

Annual FOIA Report

of the Consumer Financial Protection Bureau



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I. Basic Information Regarding the Report

1. Questions about this report may be directed to:

Danielle Duvall Adams
FOIA Manager
Consumer Financial Protection Bureau (CFPB)
Attn: Chief FOIA Officer
1700 G Street, NW
Washington, DC 20530-0001
(855) 444-3642
FOIA@consumerfinance.gov

2. This report may be downloaded from the [CFPB's website](#).
3. A paper copy of this report is available, please contact Danielle Duvall Adams (see contact information above).

II. Making a FOIA Request

1. The CFPB's Disclosure of Records and Information (12 CFR Part 1070) final rule may be accessed on the [CFPB's website](#). This final rule establishes the procedures for the public to obtain information from the CFPB under the FOIA, Privacy Act, and in legal proceedings. It also establishes the CFPB's rule regarding the confidential treatment of information obtained from persons in connection with the exercise of its authorities under the Federal consumer financial law.
2. In accordance with [12 CFR Part 1070](#), FOIA requests must be in writing to the CFPB. Requests may be submitted by any of the following means:

Mail: Consumer Financial Protection Bureau
 Attention: Chief FOIA Officer
 1700 G Street, NW Washington, DC 20552

E-Mail: FOIA@consumerfinance.gov
3. The CFPB's FOIA Fee Schedule may be accessed on the [CFPB's website](#). This Schedule provides guidance on fee categories, fee amounts (for duplication, search, and review), and other information.
4. The CFPB's FOIA and Privacy Act Request Guidebook may be accessed on the [CFPB website](#). This guidebook provides a brief explanation of the FOIA and how you can use it to access records of the CFPB. It explains how to submit a FOIA request and provides information about fees associated with processing requests. Additionally, this Guidebook outlines information to request records under the Privacy Act.

III. FOIA Definitions and Exemptions

1. Acronyms and Definitions

- a. **Administrative Appeal** – a request to a federal agency asking that it review at a higher administrative level a FOIA determination made by the agency at the initial request level.
- b. **Average Number** – the number obtained by dividing the sum of a group of numbers by the quantity of numbers in the group. For example, of 3, 7, and 14, the average number is 8.
- c. **Backlog** – the number of requests or administrative appeals that are pending at an agency at the end of the fiscal year that are beyond the statutory time period for a response.
- d. **Component** – for agencies that process requests on a decentralized basis, a "component" is an entity, also sometimes referred to as an Office, Division, Bureau, Center, or Directorate, within the agency that processes FOIA requests. The FOIA now requires that agencies include in their Annual FOIA Report data for both the agency overall and for each principal component of the agency.
- e. **Consultation** – the procedure whereby the agency responding to a FOIA request first forwards a record to another agency or component within the same agency for its review because that other agency has an interest in the document. Once the agency in receipt of the consultation finishes its review of the record, it responds back to the agency or component within the same agency that forwarded it. That agency, in turn, will then respond to the FOIA requester.
- f. **Exemption 3 Statute** – a federal statute that exempts information from disclosure and which the agency relies on to withhold information under subsection(b)(3) of the FOIA.

- g. **FOIA Request** – a FOIA request is generally a request to a federal agency for access to records concerning another person (i.e., a "third-party" request), or concerning an organization, or a particular topic of interest. FOIA requests also include requests made by requesters seeking records concerning themselves (i.e., "first-party" requests) when those requesters are not subject to the Privacy Act, such as non-U.S. citizens. Moreover, because all first-party requesters should be afforded the benefit of both the access provisions of the FOIA as well as those of the Privacy Act, FOIA requests also include any first-party requests where an agency determines that it must search beyond its Privacy Act "systems of records" or where a Privacy Act exemption applies, and the agency looks to FOIA to afford the greatest possible access. All requests which require the agency to utilize the FOIA in responding to the requester are included in this Report. Additionally, a FOIA request includes records referred to the agency for processing and direct response to the requester. It does not, however, include records for which the agency has received a consultation from another agency. (Consultations are reported separately in Section XII of this Report.)
- h. **Full Grant** – an agency decision to disclose all records in full in response to a FOIA request.
- i. **Full Denial** – an agency decision not to release any records in response to a FOIA request because the records are exempt in their entirety under one or more of the FOIA exemptions, or because of a procedural reason, such as when no records could be located.
- j. **Median Number** – the middle, not average, number. For example, of 3, 7, and 14, the median number is 7.

3. Agency Component Abbreviations

Component Abbreviation	Component Name
CFPB	Bureau of Consumer Financial Protection

IV. Exemption 3 Statutes

Statute	Type of Information Withheld	Case Citation	Agency / Component	Number of Times Relied upon by Agency / Component	Total Number of Times Relied upon by Agency Overall
12 U.S.C. § 2803(j)(2)(B)(i)	Certain information about home mortgage loans and applications.	N/A	CFPB	1	1
5 U.S.C. § 13109(a)(2) (formerly at 5 U.S.C. app. 4 § 107(a)(2))	Confidential financial disclosure report pertaining to certain government employees	Meyerhoff v. EPA, 958 F.2d 1498, 1500-02 (9th Cir. 1992); Boyd v. Exec. Off. for U.S. Att'ys, 161 F. Supp. 3d 1, 7 (D.D.C. 2015);	CFPB	3	3

		Seife v. NIH, 874 F. Supp. 2d 248, 254 (S.D.N.Y. 2012).			
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V.A. FOIA REQUESTS -- RECEIVED, PROCESSED AND PENDING FOIA REQUESTS

Agency / Component	Number of Requests Pending as of Start of Fiscal Year	Number of Requests Received in Fiscal Year	Number of Requests Processed in Fiscal Year	Number of Requests Pending as of End of Fiscal Year
CFPB	65	964	834	195
AGENCY OVERALL	65	964	834	195

After reviewing its database, CFPB updated the number of requests pending as of the start of the Fiscal Year.

V.B.(1). DISPOSITION OF FOIA REQUESTS -- ALL PROCESSED REQUESTS

Agency / Component	Number of Full Grants	Number of Partial Grants / Partial Denials	Number of Full Denials Based on Exemptions	Number of Full Denials Based on Reasons Other than Exemptions									TOTAL
				No Records	All Records Referred to Another Component or Agency	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper FOIA Request for Other Reason	Not Agency Record	Duplicate Request	Other *Explain in Chart Below	
CFPB	67	102	50	49	3	75	0	23	55	272	138	0	834
AGENCY OVERALL	67	102	50	49	3	75	0	23	55	272	138	0	834

V.B.(2). DISPOSITION OF FOIA REQUESTS -- "OTHER" REASONS FOR "FULL DENIALS BASED ON REASONS OTHER THAN EXEMPTIONS"

Agency / Component	Description of "Other" Reasons for Denials from Chart B(1)	Number of Times "Other" Reason Was Relied Upon	TOTAL
CFPB	N/A	0	0
AGENCY OVERALL			0

V.B.(3). DISPOSITION OF FOIA REQUESTS -- NUMBER OF TIMES EXEMPTIONS APPLIED

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
CFPB	0	1	4	47	47	95	20	0	7	24	64	0	39	0
AGENCY OVERALL	0	1	4	47	47	95	20	0	7	24	64	0	39	0

VI.A. ADMINISTRATIVE APPEALS OF INITIAL DETERMINATIONS OF FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING ADMINISTRATIVE APPEALS

Agency / Component	Number of Appeals Pending as of Start of Fiscal Year	Number of Appeals Received in Fiscal Year	Number of Appeals Processed in Fiscal Year	Number of Appeals Pending as of End of Fiscal Year
CFPB	0	16	16	0
AGENCY OVERALL	0	16	16	0

VI.B. DISPOSITION OF ADMINISTRATIVE APPEALS -- ALL PROCESSED APPEALS

Agency / Component	Number Affirmed on Appeal	Number Partially Affirmed & Partially Reversed/Remanded on Appeal	Number Completely Reversed/Remanded on Appeal	Number of Appeals Closed for Other Reasons	TOTAL
CFPB	8	4	2	2	16
AGENCY OVERALL	8	4	2	2	16

VI.C.(1). REASONS FOR DENIAL ON APPEAL -- NUMBER OF TIMES EXEMPTIONS APPLIED

Agency / Component	Ex. 1	Ex. 2	Ex. 3	Ex. 4	Ex. 5	Ex. 6	Ex. 7(A)	Ex. 7(B)	Ex. 7(C)	Ex. 7(D)	Ex. 7(E)	Ex. 7(F)	Ex. 8	Ex. 9
CFPB	0	0	0	1	0	3	2	0	0	0	1	0	1	0
AGENCY OVERALL	0	0	0	1	0	3	2	0	0	0	1	0	1	0

VI.C.(2). REASONS FOR DENIAL ON APPEAL -- REASONS OTHER THAN EXEMPTIONS

Agency / Component	No Records	Records Referred at Initial Request Level	Request Withdrawn	Fee-Related Reason	Records not Reasonably Described	Improper Request for Other Reasons	Not Agency Record	Duplicate Request or Appeal	Request in Litigation	Appeal Based Solely on Denial of Request for Expedited Processing	Other *Explain in chart below
CFPB	2	0	2	0	0	1	0	0	0	0	0
AGENCY OVERALL	2	0	2	0	0	1	0	0	0	0	0

VI.C.(3). REASONS FOR DENIAL ON APPEAL -- "OTHER" REASONS

Agency / Component	Description of "Other" Reasons for Denial on Appeal from Chart C(2)	Number of Times "Other" Reason Was Relied Upon	TOTAL
CFPB	N/A	0	0
AGENCY OVERALL			0

VI.C.(4). RESPONSE TIME FOR ADMINISTRATIVE APPEALS

Agency / Component	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
CFPB	20	19.56	12	30
AGENCY OVERALL	20	19.56	12	30

VI.C.(5). TEN OLDEST PENDING ADMINISTRATIVE APPEALS

Agency / Component		10th Oldest Appeal	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Appeal
CFPB	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	Date of Appeal	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Number of Days Pending	0	0	0	0	0	0	0	0	0	0

VII.A. FOIA REQUESTS -- RESPONSE TIME FOR ALL PROCESSED PERFECTED REQUESTS

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
CFPB	1	8.33	1	158	34.5	69.87	1	669	N/A	N/A	N/A	N/A
AGENCY OVERALL	1	8.33	1	158	34.5	69.87	1	669	N/A	N/A	N/A	N/A

VII.B. PROCESSED REQUESTS -- RESPONSE TIME FOR PERFECTED REQUESTS IN WHICH INFORMATION WAS GRANTED

Agency / Component	SIMPLE				COMPLEX				EXPEDITED PROCESSING			
	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days	Median Number of Days	Average Number of Days	Lowest Number of Days	Highest Number of Days
CFPB	21	31.37	1	158	45	96.69	6	669	N/A	N/A	N/A	N/A
AGENCY OVERALL	21	31.37	1	158	45	96.69	6	669	N/A	N/A	N/A	N/A

VII.C. PROCESSED SIMPLE REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1-20 Days	21-40 Days	41-60 Days	61-80 Days	81-100 Days	101-120 Days	121-140 Days	141-160 Days	161-180 Days	181-200 Days	201-300 Days	301-400 Days	401+ Days	TOTAL
CFPB	489	37	14	8	2	1	3	2	0	0	0	0	0	556
AGENCY OVERALL	489	37	14	8	2	1	3	2	0	0	0	0	0	556

VII.C. PROCESSED COMPLEX REQUESTS -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1- 20 Days	21- 40 Days	41- 60 Days	61- 80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
CFPB	55	64	23	12	8	7	6	8	2	2	4	3	6	200
AGENCY OVERALL	55	64	23	12	8	7	6	8	2	2	4	3	6	200

VII.C. PROCESSED REQUESTS GRANTED EXPEDITED PROCESSING -- RESPONSE TIME IN DAY INCREMENTS

Agency / Component	<1- 20 Days	21- 40 Days	41- 60 Days	61- 80 Days	81- 100 Days	101- 120 Days	121- 140 Days	141- 160 Days	161- 180 Days	181- 200 Days	201- 300 Days	301- 400 Days	401+ Days	TOTAL
CFPB	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGENCY OVERALL	0	0	0	0	0	0	0	0	0	0	0	0	0	0

VII.D. PENDING REQUESTS -- ALL PENDING PERFECTED REQUESTS

Agency / Component	SIMPLE			COMPLEX			EXPEDITED PROCESSING		
	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days	Number Pending	Median Number of Days	Average Number of Days
CFPB	37	44	55.54	141	99	123.69	1	378	378
AGENCY OVERALL	37	44	55.54	141	99	123.69	1	378	378

VII.E. PENDING REQUESTS -- TEN OLDEST PENDING PERFECTED REQUESTS

Agency / Component		10th Oldest Request	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Request
CFPB	Date of Receipt	2023-08-02	2023-07-21	2023-05-01	2023-03-29	2023-02-21	2023-02-09	2022-12-02	2022-10-26	2022-10-03	2022-08-26
	Number of Days Pending	291	299	355	378	404	411	457	482	498	523
AGENCY OVERALL	Date of Receipt	2023-08-02	2023-07-21	2023-05-01	2023-03-29	2023-02-21	2023-02-09	2022-12-02	2022-10-26	2022-10-03	2022-08-26
	Number of Days Pending	291	299	355	378	404	411	457	482	498	523

VIII.A. REQUESTS FOR EXPEDITED PROCESSING

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate	Number Adjudicated Within Ten Calendar Days
CFPB	0	19	1	2.16	18
AGENCY OVERALL	0	19	1	2.16	18

VIII.B. Requests for Fee Waiver

Agency / Component	Number Granted	Number Denied	Median Number of Days to Adjudicate	Average Number of Days to Adjudicate
CFPB	1	2	1	5.33
AGENCY OVERALL	1	2	1	5.33

IX. FOIA Personnel and Costs

Agency / Component	PERSONNEL			COSTS		
	Number of "Full-Time FOIA Employees"	Number of "Equivalent Full-Time FOIA Employees"	Total Number of "Full- Time FOIA Staff"	Processing Costs	Litigation- Related Costs	Total Costs
CFPB	14	5.50	19.50	6131755.19	5000.00	6136755.19
AGENCY OVERALL	14	5.50	19.50	6131755.19	5000.00	6136755.19

X. Fees Collected for Processing Requests

Agency / Component	Total Amount of Fees Collected	Percentage of Total Costs
CFPB	3450.00	0.0600
AGENCY OVERALL	3450.00	0.0600

XI.A. Number of Times Subsection (C) Used

Agency / Component	Number of Times Subsection Used
CFPB	0
AGENCY OVERALL	0

XI.B. Number of Subsection (A)(2) Postings

Agency / Component	Number of Records Posted by the FOIA Office	Number of Records Posted by Program Offices
CFPB	36	529
AGENCY OVERALL	36	529

XII.A. Backlogs of FOIA Requests and Administrative Appeals

Agency / Component	Number of Backlogged Requests as of End of Fiscal Year	Number of Backlogged Appeals as of End of Fiscal Year
CFPB	142	0
AGENCY OVERALL	142	0

XII.B. CONSULTATIONS ON FOIA REQUESTS -- RECEIVED, PROCESSED, AND PENDING CONSULTATIONS

Agency / Component	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>Start</u> of the Fiscal Year	Number of Consultations <u>Received</u> from Other Agencies During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Processed</u> by the Agency During the Fiscal Year	Number of Consultations Received from Other Agencies that were <u>Pending</u> at the Agency as of <u>End</u> of the Fiscal Year
CFPB	0	15	11	4
AGENCY	0	15	11	4

OVERALL				
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XII.C. CONSULTATIONS ON FOIA REQUESTS -- TEN OLDEST CONSULTATIONS RECEIVED FROM OTHER AGENCIES AND PENDING AT THE AGENCY

Agency / Component		10th Oldest Consultation	9th	8th	7th	6th	5th	4th	3rd	2nd	Oldest Consultation
CFPB	Date	N/A	N/A	N/A	N/A	N/A	N/A	2024-09-10	2024-09-10	2024-08-09	2024-07-05
	Number of Days	0	0	0	0	0	0	14	14	35	60
AGENCY OVERALL	Date	N/A	N/A	N/A	N/A	N/A	N/A	2024-09-10	2024-09-10	2024-08-09	2024-07-05
	Number of Days	0	0	0	0	0	0	14	14	35	60

XII.D.(1). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- REQUESTS RECEIVED AND PROCESSED

Agency / Component	NUMBER OF REQUESTS <u>RECEIVED</u>		NUMBER OF REQUESTS <u>PROCESSED</u>	
	Number Received During	Number Received During	Number Processed	Number Processed

	Fiscal Year from Last Year's Annual Report	Fiscal Year from Current Annual Report	During Fiscal Year from Last Year's Annual Report	During Fiscal Year from Current Annual Report
CFPB	510	964	537	834
AGENCY OVERALL	510	964	537	834

XII.D.(2). COMPARISON OF NUMBERS OF REQUESTS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED REQUESTS

Agency / Component	Number of Backlogged Requests as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Requests as of End of the Fiscal Year from Current Annual Report
CFPB	37	142
AGENCY OVERALL	37	142

XII.E.(1). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- APPEALS RECEIVED AND PROCESSED

Agency / Component	NUMBER OF APPEALS <u>RECEIVED</u>		NUMBER OF APPEALS <u>PROCESSED</u>	
	Number Received During Fiscal Year from Last Year's Annual Report	Number Received During Fiscal Year from Current Annual Report	Number Processed During Fiscal Year from Last Year's Annual Report	Number Processed During Fiscal Year from Current Annual Report
CFPB	14	16	14	16
AGENCY OVERALL	14	16	14	16

XII.E.(2). COMPARISON OF NUMBERS OF ADMINISTRATIVE APPEALS FROM PREVIOUS AND CURRENT ANNUAL REPORT -- BACKLOGGED APPEALS

Agency / Component	Number of Backlogged Appeals as of End of the Fiscal Year from Previous Annual Report	Number of Backlogged Appeals as of End of the Fiscal Year from Current Annual Report
CFPB	0	0
AGENCY OVERALL	0	0