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June 28, 2022

Via electronic mail

Bureau of Consumer Financial Protection
Attention: Chief FOIA Officer
1700 G Street, NW
Washington, DC 20552
FOIA@consumerfinance.gov

Re: Freedom of Information Act Request

Dear Sir/Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552 *et seq.*, we are requesting copies of all records relating to the Consumer Financial Protection Bureau's interpretive rule, issued June 28, 2022, concerning the Fair Credit Reporting Act's preemption provisions and states' ability to adopt and enforce laws involving consumer reporting ("Interpretive Rule").¹ This request includes but is not limited to:

- Documents provided to the Bureau for consideration with respect to the formulation of the Interpretive Rule, including all documents reflecting the genesis of the initial request for the Interpretive Rule.
- Documents relating to or reflecting Bureau communications with any other federal branches and agencies, including with Congress and executive and independent agencies, relating to the scope of preemption of state laws under the FCRA, and/or the formulation of the Interpretive Rule.
- Documents relating to or reflecting Bureau communications with any state government agents or representatives, including with the Office of the Attorney General of any State, relating to the scope of preemption of state laws under the FCRA, and/or formulation of the Interpretive Rule.
- Documents relating to or reflecting Bureau communications with non-governmental entities or any person scope of preemption of state laws under the FCRA, and/or the formulation of the Interpretive Rule.

¹ Interpretive Rule available at https://files.consumerfinance.gov/f/documents/cfpb_fcra-preemption_interpretive-rule_2022-06.pdf.

- Documents relating to or reflecting meetings, whether conducted in person or via teleconference, both within the Bureau and between the Bureau and outside parties, relating to the scope of federal preemption of state laws under the FCRA and/or formulation of the Interpretive Rule.

As you know, FOIA requires agencies to release information unless it is specifically exempt from disclosure, and also requires agencies to release all reasonably segregable nonexempt portions of records, i.e., to redact exempt portions of records and release the rest. We request that you provide us with complete and accurate copies of all nonexempt material requested.

This is a commercial request. We agree to pay reasonable search and reproduction costs. However, if these costs exceed \$250, we request that you notify us before reproducing the documents.

We understand that we can expect a response within 20 days of your receipt of this letter. We prefer electronic copies of the documents, but if courier or overnight delivery is necessary, please contact us for delivery or pickup information.

Please send the materials to:

Francis M. Conlon
Hudson Cook, LLP
1909 K Street NW, 4th Floor
Washington, DC 20006

Thank you for your assistance. If you have any questions, please call me at (202) 715-2010 or email me at fconlon@hudco.com.

Sincerely,

/s/
Francis M. Conlon²

² Admitted to practice in Maryland. Practicing in D.C. under the supervision of Rebecca E. Kuehn, member of the D.C. Bar, as permitted by D.C. Bar Rule 49(c)(8).