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Description of document: Federal Financial Institutions Examination Council (FFIEC) Meeting Agendas and minutes of the FFIEC Task Force on Consumer Compliance, January 2019 - August 2021

Requested date: 11-August-2021

Release date: 26-May-2022

Posted date: 12-September-2022

Source of document: FOIA Request
FFIEC
Attn: Executive Secretary
3501 Fairfax Drive, Room E-2035-C
Arlington, VA, 22226-3550
Email: FOIA@ffiec.gov
FOIA.gov

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RESPONSE VIA EMAIL ONLY

FFIEC FOIA Log Number: FFIEC-021-007

This is in response to your request made on August 11, 2021, through the National FOIA Portal and received via email at the FFIEC, by way of which you requested to the Federal Financial Institutions Examination Council (FFIEC) records pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552(a)(3). Specifically, you requested: “[a] copy of the meeting agendas and meeting minutes of the FFIEC Task Force on Consumer Compliance, limited to the time period January 1, 2019 through the present.

Per our email to you on September 9, 2021, the FFIEC informed you an extension of time was needed to respond to your FOIA request (**FFIEC-021-007**). On September 23, 2021, we provided you with an interim response indicating that FFIEC staff searched for records responsive to your request and located 167 pages of responsive records. We also notified you that your FOIA request was granted in part, and redactions for exempt information were in process for the releasable responsive records but would take some time as the FFIEC relies on FOIA staff from its member agencies to coordinate on redactions.

We are now forwarding those responsive records. The 33 pages of responsive records are attached, consisting of FFIEC Task Force on Consumer Compliance agendas. Portions of those agendas are redacted under one or more of the FOIA exemptions at 5 U.S.C. § 552(b)(2),(5),(6) and (8). In addition, 134 pages of responsive records, consisting of FFIEC Task Force on Consumer Compliance meeting minutes, are withheld fully as exempt from public release under one or more of the exemptions at 5 U.S.C. § 552(b)(2),(5),(6) and (8).

Subsection (b)(2) authorizes an agency to withhold records that are "related solely to the internal personnel rules and practices of an agency." Withheld or redacted information includes material related to FFIEC's internal personnel practices such as making conference calls and meeting preparations.

Subsection (b)(5) protects "inter-agency or intra-agency memorandums or letters that would not be available by law to a party other than an agency in litigation with the agency." Among the traditional privileges incorporated within Exemption 5 is the deliberative process privilege, which applies to documents that reflect deliberations that are part of an internal agency

decision making process. See *NLRB v. Sears, Roebuck & Co.*, 421 U.S. 132, 151 (1975). Documents may retain their pre-decisional character so long as they are generated as part of a continuous process of agency decision-making. The deliberative process privilege protects the free give-and-take that occurs as a decision is being made, such as the expression of opinion and analysis by agency staff serving on the FFIEC BSA/AML Working Group. See *Coastal States Gas Corp. v. Dept. of Energy*, 617 F.2d 854, 866 (D.C. Cir. 1980); *Lewis-Bey v. Dep't of Justice*, 1595 F. Supp. 2d 120, 133 (D.D.C. 2009) (protecting documents in which release "would have the effect of inhibiting the free flow of recommendations and opinions" (citation omitted)). The work of the Working Group, by nature, involves deliberations leading to pre-decisional recommendations made to the leadership of federal and state regulatory bodies that the Council serves.

Subsection (b)(6) allows an agency to withhold information about individuals where the disclosure of such information "would constitute a clearly unwarranted invasion of personal privacy." In making this determination, the individual's privacy interests are balanced against the public's interest in having the information disclosed. See *U.S. Dept. of State v. Washington Post Co.*, 456 U.S. 595, 599 (1982). Material withheld or redacted pursuant to Exemption 6 includes personal or private information about agency staff, including individual email addresses and telephone numbers.

Subsection (b)(8) protects matters that are "contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions." Courts have construed Exemption 8 broadly. In addition to examination reports themselves, matters that are "related to" such reports—that is, documents that "represent the foundation of the examination process, the findings of such an examination, or its follow-up"—have been held exempt from disclosure. *Atkinson v. FDIC*, 1980 WL 355660, *1 (D.D.C. Feb. 13, 1980). Information subject to redaction or withholding pursuant to Exemption 8 includes information relating to review and assessment of examination procedures, examiner training issues, and examination policy and strategy, and scope and content of examinations of various institutions.

For the reasons discussed, your FOIA request is granted in part, but denied to the extent of the material redacted or withheld under the FOIA exemptions at 5 U.S.C. § 552(b)(2),(5),(6) and (8). If you are not satisfied with the response to this request, you may administratively appeal this decision to the Chair of the Council within 90 days of the date of this response. If you decide to appeal, please submit your appeal in writing to the Chair of the FFIEC at the following address: FFIEC, Attn: Executive Secretary, 3501 Fairfax Drive, Room B7081a, Arlington, VA, 22226-3550. Both the mailing envelope and the request should be marked "Freedom of Information Act Appeal," "FOIA Appeal," or the like. An appeal can be filed by an email reply to this correspondence with the subject line marked "Freedom of Information Act Appeal," "FOIA Appeal." Please refer to your FFIEC FOIA log number, the date of the original request and the date of this response in the appeal. You should also include an explanation of the basis for the appeal and any additional information that you would like the Chair to consider.

Alternatively, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer (contact details below).

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
Email:ogis@nara.gov
Telephone: (202) 741-5770 or (877) 684-6448 (toll free)
Facsimile: (202) 741-5769

If you have any questions about this response you can reach the FFIEC FOIA Public Liaison, Rosanna Piccirilli, by email at [**rpiccirilli@fdic.gov**](mailto:rpiccirilli@fdic.gov), or by phone at 703.516.5591.

Respectfully,

Judith Dupre, Executive Secretary, FFIEC
www.ffeec.gov

FFIEC Consumer Compliance Task Force

October 10, 2019

1:30-3:30 p.m.

FDIC

1776 F Street NW

Washington, DC 20249

Dial-In Number: (b)(2)

Participant Code: (b)(2)

A G E N D A

I. Approval of Minutes

July 11, 2019, August 8, 2019, and September 12.

II. Welcome – Luke Brown

III. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
(b)(5); (b)(8)			
HMDA/CRA Subcommittee – Tim Lambert (CFPB)	x		10
CFPB No Action Letter Process – Edward Blatniki (CFPB)	x		15
FFIEC Consumer Compliance Conference – Simin Ho (FDIC)	x		10
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
FFIEC Computational Tools – Lanette Meister (FRB)	x		15

IV. New Business

V. Roundtable

Next Meeting: November 14, 2019

FFIEC Consumer Compliance Task Force

November 14, 2019

1:30-3:30 p.m.

FDIC

1776 F Street NW

Washington, DC 20249

Dial-In Number: (b)(2)

Participant Code: (b)(2)

A G E N D A

I. Approval of Minutes

October 10, 2019

II. Welcome – Luke Brown

III. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
(b)(5)			
(b)(5); (b)(8)			
Computational Tools – Lanette Meister (FRB) and Dave Carter (FRB)	x		15
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA/CRA Subcommittee – Tim Lambert (CFPB)	x		15

IV. New Business

V. Roundtable

Next Meeting: December 12, 2019

FFIEC Consumer Compliance Task Force

December 12, 2019

1:30-3:30 p.m.

FDIC

550 17th Street NW

Washington, DC 20249

Dial-In Number: (b)(2)

Participant Code: (b)(2)

A G E N D A

I. Approval of Minutes

November 14, 2019.

II. Welcome – Luke Brown

III. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) Computational Tools – Lanette Meister (FRB)	x		10
(b)(5)			
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA/CRA Subcommittee – Tim Lambert (CFPB)	x		15
Administrative Items – Luke Brown (FDIC)	x		15

IV. New Business

V. Roundtable

Next Meeting: January 9, 2020

FFIEC Consumer Compliance Task Force

January 9, 2020

1:30-3:30 p.m.

FDIC

1776 F Street NW

Washington, DC 20249

Dial-In Number: (b)(2)

Participant Code: (b)(2)

A G E N D A

I. Approval of Minutes

December 12, 2019

II. Welcome – Luke Brown

III. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA/CRA Subcommittee – Tim Lambert (CFPB)	x		15
2020 Planning – Calvin Hagins (CFPB)	x		15

IV. New Business

V. Roundtable

Next Meeting: February 13, 2020

**FFIEC Consumer Compliance Task Force
February 13, 2019
1:30-3:30 p.m.**

**FDIC
550 F Street NW
Washington, DC 20249
Dial-In Number: (b)(2)
Participant Code: (b)(2)**

A G E N D A

I. Approval of Minutes

December 12, 2020 and January 9, 2020

II. Welcome – Luke Brown

III. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
(b)(5); (b)(8)			
(b)(5); (b)(8)			
Consumer Compliance Conference – Simin Ho (FDIC)	x		10
Computational Tools – Lanette Meister (FRB) and Dave Carter (FRB)	x		15
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA/CRA Subcommittee – Tim Lambert (CFPB)	x		15

IV. New Business

Topic	Purpose		Time
	Discussion	Decision	
TFCC Chair Confirmation – Luke Brown (FDIC)	x	x	5

V. Roundtable

Next Meeting: March 12, 2019

FFIEC Consumer Compliance Task Force

March 12, 2019

1:30-3:30 p.m.

FDIC

1776 F Street NW

Washington, DC 20249

Dial-In Number: (b)(2)

Participant Code: (b)(2)

A G E N D A

I. Approval of Minutes

February 13, 2020

II. Welcome – Luke Brown

III. Follow-Up Business

Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
(b)(5); (b)(8)			
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA/CRA Subcommittee – Tim Lambert (CFPB)	x		15
(b)(5)			
2019 Q4 CRA Status Report – Dave Carter (FRB)	x		15

IV. New Business

Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
(b)(5); (b)(8)			

V. Roundtable

Next Meeting: April 9, 2019

FFIEC Consumer Compliance Task Force

April 9, 2020

1:30-3:30 p.m.

Via Conference Call

Dial In: (b)(2)

Participant Code: (b)(2)

A G E N D A

I. Approval of Minutes

March 20, 2020

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) FFIEC Federal Disclosure Computational Tools Lanette Meister & Dave Carter (FRB)	x		10
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA/CRA Subcommittee – Tim Lambert (CFPB)	x		15

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) (b)(8); (b)(5)			
Tech Sprints- Tim Lambert (CFPB)	x		10

IV. Roundtable

Next Meeting: May 14, 2020

FFIEC Consumer Compliance Task Force

May 14, 2020

1:30-3:30 p.m.

Via Web Ex

Meeting Number (access code) (b)(2)

Meeting password: (b)(2)

A G E N D A

I. Approval of Minutes

March 12, 2020 and April 9, 2020

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA Subcommittee – Tim Lambert	x		10
Consumer Compliance Conference – Allison Brown (CFPB)	x		15

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) Regulation D exam procedures/interim final rule– Lanette Meister (FRB)	x		10

IV. Roundtable

Next Meeting: June 11, 2020

FFIEC Consumer Compliance Task Force

June 11, 2020

1:30-3:30 p.m.

Via Web Ex

Meeting Number (access code) (b)(2)

Meeting password: (b)(2)

A G E N D A

I. Approval of Minutes

March 12, 2020 and May 14, 2020

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) TILA Examination Procedures – Edna Boateng (CFPB)	x		5
HMDA Subcommittee – Tim Lambert (CFPB)	x		10

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) CSBS-CFPB Joint Guidance to Mortgage Servicers– Chuck Cross/Matt Lambert (CSBS)	x		15
FFIEC Annual Report Survey– Rosanna Piccirilli (FFIEC)	x		10

(b)(5); (b)(8)

IV. Roundtable

Next Meeting: July 9, 2020

FFIEC Consumer Compliance Task Force
July 9, 2020
1:30-3:30 p.m.
Via Web Ex

A G E N D A

I. Approval of Minutes

June 11, 2020

II. Follow-Up Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA Subcommittee – Tim Lambert (CFPB)	x		10

III. New Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
(b)(5)			

IV. Roundtable

Next Meeting: August 13, 2020

FFIEC Consumer Compliance Task Force

August 13, 2020

1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

July 9, 2020

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
TILA Examination Procedures – Edna Boateng (CFPB)	x		10
HMDA Subcommittee – Tim Lambert (CFPB)	x		10

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
Consumer Compliance Conference – Bryan Bubar (CFPB)	x		15

(b)(5); (b)(8)

IV. Roundtable

Next Meeting: September 10, 2020

FFIEC Consumer Compliance Task Force
September 10, 2020
1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

August 13, 2020

II. Follow-Up Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
TILA Examination Procedures – Edna Boateng (CFPB)		X	15
HMDA Subcommittee – Tim Lambert (CFPB)	X		15

III. New Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
(b)(8); (b)(5)			

IV. Roundtable

Next Meeting: October 9, 2020

FFIEC Consumer Compliance Task Force

October 8, 2020

1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

September 10, 2020

II. Follow-Up Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
HMDA Subcommittee Tim Lambert (CFPB) Vote to extend annual HMDA submission deadline to 3 years		X	15

III. New Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
(b)(5); (b)(8)			

IV. Roundtable

Next Meeting: November 12, 2020

FFIEC Consumer Compliance Task Force

November 12, 2020

1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

October 8, 2020

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) HMDA Subcommittee Tim Lambert (CFPB) Vote to extend annual HMDA submission deadline to 3 years		X	10

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency) (b)(5); (b)(8)			
Interagency Consumer Compliance Examiner Statement Jeremy Hochberg (FRB)	X		15
(b)(8); (b)(5)			
(b)(5)			
FFIEC Annual Report Allison Brown (CFPB)	X		10
(b)(5); (b)(8)			

IV. Roundtable

Next Meeting: December 10, 2020

FFIEC Consumer Compliance Task Force

December 10, 2020

1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

November 12, 2020

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
HMDA Subcommittee Tim Lambert (CFPB)	X		10

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
(b)(5); (b)(8)			
TFCC Charter Judy Dupre (FFIEC)	X		10
(b)(8); (b)(5)			
2020 FFIEC Virtual Compliance Conference Cynthia Curry-Daniel (FFIEC)	X		5

IV. Roundtable

Next Meeting: January 14, 2020

FFIEC Consumer Compliance Task Force

January 14, 2020

1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

December 10, 2020

II. Follow-Up Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
HMDA Subcommittee Tim Lambert (CFPB)	X		10

III. New Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
(b)(5); (b)(8)			
Data Governance Working Group Jeremy Hochberg (FRB)	X		15
Regulation D Exam Procedures Recommendation Lanette Meister (FRB)	X		15

IV. Roundtable

Next Meeting: February 11, 2020

**FFIEC Consumer Compliance Task Force
February 11, 2021
1:30-3:30 p.m.**

A G E N D A

I. Approval of Minutes

December 10, 2020 and January 14, 2021

II. Follow-Up Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
HMDA Subcommittee Tim Lambert (CFPB)	X		10

III. New Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
TILA Working Group Update David Thomas & Brian Harris (CFPB)	X		5
(b)(8); (b)(5)			
Data Governance Working Group Jeremy Hochberg & Dave Carter (FRB)	X		15
(b)(5); (b)(8)			
Interagency Statements re: COVID-19 time period- Allison Brown (CFPB)	X		15

IV. Roundtable

Next Meeting: March 11, 2020

FFIEC Consumer Compliance Task Force
March 11, 2021
1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

February 11, 2021

II. Follow-Up Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
Updated Interagency Statement on Consumer Protection Supervisory Activities in Light of Circumstances Related to the Coronavirus Disease Pandemic Allison Brown & Ben Litchfield (CFPB)	X		20
Recent CFPB interpretive rule clarifying that ECOA and Regulation B apply to sexual orientation and gender identity discrimination Akila Kannan (CFPB)	X		10
HMDA Subcommittee Tim Lambert (CFPB)	X		10
TILA Working Group Update David Thomas & Brian Harris (CFPB)	X		5

III. New Business

Topic Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
2021 HMDA Getting it Right Guide Tim Lambert (CFPB)		X	10
CFPB Proposal re Special Purpose Credit Programs Christopher Davis and Charles Nier (CFPB)	X		20

IV. Roundtable

Next Meeting: April, 2021

FFIEC Consumer Compliance Task Force
April 8, 2021
1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

March 11, 2021

II. Follow-Up Business

Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
HMDA Subcommittee Tim Lambert (CFPB)	X		10
TILA Working Group Update Brian Harris & David Thomas (CFPB)	X		5

III. New Business

Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
Consumer Compliance Conference Bryan Bubar- (CFPB)	X		15

IV. Roundtable

Next Meeting: May 13, 2021

FFIEC Consumer Compliance Task Force
May 13, 2021
1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

April 8, 2021

II. Follow-Up Business

Topic – Presenter (Agency)	Purpose		Time
	Discussion	Decision	
HMDA Subcommittee Tim Lambert (CFPB)	X		10
TILA Working Group Update Brian Harris & David Thomas (CFPB)	X		5
Data Governance Working Group Dave Carter & Hajime Hadeishi (FRB)	X		15
FFIEC Computational Tool David Carter & Matt Dukes (FRB)	X		30
Follow up on ECOA Interpretive Rule Susan Torzilli, Akila Kannan & Pavy Bacon (CFPB)	X		10

III. Roundtable

Next Meeting: June 10, 2021

FFIEC Consumer Compliance Task Force
June 10, 2021
1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

May 13, 2021

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
HMDA Subcommittee Tim Lambert (CFPB)	X		10
TILA Working Group Update Brian Harris & David Thomas (CFPB)	X		5

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
(b)(5)			
(b)(8); (b)(5)			

IV. Roundtable

Next Meeting: July 8, 2021

**FFIEC Consumer Compliance Task Force
July 8, 2021
1:30-3:30 p.m.**

A G E N D A

I. Approval of Minutes

June 10, 2021

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
HMDA Subcommittee Tim Lambert (CFPB)	X		10
TILA Working Group Update Brian Harris & David Thomas (CFPB)	X		5

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
Juneteenth-Intersection of new federal holiday with mortgage regulation- Calvin Hagins (CFPB)	X		10
Update on Compliance Conference- Bryan Bubar (CFPB)	X		10

IV. Roundtable

Next Meeting: August 12, 2021

FFIEC Consumer Compliance Task Force
August 12, 2021
1:30-3:30 p.m.

A G E N D A

I. Approval of Minutes

July 8, 2021

II. Follow-Up Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
HMDA Subcommittee Tim Lambert (CFPB)	X		10
TILA Working Group Update Brian Harris & David Thomas (CFPB)	X		5
(b)(5)			
(b)(5); (b)(8)			

III. New Business

Topic	Purpose		Time
	Discussion	Decision	
Topic – Presenter (Agency)			
(b)(8); (b)(5)			

IV. Roundtable

Next Meeting: September 9, 2021