



CONSUMER FINANCIAL PROTECTION BUREAU

[Docket No: CFPB-2026-0016]

Privacy Act of 1974; System of Records

AGENCY: Consumer Financial Protection Bureau.

ACTION: Notice of a modified system of records.

SUMMARY: In accordance with the Privacy Act of 1974, the Consumer Financial Protection Bureau (CFPB or Bureau) proposes to modify a current Privacy Act System of Records Notice (SORN) titled “CFPB.009-Employee Administrative Records System.” This modification introduces a new routine use to permit the disclosure of records to the news media and the public under specific circumstances. The new routine use adopts the same standard applied under the Freedom of Information Act for determining whether information relating to personal privacy interests must be released to the public. In addition, the new routine use is consistent with routine uses adopted by other Federal agencies for systems of records concerning employee personnel files. This SORN enables the CFPB to manage and administer human capital functions related to current and former Bureau employees, volunteers, detailees, applicants, and persons who work at the Bureau, and their named dependents and/or beneficiaries, their named emergency contacts, and individuals who have been extended offers of employment.

DATES: Comments must be received no later than **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**. The modified system of records will be effective **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]** unless the comments received result in a contrary determination.

ADDRESSES: You may submit comments, identified by the title and docket number (*see* above Docket No. CFPB-2026-0016), by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments. A brief summary of this document will be available at <https://www.regulations.gov/docket/CFPB-2026-0016>.
- *Email:* privacy@cfpb.gov. Include Docket No. CFPB-2026-0016 in the subject line of the email.
- *Mail/Hand Delivery/Courier:* Kathryn Fong, Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552, (202) 435-7058. Because paper mail in the Washington, DC area and at CFPB is subject to delay, commenters are encouraged to submit comments electronically.

All submissions must include the agency name and docket number for this notice. In general, all comments received will be posted without change to <http://www.regulations.gov>. All comments, including attachments and other supporting materials, will become part of the public record and subject to public disclosure. You should submit only information that you wish to make available publicly. Sensitive personal information, such as account numbers or Social Security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Kathryn Fong, Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552; (202) 435-7058. If you require this document in an alternative electronic format, please contact CFPB_Accessibility@cfpb.gov. Please do not submit comments to this email box.

SUPPLEMENTARY INFORMATION: In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the CFPB is modifying a system of records titled, “CFPB.009-Employee Administrative Records System.” This modified system of records introduces a new routine use to enable the disclosure of records pertaining to individuals covered by this system to the news media and public under certain limited circumstances. Specifically, it would allow such disclosures when there is a legitimate public interest in the information sought (e.g., when the disclosure is necessary to preserve confidence in the integrity of the CFPB, or when disclosure

is necessary to demonstrate accountability of the individuals covered by this system) and the disclosure of the information would not constitute a clearly unwarranted invasion of personal privacy. The CFPB is also making non-substantive revisions to the system of records notice to align with the Office of Management and Budget's template in Circular A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act," appendix II (Dec. 2016).

The report of the revised system of records has been submitted to the Committee on Oversight and Government Reform of the U.S. House of Representatives, the Committee on Homeland Security & Governmental Affairs of the U.S. Senate, and the Office of Management and Budget, pursuant to Circular A-108, "Federal Agency Responsibilities for Review, Reporting, and Publication under the Privacy Act" (Dec. 2016) and the Privacy Act of 1974, 5 U.S.C. 552a(r). The modified SORN titled, "CFPB.009-Employee Administrative Records System" is published in its entirety below.

SYSTEM NAME AND NUMBER: CFPB.009 – Employee Administrative Records System.

SECURITY CLASSIFICATION: Unclassified.

SYSTEM LOCATION: Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

SYSTEM MANAGER(S): Consumer Financial Protection Bureau, Chief Operating Officer, 1700 G Street NW, Washington, DC 20552.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM: 12 U.S.C. 5492-93, 5511; 31 U.S.C. 3721; 42 U.S.C. 2000e-16; 42 U.S.C. 1981 note.

PURPOSE(S) OF THE SYSTEM: The purpose of the system is to enable the Bureau to manage and administer human capital functions, including personnel actions, payroll, human resources, time and attendance, leave, insurance, tax, retirement and other employee benefits, employee claims for loss or damage to personal property, alternative dispute resolution processes, and to prepare related reports to other Federal agencies. The information will also

be used for administrative purposes to ensure quality control, performance, and improving management processes, and prevent improper payment of funds.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM: Current and former Bureau employees, volunteers, detailees, applicants, and persons who work at the Bureau (collectively employees), and their named dependents and/or beneficiaries, their named emergency contacts, and individuals who have been extended offers of employment.

CATEGORIES OF RECORDS IN THE SYSTEM: Records in this system may contain identifiable information about individuals including, without limitation: (1) identification and contact information, including name, address, email address, phone number and other contact information; (2) employee emergency contact information, including name, phone number, relationship to employee or emergency contact; (3) Social Security number (SSN), employee ID number, organization code, pay rate, salary, grade, length of service, and other related pay and leave records including payroll data; (4) biographic and demographic data, including date of birth and marital or domestic partnership status; (5) employment-related information such as performance reports, training, professional licenses, certification, and memberships information, alternative dispute resolution processes, fitness center membership information, union dues, employee claims for loss or damage to personal property, and other information related to employment by the Bureau; (6) benefits data, such as health, life, travel, and disability insurance information; (7) retirement benefits information and flexible spending account information; and (8) time and attendance records.

General personnel and administrative records contained in this system are covered under the government-wide systems of records notice published by the Office of Personnel Management (OPM/GOVT-1). This system complements OPM/GOVT-1 and this notice incorporates, by reference, but does not repeat all the information contained in OPM/GOVT-1.

RECORD SOURCE CATEGORIES: Information in this system is obtained from individuals and entities associated with benefits, retirement, human resources, and payroll systems

administration.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, and consistent with the CFPB's Disclosure of Records and Information Rules, promulgated at 12 CFR part 1070, all or a portion of the records or information contained in this system may be disclosed outside the CFPB as a routine use to:

- (1) Appropriate agencies, entities, and persons when (a) the Bureau suspects or has confirmed that there has been a breach of the system of records; (b) the Bureau has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the Bureau (including its information systems, programs, and operations), the Federal Government, or national security; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Bureau's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.
- (2) Another Federal agency or entity, when the Bureau determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (a) responding to a suspected or confirmed breach or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.
- (3) Another Federal or State agency to (a) permit a decision as to access, amendment, or correction of records to be made in consultation with or by that agency, or (b) verify the identity of an individual or the accuracy of information submitted by an individual who has requested access to or amendment or correction of records.
- (4) The Executive Office of the President in response to an inquiry from that office

made at the request of the subject of a record or a third party on that person's behalf.

- (5) Congressional offices in response to an inquiry made at the request of the individual to whom the record pertains.
- (6) Contractors, agents, or other authorized individuals performing work on a contract, service, cooperative agreement, job, or other activity on behalf of the Bureau or the U.S. Government and who have a need to access the information in the performance of their mission, including duties or activities.
- (7) The Department of Justice (DOJ) for its use in providing legal advice to the Bureau or in representing the Bureau in a proceeding before a court, adjudicative body, or other administrative body, where the use of such information by the DOJ is deemed by the Bureau to be relevant and necessary to the advice or proceeding, and such proceeding names as a party in interest:
 - (a) The CFPB;
 - (b) Any employee of the Bureau in their official capacity;
 - (c) Any employee of the Bureau in their individual capacity where DOJ has agreed to represent the employee; or
 - (d) The United States, where the CFPB determines that litigation is likely to affect the Bureau or any of its components.
- (8) A grand jury pursuant either to a Federal or State grand jury subpoena, or to a prosecution request that such record be released for the purpose of its introduction to a grand jury, where the subpoena or request has been specifically approved by a court. In those cases where the Federal Government is not a party to the proceeding, records may be disclosed if a subpoena has been signed by a judge.
- (9) A court, magistrate, or administrative tribunal in the course of an administrative proceeding or judicial proceeding, including disclosures to opposing counsel or

witnesses (including expert witnesses) in the course of discovery or other pre-hearing exchanges of information, litigation, or settlement negotiations, where relevant or potentially relevant to a proceeding, or in connection with criminal law proceedings.

- (10) Appropriate agencies, entities, and persons to the extent necessary to obtain information relevant to current and former Bureau employees' benefits, compensation, and employment.
- (11) Appropriate Federal, State, local, foreign, Tribal, or self-regulatory organizations or agencies responsible for investigating, prosecuting, enforcing, implementing, issuing, or carrying out a statute, rule, regulation, order, policy, or license if the information may be relevant to a potential violation of civil or criminal law, rule, regulation, order, policy, or license.
- (12) National, State, or local income security and retirement agencies or entities involved in administration of employee retirement benefits programs (e.g., State unemployment compensation and State pension plans) and any of such agencies' contractors or plan administrators, when necessary to determine employee eligibility to participate in retirement or employee benefits programs, process employee participation in those programs, process claims with respect to individual employee participation in those programs, audit benefits paid under those programs, or perform any other administrative function in connection with those programs.
- (13) An executor of the estate of a current or former employee, a government entity probating the will of a current or former employee, a designated beneficiary of a current or former employee, or any person who is responsible for the care of a current or former employee, where the employee has died, has been declared mentally incompetent, or is under other legal disability, to the extent necessary to

assist in obtaining any employment benefit or working condition for the current or former employee.

- (14) The Internal Revenue Service (IRS) and other governmental entities that are authorized to tax employees' compensation with wage and tax information in accordance with a withholding agreement with the Bureau pursuant to 5 U.S.C. 5516, 5517, and 5520, for the purpose of furnishing employees with IRS Forms W-2 that report such tax distributions.
- (15) Unions recognized as exclusive bargaining representatives under the Civil Service Reform Act of 1978, 5 U.S.C. 7111, 7114.
- (16) Carriers, providers, and other Federal agencies involved in administration of employee retirement and benefits programs and such agencies' contractors or plan administrators, when necessary to determine employee eligibility to participate in retirement and benefits programs, process employee participation in those programs, process claims with respect to individual employee participation in those programs, audit benefits paid under those programs, or perform any other administrative function in connection with those programs and Federal agencies that perform payroll and personnel processing and employee retirement and benefits plan services under interagency agreements or contracts, including the issuance of paychecks to employees, the distribution of wages, the administration of deductions from paychecks for retirement and benefits programs, and the distribution and receipt of those deductions. These agencies include, without limitation, the Department of Labor, the Department of Veterans Affairs, the Social Security Administration, the Federal Retirement Thrift Investment Board, the Department of Defense, OPM, the Board of Governors of the Federal Reserve System, the Department of the Treasury, and the National Finance Center at the U.S. Department of Agriculture.

- (17) The U.S. Department of the Treasury when disclosure of the information is relevant to review payment and award eligibility through the Do Not Pay Working System for the purpose of identifying, preventing, or recouping improper payments to an applicant for, or recipient of, Federal funds, including funds disbursed by a State (meaning a State of the United States, the District of Columbia, a territory or possession of the United States, or a federally recognized Indian tribe) in a State-administered, federally funded program.
- (18) To the news media and the public, with the approval of the Bureau Director or delegate, in consultation with the Chief Privacy Officer and legal counsel, when there exists a legitimate public interest in the disclosure of the information (e.g., when disclosure is necessary to preserve confidence in the integrity of the Bureau, or when disclosure is necessary to demonstrate the accountability of individuals covered by this system) except to the extent that release of the specific information in the context of a particular case would constitute a clearly unwarranted invasion of personal privacy.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS: The records are maintained in paper and electronic media. Access to electronic records is restricted to authorized personnel who have been issued non-transferable access codes and passwords. Other records are maintained in locked file cabinets or rooms with access limited to those personnel whose official duties require access.

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS: Records are retrievable by a variety of fields including, without limitation, the individual's name, SSN, address, account number, transaction number, phone number, date of birth, or by some combination thereof.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:
The Bureau will manage these Federal records in accordance with the National Archive and Records Administration (NARA) General Records Schedules (GRS): GRS 1.1, GRS 1.2, GRS

2.1, GRS 2.2, GRS 2.3, GRS 2.4, GRS 2.5, GRS 2.7, GRS 5.6, GRS 5.7, and GRS 6.4

depending on the record type and the corresponding disposition of that record type.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS: Access to electronic records is restricted to authorized personnel who have been issued non-transferable access codes and passwords. Other records are maintained in locked file cabinets or rooms with access limited to those personnel whose official duties require access.

RECORD ACCESS PROCEDURES: Individuals seeking notification and access to any record contained in this system of records may inquire in writing in accordance with instructions in 12 CFR 1070.50 et seq. Address such requests to: Chief Privacy Officer, Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

Instructions are also provided on the CFPB website: <https://www.consumerfinance.gov/foia-requests/submit-request/>.

CONTESTING RECORD PROCEDURES: See “Access Procedures” above.

NOTIFICATION PROCEDURES: See “Access Procedures” above.

EXEMPTIONS PROMULGATED FOR THE SYSTEM: None.

HISTORY: 90 FR 59805 (Dec. 22, 2025); 85 FR 48510 (Aug. 11, 2020); 83 FR 23435 (May 21, 2018); 81 FR 27104 (May 5, 2016); 78 FR 67340 (Nov. 12, 2013); 76 FR 71327 (Nov. 17, 2011).

Kathryn Fong,

Chief Privacy Officer, Consumer Financial Protection Bureau.

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