidance Inquiry Management System (IGIMS) and HMDA Help
  - Chatter
- Records Schedule Submitted to/Approved by National Archives and Records Administration (NARA): The Bureau maintains computer and paper records indefinitely until the NARA approves the Bureau's records disposition schedule. Records that are scheduled under a general records schedule will be maintained according to the applicable schedule.
- Personnel Security, including background checks of contractors and federal employees

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

The contact details captured in the system will not be shared externally. Information collected from external contacts and internal users is intended only for use by authorized users of the OMWI Diversity Assessment tool (employees or contractors of the Bureau).<sup>7</sup> There are no plans to make the OMWI Diversity Assessment tool and the PII contained within accessible to third parties; however, aggregated information will be used in the report to Congress and internal dashboards for data analytics.

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<sup>7</sup> There is also the possibility that other Bureau staff will have access to this information, including detailees, interns, and official volunteers.

# Document control

## Approval

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# Change control

Version	Summary of material changes	Pages affected	Date of change
1	Publication	All	