

# Chief FOIA Officer Report

High-volume received more than 50 requests in Fiscal Year 2023

# Table of contents

<b>Table of contents.....</b>	<b>1</b>
<b>Section I: FOIA Leadership and Applying the Presumption of Openness .....</b>	<b>2</b>
A. Leadership Support for FOIA .....	2
B. Presumption of Openness.....	3
<b>Section II: Ensuring Fair and Effective FOIA Administration .....</b>	<b>5</b>
A. FOIA Training .....	5
B. Outreach .....	9
C. Other Initiatives .....	10
<b>Section III: Proactive Disclosures.....</b>	<b>13</b>
<b>Section IV: Steps Take to Greater Utilize Technology .....</b>	<b>15</b>
<b>Section V: Steps Taken to Remove Barriers to Access, Improve Timeliness in Responding to Requests, and Reduce Backlogs.....</b>	<b>17</b>
A. Remove Barriers to Access.....	17
B. Timeliness .....	18
C. Backlogs.....	19
D. Backlog Reduction Plans .....	21
E. Reducing the Age of Requests, Appeals, and Consultations .....	22
F. Additional Information about FOIA Processing.....	23

# Section I: FOIA Leadership and Applying the Presumption of Openness

The guiding principle underlying the Attorney General's 2022 [FOIA Guidelines](#) is the presumption of openness. The Guidelines also highlight the importance of agency leadership in ensuring effective FOIA administration. Please answer the following questions about FOIA leadership at your agency and describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA.

## A. Leadership Support for FOIA

*1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. See 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at or above this level?*

Yes.

*2. Please provide the name and title of your agency's Chief FOIA Officer.*

Adam Martinez, Chief Operating Officer

*3. What steps has your agency taken to incorporate FOIA into its core mission? For example, has your agency incorporated FOIA milestones into its strategic plan?*

The Consumer Financial Protection Bureau (CFPB) has incorporated the FOIA principles into its core mission through its Strategic Plan for FY 2022-2026. While the plan doesn't specify exact FOIA milestones, it reflects our broader commitment to improving the efficiency and accessibility of the FOIA process. Below we highlight several key FOIA goals of transparency and public access to information that are generally consistent with several key commitments and initiatives of the Strategic Plan. CFPB highlights several key commitments and initiatives that align with FOIA's goals of transparency and public access to information.

**Commitment to Transparency and Public Access:**

The Strategic Plan emphasizes the importance of transparency and accountability, which are central to the CFPB's mission and aligned with FOIA's goals. The plan outlines our commitment to ensuring that the public has access to relevant and timely information, particularly in areas that affect consumers' financial well-being.

**Improving the FOIA Process and Public Access:**

By enhancing document accessibility and ensuring timely responses to requests, we aim to continue improving the public's ability to obtain information from the Bureau. While the plan doesn't specify exact FOIA milestones, it reflects our broader commitment to improving the efficiency and accessibility of the FOIA process.

**Digital Tools and Access:**

The CFPB is committed to developing digital tools and platforms supporting greater transparency. These innovations not only improve public access to consumer information but also help streamline the FOIA process by making records more readily available, reducing the need for formal requests as required under the Proactive Disclosure provisions of [5 U.S.C. § 552](#) and those codified in the FOIA Improvement Act of 2016.

In conclusion, while our FY 2022-2026 Strategic Plan does not include specific FOIA milestones, it reflects a strong commitment to transparency, accessibility, and public trust. These goals align with FOIA's mission and demonstrate the CFPB's ongoing effort to integrate FOIA-related objectives into our core operations.

## B. Presumption of Openness

4. *The Attorney General's 2022 [FOIA Guidelines](#) provides that "agencies should confirm in response letters to FOIA requesters that they have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions." Does your agency provide such confirmation in its response letters?*

Yes.

5. *In some circumstances, agencies may respond to a requester that it can neither confirm nor deny the existence of requested records if acknowledging the existence of records would harm an interested protected by a FOIA exemption. This is commonly referred to as a Glomar response. If your agency tracks Glomar responses, please provide:*

Yes.

- A. the number of times your agency issued a full or partial Glomar response during Fiscal Year (FY) 2024 (separate full and partial if possible);*

Full Glomar Responses - 17

Partial Glomar Responses - 4

- B. the number of times a Glomar response was issued by exemption during FY2024 (e.g., Exemption 7(C) – 20 times, Exemption 1 – 5 times).*

Exemption 7 (A) - 9

Exemption 7 (E) - 14

Exemption 8 - 1

- 6. Optional -- If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.*

# Section II: Ensuring Fair and Effective FOIA Administration

The Attorney General's 2022 [FOIA Guidelines](#) provide that “[e]nsuring fair and effective FOIA administration requires . . . proper training, and a full understanding of FOIA obligations by the entire agency workforce.” The Guidelines reinforce longstanding guidance to “work with FOIA requesters in a spirit of cooperation.” The Attorney General also “urge[s] agency Chief FOIA Officers to undertake comprehensive review of all aspects of their agency’s FOIA administration” as part of ensuring fair and effective FOIA administration.

## A. FOIA Training

*1. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. See 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.*

Every quarter, the FOIA Team presents training to designated FOIA Points of Contact (“POCs”) and subject matter experts from Divisions / Offices within the CFPB. Additionally, the CFPB offers training tailored to the specific needs of CFPB divisions and offices upon request or when a need arises. All new employees receive a FOIA overview as a part of the onboarding process. FOIA Analysts and contractors are assigned a mentor and receive 1:1 tailored training for at least 90 days. The FOIA Team is provided ad hoc training as the Quality Control team recommends.

Additionally, the FOIA Team created a comprehensive resource, the FOIA POC Guide for employees, to those designated as FOIA Points of Contact (POC) within the CFPB. It outlines the essential responsibilities, emphasizing the FOIA POC's crucial role in ensuring compliance with the FOIA and the Privacy Act.

Finally, the FOIA Manager presents training to Senior Officials when they join the CFPB.

*2. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend substantive FOIA training during the reporting period such as that provided by the Department of Justice?*

Yes

*3. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.*

American Society for Access Professionals (ASAP) National Training Conference:

This conference focuses on the training of professionals in the FOIA and public records management. It typically covers legal updates, best practices, and strategies for handling government transparency and access to information.

ASAP FOIA/Privacy Workshops:

These workshops provide in-depth training on navigating FOIA requests, understanding privacy laws, and ensuring compliance. They often focus on best practices in handling sensitive information and how to maintain balance between transparency and privacy.

Consumer Complaint Internal and Public Reporting Galleries:

This training covers effective methods for collecting, reporting, and managing consumer complaints. It focuses on both internal processes and public reporting systems to improve transparency and accountability in government and business sectors.

Amplifying Federal Efficiency with AI-Powered Intelligent Document Processing:

This session focuses on leveraging AI tools to automate document management and processing in federal agencies. It explores AI's role in improving efficiency, reducing errors, and optimizing workflows for document-intensive tasks.

Modernizing Information Governance:

This training addresses evolving best practices and technologies for managing and securing information in an increasingly digital and complex environment. Topics include data governance frameworks, compliance with regulations, and the use of new tools for managing large volumes of data.

### The Path to FOIAXpress Next:

This training explores advancements in FOIAXpress, a popular software tool for managing FOIA requests. The session covers new features, updates, and strategies for optimizing the FOIA request process, including integration with modern technology.

### How AI Shapes Government Transparency: Empowering agencies to use AI to their advantage:

This session highlights how AI can help government agencies increase transparency, automate processes, and improve the speed and accuracy of responses to public records requests.

### Taming the Data Dragon: Exploring the Critical Role of Data Governance in E-Discovery:

This training emphasizes the importance of robust data governance practices in the e-discovery process, helping organizations manage large volumes of data, ensure compliance, and mitigate risks during legal investigations.

### State of FOIA 2024: Firsthand Perspectives on Challenges, Opportunities in Open Records:

This session gathers FOIA professionals to discuss current challenges and opportunities related to open records and transparency. It provides firsthand insights into the practical realities of responding to FOIA requests in 2024.

### Streamlining FOIA Request Response with the Right People, Processes and Technology:

This session focuses on optimizing the entire FOIA response process by aligning people, processes, and technology. It covers workflow improvements, training for staff, and the adoption of tools to enhance responsiveness and efficiency.

### Public Sector FOIA Update 2024:

This update provides a comprehensive overview of changes in FOIA laws, regulations, and practices in the public sector, helping agencies stay current with their obligations and ensuring continued compliance.



#### Automated Alerts for Tableau Complaint Reports:

This training teaches the use of Tableau's data visualization tools to generate automated alerts and reports related to consumer complaints, improving the monitoring and response process in real time.

#### FOIA Automation - [digitalgovernment.com](https://digitalgovernment.com):

This session focuses on how digital solutions and automation tools can improve the management of FOIA requests, streamline workflows, and increase efficiency in government transparency efforts.

#### OPEXUS Annual Summit:

The OPEXUS summit brings together experts and professionals from various sectors to discuss the latest trends in FOIA automation, transparency, and document management. Topics often include innovative solutions to improve compliance and efficiency in public sector operations.

*4. Please provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.*

100%

*5. OIP has [directed agencies](#) to “take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year.” If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency’s plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.*

N/A

*6. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff; and if senior leaders at your agency received a briefing on your agency’s FOIA resources, obligations and expectations during the FOIA process?*

The FOIA Team provides training to all new employees and various divisions and offices within the CFPB. New employees receive an introductory session on the FOIA, how it is applied at the CFPB, and their responsibilities under it. At the end of this brief training, new employees are encouraged to schedule one-on-one training sessions with the FOIA Team.

Upon request or through training swaps, the FOIA Team also offers tailored training sessions to specific CFPB divisions and offices based on their unique needs. The FOIA Manager regularly briefs senior staff members, including the CFPB Director, Deputy Director, Chief of Staff, Chief Operating Officer/Chief FOIA Officer, Deputy Chief Operating Officer, and the General Counsel.

During this fiscal year, the Office of the Chief Data Officer conducted a review of the FOIA Team by interviewing stakeholders. This review resulted in a report on the resources available to the FOIA Team, which was presented to the Chief Administrative Officer to enhance the team's outreach capabilities.

The FOIA Manager holds weekly meetings with the Chief FOIA Officer's Front Office staff, the Legal Division, and the Director's Front Office to keep them informed about FOIA operations and the status of open FOIA requests. When necessary, these meetings address FOIA resources, obligations, and expectations throughout the FOIA process.

## B. Outreach

*7. As part of the standard request process, do your FOIA professionals proactively contact requesters concerning complex or voluminous requests in an effort to clarify or narrow the scope of the request so requesters can receive responses more quickly? Please describe any such outreach or dialogue and, if applicable, any specific examples.*

Yes. CFPB FOIA analysts routinely conduct outreach to requesters. During this process, analysts work collaboratively with the requester to refine the request to seek specific information that can be located and reviewed promptly. These discussions often focus on specific email addresses, domain names, keywords, or time frames to narrow down document collections to a small, precise set of emails.

*8. Outside of the standard request process or routine FOIA Liaison or FOIA Requester Service Center interactions, did your FOIA professionals engage in any outreach or dialogue, with the requester community or open government groups regarding your administration of the FOIA? For example, did you proactively contact frequent requesters, host FOIA-related conference calls with open government groups, or provide FOIA training to members of the public? Please describe any such outreach or dialogue and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.*

Yes. The CFPB reached out to one of our most frequent requesters. After compiling a spreadsheet that detailed the requester's pending requests, including their status and suggestions for resolution, an analyst contacted the requester to arrange a meeting. During this meeting, the requester received strategies aimed at improving processing efficiency. The FOIA Liaison and other analysts frequently direct open government groups and requesters to the CFPB's publicly available Consumer Complaint Database and Enforcement Actions websites. Upon reviewing this publicly available information, the Liaison found that these resources had addressed multiple FOIA requests from various requesters.

*9. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during Fiscal Year 2024 (please provide a total number or an estimate of the number for the agency overall).*

8,650

## C. Other Initiatives

*10. Has your agency evaluated the allocation of agency personnel resources needed to respond to current and anticipated FOIA demands? If so, please describe what changes your agency has or will implement.*

The CFPB conducted an analysis of the FOIA team's roles and responsibilities, which was reviewed by leadership to assess both current and future needs. Additionally, the Chief FOIA Officer requested that the FOIA team validate a previous steady-state analysis in preparation for the upcoming transition.

11. *How does your agency use data or processing metrics to ensure efficient management of your FOIA workload? For example, case management reports, staff processing statistics, etc. In addition, please specifically highlight any data analysis methods or technologies used.*

The CFPB utilizes processing metrics from the FOIA database, FOIAXpress, to effectively manage its FOIA workload. This is achieved through various reports that target different aspects of the process.

The intake team assesses a report on pending requests before distributing them, ensuring that new requests are equitably and appropriately allocated. The Pending Requests report includes important metrics such as the date received, current status, request track, and assigned primary analyst.

In addition, the FOIA Manager conducts portfolio reviews by analyzing reports of requests closed by analysts during specific time frames. This helps identify the processing strengths and weaknesses of individual FOIA analysts.

To gauge the impact of FOIA on internal stakeholders, the CFPB generates reports detailing the status of pending searches and consultations with Subject Matter Experts (SMEs). These reports provide not only request-specific details, but also the duration that each search request or SME consultation has been pending.

These reports are shared with relevant stakeholders, and a summary infographic is distributed weekly to the CFPB Director and other stakeholders.

12. The federal [FOIA Advisory Committee](#), comprised of agency representatives and members of the public, was created to foster dialogue between agencies and the requester community, solicit public comments, and develop [recommendations](#) for improving FOIA administration. Since 2020, the FOIA Advisory committee has issued a number of recommendations. Please answer the below questions:

A. Is your agency familiar with the FOIA Advisory Committee and its recommendations?

Yes

B. Has your agency implemented any of its recommendations or found them to be helpful? If so, which ones?

Recommendation No. 2022-10

Agencies should endeavor to provide regular and proactive online publication of searchable PDF logs containing certain information in Excel/CSV (comma-separated values) format.

Recommendation No. 2022-07

The Department of Justice Office of Information Policy (OIP) will encourage agencies to post on their FOIA websites certain information beyond what is required by law.

Recommendation No. 2020-12

Agencies will publicly release FOIA documents on their FOIA websites and portals in open, legible, machine-readable and machine-actionable formats, to the extent feasible.

Recommendation No. 2020-13

Agencies will review their FOIA-related technological and staffing capabilities within two years (of July 9, 2020) to identify the resources needed to respond to current and anticipated future FOIA demands.

Recommendation No. 2020-15

Agencies will make commonly requested documents available outside of the FOIA process, including in publicly accessible online databases.

*13. Optional -- If there are any other initiatives undertaken by your agency to ensure fair and effective FOIA administration, please describe them here.*

CFPB FOIA proactively discloses Stop Trading on Congressional Knowledge Act of 2012 (STOCK Act) forms completed by CFPB Executives. These forms notify the CFPB Ethics Office of any negotiation for, or agreement of, future employment or compensation with a non-federal entity.

# Section III: Proactive Disclosures

The Attorney General's 2022 [FOIA Guidelines](#) emphasize that "proactive disclosure of information is . . . fundamental to the faithful application of the FOIA." The Guidelines direct agencies to post "records online quickly and systematically in advance of any public request" and reiterate that agencies should post records "in the most useful, searchable, and open formats possible."

*1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.*

The CFPB utilizes a specific designation within FOIAXpress to identify and track proactive disclosures of CFPB material that could be of public interest.

*2. Does your agency post logs of its FOIA requests?*

Yes.

*A. If so, what information is contained in the logs?*

Request ID, Organization, Request Description, Closed Date, Final Disposition, Exemption(s) Cited.

*B. Are they posted in CSV format? If not, what format are they posted in?*

Yes.

*C. Please provide a link to the page where any FOIA logs are posted. If applicable, please provide component links.*

[FOIA reports, logs, and frequently requested records](#)

<https://www.consumerfinance.gov/foia-requests/foia-electronic-reading-room/>

*3. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D).*

- CFPB Dental Contract with United Concordia Companies
- CFPB FOIA Logs of Pending and Closed FOIA Requests
- CFPB Leadership Calendars
- Emails to former CFPB Acting Director Mick Mulvaney with the search term “Santandar”.
- CFPB STOCK Act Notifications

*4. Please provide a link (or component links, if applicable) where your agency routinely posts its frequently requested records.*

[FOIA reports, logs, and frequently requested records](https://www.consumerfinance.gov/foia-requests/foia-electronic-reading-room/)

<https://www.consumerfinance.gov/foia-requests/foia-electronic-reading-room/>

*5. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency’s website? If yes, please provide examples of such improvements, such as steps taken to post information in open and machine readable formats. If not posting in open formats, please explain why and note any challenges.*

The CFPB has replaced our FOIA Quarterly Reports, which were redundant with the statistics found at [www.foia.gov](http://www.foia.gov), with improved versions of the FOIA Logs. The improved version of the FOIA Logs are in Excel format. The updated FOIA Logs now contain hyperlinks to frequently requested records, publicly available information for future requesters, and other materials from the FOIA Reading Room that have been proactively disclosed. The CFPB has enhanced the FOIA Logs and adopted best practices and recommendations from the DOJ Office of Government Services (OGIS) regarding FOIA Logs.

*7. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office, such as IT or data personnel? If so, describe this interaction.*

Yes, the FOIA team collaborates with the CFPB’s Communications team, Content Operations team, Operations Front Office, and certain SMEs to review and post the materials to our public website.

# Section IV: Steps Take to Greater Utilize Technology

A key component of FOIA administration is using technology to make information available to the public and to gain efficiency in FOIA processing. The Attorney General's 2022 [FOIA Guidelines](#) emphasize the importance of making FOIA websites easily navigable and complying with the [FOIA.gov](#) interoperability requirements. Please answer the following questions to describe how your agency is using technology to improve its FOIA administration and the public's access to information.

*1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?*

Yes.

*2. Please briefly describe any new types of technology your agency uses to support your FOIA program.*

During FY24, CFPB's e-discovery team created a form for submitting search requests. This form assists FOIA Analysts in understanding the e-discovery team's needs, which leads to more efficient e-mail searches.

*3. Does your agency currently use any technology to automate record processing? For example, does your agency use machine learning, predictive coding, technology assisted review or similar tools to conduct searches or make redactions? If so, please describe and, if possible, estimate how much time and financial resources are saved since implementing the technology.*

The FOIA team continues to use Relativity software to cull FOIA e-discovery search results for both FOIA litigations and requests. To further enhance the efficiency of using this tool, the FOIA team worked with the e-discovery team to establish standards within the software that will minimize search results by eliminating a large portion of the duplicates.

*4. OIP issued [guidance](#) in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-*



*friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?*

Yes.

*5. Did all four of your agency's [quarterly reports](#) for Fiscal Year 2024 appear on FOIA.gov?*

Yes.

*6. If your agency did not successfully post all quarterly reports on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2025.*

N/A

*7. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2023 Annual FOIA Report and, if available, for your agency's Fiscal Year 2024 Annual FOIA Report.*

[CFPB Annual FOIA Report FY2023](#)

[CFPB Annual FOIA Report FY2023 | Consumer Financial Protection Bureau](#)

*8. In February 2019, DOJ and OMB issued joint [Guidance](#) establishing interoperability standards to receive requests from the National FOIA Portal on FOIA.gov. Are all components of your agency in compliance with the guidance?*

Yes.

*9. Optional -- Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area.*

# Section V: Steps Taken to Remove Barriers to Access, Improve Timeliness in Responding to Requests, and Reduce Backlogs

The Attorney General's 2022 [FOIA Guidelines](#) instruct agencies “to remove barriers to requesting and accessing government records and to reduce FOIA processing backlogs.” Please answer the following questions to describe how your agency is removing barriers to access, improving timeliness in responding to requests, and reducing FOIA backlogs.

## A. Remove Barriers to Access

*1. Has your agency established alternative means of access to first-party requested records, outside of the typical FOIA or Privacy Act process?*

Yes.

*2. If yes, please provide examples. If no, please indicate why not. Please also indicate if you do not know.*

Using an [established portal](#), individuals can access detailed information regarding first-party complaints to the CFPB's [Consumer Complaint Database](#) using a login and password that is created when the consumer submits the complaint. The CFPB also publishes a [Public Data Inventory](#) of our open data assets for the public to access directly. In addition, the CFPB proactively published updated [leadership calendars](#) on a monthly basis for each individual that occupied a CFPB leadership role. CFPB has also retained the calendars of people who have previously led the day-to-day work of the CFPB. Calendars are provided as PDF documents that are searchable within a PDF viewer.

*3. Please describe any other steps your agency has taken to remove barriers to accessing government information.*

Since December 2024, the CFPB's FOIA office has received hundreds of inquiries regarding a legal agreement involving Lexington Law, CreditRepair.com, and their parent companies. These companies have engaged in unfair acts and practices that violate the Consumer Financial Protection Act of 2010 and the Telemarketing Sales Rule. To enhance transparency and address questions about the legal agreement, the CFPB FOIA office has directed numerous consumer inquiries, as well as FOIA and Privacy Act requests, to <https://www.consumerfinance.gov/enforcement/payments-harmed-consumers/payments-by-case/lexlaw/>

## B. Timeliness

*4. For Fiscal Year 2024, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2024 Annual FOIA Report.*

2.16

*5. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2023 Annual FOIA Report, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.*

N/A

*6. Does your agency utilize a separate track for simple requests?*

Yes.

*7. If your agency uses a separate track for simple requests, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2024?*

Yes.

*8. If not, did the simple track average processing time decrease compared to the previous Fiscal Year?*

N/A

*9. Please provide the percentage of requests processed by your agency in Fiscal Year 2024 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) divided by (requests processed from Section V.A.) x 100.*

66%

*10. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?*

N/A

## C. Backlogs

### Backlogged Requests

*11. If your agency had a backlog of requests at the close of Fiscal Year 2024, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2023?*

No.

*12. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2024 than it did during Fiscal Year 2023?*

Yes.

*13. If your agency's request backlog increased during Fiscal Year 2024, please explain why and describe the causes that contributed to your agency not being able to reduce*

*its backlog. When doing so, please also indicate if any of the following were contributing factors:*

An increase in the number of incoming requests

A loss of staff

An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)

Litigation

Any other reasons – please briefly describe or provide examples when possible

The backlog at the CFPB increased during Fiscal Year 2024 due to several factors. The main contributor to this increase was a more than 80% rise in the number of requests received. Additionally, the CFPB faced over 50% turnover in the staff members responsible for processing these requests. As a result of the increased volume of requests and staff turnover, the CFPB was unable to reduce the backlog.

*14. If you had a request backlog, please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2024. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) divided by (requests received from Section V.A) x 100. This number can be greater than 100%. If your agency has no request backlog, please answer with "N/A."*

14. 73%

Backlogged Appeals

*15. If your agency had a backlog of appeals at the close of Fiscal Year 2024, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2023?*

N/A

*16. If not, according to section XII.E.1 of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2024 than it did during Fiscal Year 2023?*

Yes.

*17. If your agency's appeal backlog increased during Fiscal Year 2024, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:*

An increase in the number of incoming appeals

A loss of staff

An increase in the complexity of the requests received (if possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase)

Litigation

Any other reasons – please briefly describe or provide examples when possible

N/A

*18. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2023. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section XII.A) divided by (appeals received from Section VI.A) x 100. This number can be greater than 100%. If your agency did not receive any appeals in Fiscal Year 2024 and/or has no appeal backlog, please answer with "N/A."*

N/A

## **D. Backlog Reduction Plans**

*19. In the 2024 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2023 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2024?*

N/A

*20. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2024, please explain your agency's plan to reduce this backlog during Fiscal Year 2025.*

N/A

## E. Reducing the Age of Requests, Appeals, and Consultations

### Ten Oldest Requests

*21. In Fiscal Year 2024, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2023 Annual FOIA Report?*

Yes.

*22. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2023 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.*

N/A

*23. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.*

The FOIA Manager conducted review of all pending requests. This review enabled the Team to identify low hanging fruit and requests that could be closed with previously released or publicly available information.

### Ten Oldest Appeals

*24. In Fiscal Year 2024, did your agency close the ten oldest appeals that were reported pending in Section VI.C.5 of your Fiscal Year 2023 Annual FOIA Report?*

N/A

*25. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2023 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.*

N/A

*26. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.*

N/A

#### Ten Oldest Consultations

*27. In Fiscal Year 2024, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2023 Annual FOIA Report?*

N/A

*28. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2023 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.*

N/A

#### Additional Information Regarding Ten Oldest

*29. If your agency did not close its ten oldest pending requests, appeals, or consultations, please explain why and provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2025.*

N/A

## F. Additional Information about FOIA Processing

*30. Were any requests at your agency the subject of FOIA litigation during the reporting period? If so, please describe the impact on your agency’s overall FOIA request processing and backlog. If possible, please indicate:*



*The number and nature of requests subject to litigation*

*Common causes leading to litigation*

*Any other information to illustrate the impact of litigation on your overall FOIA administration*

N/A