



October 10, 2018

Via ECFS

Mr. Paul Watkins
Assistant Director, Office of Innovation
Bureau of Consumer Financial Protection
1700 G Street NW
Washington, DC 20552

Re: Policy to Encourage Trial Disclosure Programs, Docket No. CFPB-2018-0023

Dear Mr. Watkins:

Financial Innovation Now (“FIN”)¹ appreciates the opportunity to respond to the Bureau of Consumer Financial Protection’s (“Bureau”) proposed Policy to Encourage Trial Disclosure Programs (TDP Policy).²

FIN supports and is encouraged by the Bureau’s efforts to make the Trial Disclosure Program more clear and effective, simply because technological change can provide new methods of disclosure that enhance consumer protection. Congress recognized this inherent potential for improvement beyond regulated disclosures. Section 1032 of the Dodd-Frank Wall Street Reform and Consumer Protection Act provides authority for the Bureau to permit trial disclosures that are “designed to improve upon any model form issued” by the Bureau.³

FIN member companies are rapidly innovating and iterating the user experience across a range of their own products and services. Consumer expectations and awareness are important to what FIN companies do. FIN member companies’ technologies also enable many other companies to interact directly with their consumers in ways unimaginable just five years ago. Whether it be via smartphone or voice-enabled digital assistants, consumers are taking advantage of many different technologies to more easily access their finances and obtain financial services. Real-time alerts, to use just one example, offer a new form of disclosure that can be more “comprehensible” and “succinctly explains the information that must be communicated to the consumer.”⁴ FIN members are encouraged that the proposal contemplates this innovation and recognizes that traditional disclosures were written at a time before mobile technologies even existed.

The diverse, fast evolution in user experience necessitates a flexible regulatory process that can similarly evolve and facilitate alternative approaches to effective disclosure. FIN

¹ FIN member companies include Amazon, Apple, Google, Intuit, PayPal, and Stripe. For more information regarding FIN’s policy priorities and principles, please visit www.financialinnovationnow.org.

² 83 Fed. Reg. 45574 (Sept. 10, 2018).

³ 12 U.S.C. 5532(e)(1).

⁴ 12 U.S.C. 5532(b)(2)(A), (C).

welcomes the Bureau's effort to streamline the TDP Policy application process and clarify expectations for testing time frames. Most importantly, the Bureau's commitment to coordinate with other state and federal regulators that offer similar programs is going to be important for this program to work. FIN recommends more clarity on how this coordination will occur and most importantly, how a company's participation in this program will be accepted by all Federal and State regulators.

FIN would be pleased to meet with the Bureau, at its convenience to discuss ways to improve the Trial Disclosure Program. Thank you for the opportunity to comment in this process.

Respectfully submitted,
[Signature]

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