



February 9, 2026

VIA Email: Recordsaccessofficer@dfs.ny.gov

New York Department of Financial Services
Office of General Counsel
1 State Street, 20th Floor
New York, NY 10004

Dear Records Access Officer:

America First Legal Foundation (“AFL”) is a national, nonprofit organization. AFL works to promote the rule of law in the United States, prevent executive overreach, ensure due process and equal protection for all Americans, and promote knowledge and understanding of the law and individual rights guaranteed under the Constitution and laws of the United States. AFL’s mission includes promoting government transparency and accountability by gathering official information, analyzing it, and disseminating it through reports, press releases, and/or other media, including social media platforms, all to educate the public.

I. Records Request

Under the New York Freedom of Information Law, N.Y. Pub. Off. Law § 84 *et seq.*, we are requesting the following records:

1. All records and communications identifying, reflecting, or documenting the Consumer Financial Protection Bureau (“CFPB”) refusing requests for operating funds from the Federal Reserve, causing the shutdown of the CFPB’s Consumer Response System.
2. All records and communications identifying, reflecting, or documenting consumers being unable to make complaints in the CFPB’s Consumer Response System.
3. All records and communications identifying, reflecting, or documenting the Department of Financial Services’ inability to conduct investigations, support litigations, monitor the marketplace, and assist harmed consumers due to the cuts to CFPB operations.
4. All records and communications identifying, reflecting, or documenting the Department of Financial Services losing access to material information regarding millions of consumer complaints in the CFPB Consumer Response System due to CFPB budget cuts. The term “material information” as defined:

- a. Consumer complaints in the database
 - b. Company responses to consumer complaints
 - c. Subjects of active litigations and confidential investigations
 - d. Monitoring trends and opening new investigations
5. All records and communications identifying, reflecting, or documenting the Department of Financial Services' inability to refer complaints from New York residents to the CFPB. Inability, as defined by the CFPB's lack of payment to cloud-based service providers to process consumer complaints.
 6. All records and communications identifying, reflecting, or documenting deletion, or potential deletion of consumer complaint data as a result of CFPB budget cuts.
 7. All records and communications identifying, reflecting, or documenting corruption or manipulation of consumer complaint data as a result of the CFPB's failure to monitor the Consumer Response System.
 8. All records and communications identifying, reflecting, or documenting any loss of access to HMDA data collected by CFPB.

The timeframe for this request is between November 20, 2025, to the date of this filing.

II. Fee Waiver Request

If there are any fees for searching or copying these records, please inform us if the cost will exceed \$25. However, we would also like to request a waiver of all fees under 21 NYCRR § 1401.8(g), as the disclosure of the requested information is in the public interest and will significantly contribute to the public's understanding.

III. Conclusion

New York Freedom of Information Law, N.Y. Pub. Off. Law § 89(3)(a) requires a response time of five business days. If access to the records we request will take longer than this amount of time, please contact us with information about when we might expect copies or the ability to inspect the requested records. If any or all parts of this request are denied, please cite each specific exemption you feel justifies the refusal to release the records and provide notification of the appeal procedures available under the law. If you have any questions about this request or believe further discussions regarding search and processing would facilitate a more efficient production of records, then please contact us at foia@aflegal.org. Thank you in advance for your cooperation.

Sincerely,

/s/ John Huggins
America First Legal Foundation