

# Public Information Intake & Management Policy Exception

## A. Overview

CFPB's *Information Governance Policy* sets in place rigorous guidelines and processes around the intake of information. The CIO has developed this exception to the *Information Governance Policy* as related to certain types of publicly available information.

### A. Excepted Guidelines and Processes

#### Information Intake

Certain public information (as outlined in section D) may be brought into the Bureau at the discretion of individual Bureau employees or contractors and without the need for approval from the CIO or other delegated authority.

#### Information Management

Public information may be stored in any CFPB-approved location or device. Access may be provided to any Bureau employee or contractor without additional approvals.

### B. Guidelines and Processes NOT Excepted

#### Disclosure and Disposition

Information, which qualifies for this exception, is only exempted from the Intake and Management guidelines, but said information *is not* exempted from CFPB's *Information Governance Policy* Disclosure and Disposition policy requirements.

### C. Other Bureau Policies

Nothing in this memo shall be construed as an exception to adhere to the requirements of any applicable law or regulation, including but not limited to the Dodd-Frank Act, the Right to Financial Privacy Act, e-Government Act, and the Privacy Act, or any Bureau policy other than the *Information Governance Policy*.

### D. Public Information Excepted from Intake Requirements

In general, information that is small, unstructured and legally available to the public for use is eligible for this exception. Examples include:

- Free newsletters (electronic or paper)
- Publicly available studies and academic papers
- Text from websites
- Newspaper or magazine content
- Direct identifiers of public figures that have been made public as part of the content being acquired (e.g., journalists' bylines, names of business executives, individual images or audio/video files of

public figures, etc.), unless such direct identifiers are being gathered, stored, or used in a way that would implicate the Privacy Act

- Data tables from publicly available sources
- Information received with no material contractual or legal restrictions on collection, access, distribution, or use

## **E. Public Information NOT Excepted from Intake Requirements**

Certain information, even though publicly available, requires review and approval due to legal, privacy, operational or other reasons.

- Any public information which we do not have a clear authority to intake or is of a nature that other federal laws may restrict us from collecting (*e.g.*, 1<sup>st</sup> Amendment protected activities such as religious affiliation)
- Data from social media sources (*e.g.*, Twitter feeds, Facebook posts), other than social media information specifically directed at the Bureau (*e.g.*, responses to Tweets from @CFPB)
- Any microdata (consumer-level or loan-level) data in structured datasets
- Any information that has been made public illegally (*e.g.*, classified or proprietary information that has been leaked to the public)
- Any information that implicates compliance actions under applicable information law (*e.g.*, creating a new Privacy Impact Assessment, System of Records Notice, Paperwork Reduction Act Information Collection Request)
- Any information where the data rights or other limitations associated with the data restrict the Bureau from collecting or intaking said information
- Information with significant contractual, MOU-based, legal or other restrictions on collection, access, distribution, or use
- Large information assets which are intended for Bureau-wide use (*e.g.*, Census Bureau data, geographic mapping files)<sup>1</sup>
- Information which, if misused or inappropriately disclosed, would likely cause significant harm to individuals, entities or the Bureau

## **F. Applicability of Exception**

It is the responsibility of the individual/office wishing to intake public information under this exception to: a) ensure that the desired information clearly falls within the scope of the exception; and, b) be able to articulate or demonstrate applicability. The Data Governance Lead or Data Intake Group Coordinator must be consulted if there is any uncertainty about the applicability of this exception. The Data Governance Lead or Data Intake Group Coordinator will consult with subject matter experts regarding whether there are any applicable laws or regulations that would restrict the use of the exception.

## **G. Term of Exception**

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<sup>1</sup> For additional information on what assets are available or intended for Bureau-wide use, contact the Data Governance Team at CFPB\_DataPolicy@cfpb.gov

This exception will become effective on September 30, 2014, and is granted for a period of one year, at which time it may be renewed by the CIO. If not renewed, this exception will expire. The CIO may, at his/her discretion, rescind this exception at any time.

The CIO will retain the right to exercise any authority that is excepted under this document, and to review any activities excepted under this document.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Ashwin Vasan, Chief Information Officer, Consumer Financial Protection Bureau