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Description of document:	Office of the Comptroller of the Currency (OCC) emails containing the word "FOIA" in the Office of Congressional Relations between January 1, 2020 and July 12, 2020
Requested date:	12-July-2020
Release date:	14-December-2021
Posted date:	05-September-2022
Source of document:	FOIA Request OCC Disclosure Services 400 7th Street, SW, Suite 3E-218 Washington, DC 20219 Submit FOIA Request online (PAL)

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December 14, 2021

This is in response to your letter dated July 12, 2020, which was received in my office on July 27, 2020 for processing under the Freedom of Information Act (FOIA), 5 U.S.C. 552.

You requested a copy of each email that contains the word "FOIA" (from an electronic search) in email accounts of Carrie Moore, Director of Congressional Relations, and each other OCC employee working in Congressional Relations, as well as OFF staff: Bryan Hubbard, Ralph DeLeon, Joseph Adamoli and Oliver A. Robinson between January 1, 2020 to present.

First, let me extend to you my deepest apologies for the delay in responding to your request. The OCC lost a total of three specialists, and the volume of requests we were receiving was at a substantial level. We have since hired two new senior specialists who have worked with us and as a result of a team effort, we are reducing our backlog substantially. This particular case will add to that reduction. I thank you for your patience.

Concerning this request, we located a total of 394 pages. 84 pages have some minor redactions. 43 pages are withheld in their entirety. 267 pages are being fully released. They are all attached.

Your request is granted in part and denied in part. Materials relevant to your request are enclosed. Certain information has been deleted by the authority of 5 U.S.C. 552(b)(2) and 12 C.F.R. (b)(2), relating solely to the internal personnel rules and practices of an agency (and cover things like telephone numbers to virtual conferences and passcodes and the like); 5 U.S.C. 552(b)(5) and 12 C.F.R. 4.12(b)(5) relating to inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency (and covers things like briefings, and discussion involving certain internal deliberations); and, 5 U.S.C. 552(b)(6) and 12 C.F.R. 4.12(b)(6), relating to personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy (and covers things like personal cell phone numbers, identities of certain employees and medical records.).

If you consider any of the above to be an improper denial of your request, you may appeal such denial to the Comptroller of the Currency. The appeal should be filed within 90 days of the date

of this letter, should state the circumstances and reasons or arguments in support of the appeal, and be submitted via our online FOIA application at <https://foia-pal.occ.gov/> or be mailed to:

Manager, Disclosure Services & Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency
Suite 3E-218
Washington, DC 20219

By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision.

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact our FOIA Public Liaison, Frank Vance, for assistance at:

Disclosure Services
Communications Division
Office of the Comptroller of the Currency
400 7th Street, SW, Suite 3E-218
Washington, DC 20219
(202) 649-6758
Frank.Vance@occ.treas.gov

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road-OGIS
College Park, MD 20740-6001
(202) 741-5770
(877) 684-6448
ogis@nara.gov
ogis.archives.gov

Sincerely yours,

Frank D. Vance, Jr.

Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Enclosure(s)

#2020-00343-F

From: Cohen, Arnie
Sent: Wed, 15 Jan 2020 15:49:30 +0000
To: Spellacy, Patti
Subject: RE: [EXTERNAL]Request for Documents for #2020-00090-F

Will do

From: Spellacy, Patti
Sent: Wednesday, January 15, 2020 10:46 AM
To: Zaman, Nida <Nida.Zaman@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>
Cc: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Subject: FW: [EXTERNAL]Request for Documents for #2020-00090-F

Sorry folks, I didn't read this FOIA request thoroughly. IT will now conduct the search for us if we provide the email addresses. Arnie, can you please prepare a list of emails for staffers of the House members identified below? For the Senate, we will only need to provide the domain extension i.e., @mcconnell.senate.gov Thanks!

From: Spellacy, Patti
Sent: Tuesday, January 14, 2020 4:58 PM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>; Zaman, Nida <Nida.Zaman@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>
Subject: FW: [EXTERNAL]Request for Documents for #2020-00090-F

Please see FOIA request below for "access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and January 13, 2020 for the following Congress persons:

Sen. Mitch McConnell; Sen. Rand Paul; Sen. Mike Lee; Sen. Mitt Romney; Rep. Rob Bishop; Rep. John Curtis; Rep. Ben McAdams; Rep. Chris Stewart; Rep. James Comer; Rep. Brett Guthrie; Rep. John Yarmuth; Rep. Thomas Massie; Rep. Hal Rogers; Rep. Andy Barr; Specifically, correspondence that contain any of the following keywords or phrases: "Republic Bank" "Elastic" "FinWise" "All West" "Rent-A-Bank" "Rent A Bank" "Valid-When-Made" "12 CFR Part 7" "12 CFR Part 160" "RIN 1557-AE73" Please see the attached [see attached letter]."

Please let me know if you have any responsive emails or other electronic communications. Thanks.

From: D'Costa, Russell
Sent: Tuesday, January 14, 2020 10:56 AM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Iñiguez, Diane <Diane.Iniguez@occ.treas.gov>;

Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: Fwd: [EXTERNAL]Request for Documents for #2020-00090-F

Good morning Carrie,

Please see the below FOIA request.

For written correspondence, I believe your team should be able to produce all letters, etc.

For the electronic correspondence between your team and the respective staffs, I think a list of emails addresses of the respective staff members and congressmen would be needed so that our IT team could pull and search. Can you please have a list of those email addresses put together? I will then send that list to Diane and her team to have an e-discovery search ran when I submit the e-discovery request.

Please let me know if there is anything further I can do on my end to assist.

Russell

From: Rosalye.Settles@occ.treas.gov <Rosalye.Settles@occ.treas.gov>
Date: January 14, 2020 at 10:00:30 AM EST
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL]Request for Documents for #2020-00090-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request for Documents for Request # '2020-00090-F'. Your response due date is: 1/29/2020 12:00:00 AM
Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Allied Progress, a project of Accountable.US** for access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and January 13, 2020 for the following Congress persons:

Sen. Mitch McConnell; Sen. Rand Paul; Sen. Mike Lee; Sen. Mitt Romney; Rep. Rob Bishop; Rep. John Curtis; Rep. Ben McAdams; Rep. Chris Stewart; Rep. James Comer; Rep. Brett Guthrie; Rep. John Yarmuth; Rep. Thomas Massie; Rep. Hal Rogers; Rep. Andy Barr; Specifically, correspondence that contain any of the following keywords or phrases: "Republic Bank" "Elastic" "FinWise" "All West" "Rent-A-Bank" "Rent A Bank" "Valid-When-Made" "12 CFR Part 7" "12 CFR Part 160" "RIN 1557-AE73" Please see the attached [see attached letter].

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. Please do not refer this request yourself.

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to Rosalye Settles by close of business on January 29, 2020. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. Do not create any responsive records.

Helpful information is located at the Disclosure Services Web Site. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our FOIA Processing Quick Tips.

Feel free to direct any questions to me at **202-649-6768**.

Thank you for your assistance.

--

From: Marcotte, Karen
Sent: Fri, 10 Jul 2020 17:33:40 +0000
To: Hubbard, Bryan
Cc: Roberts, Patricia
Subject: RE: NYTimes: Student Lender SoFi Applies for a Bank Charter

Hi Bryan,

The public portion of the SoFi application is now available in the FOIA Electronic Reading Room.

Thank you,
Karen

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Thursday, July 9, 2020 2:50 PM
To: Marcotte, Karen <Karen.Marcotte@occ.treas.gov>; Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Knickerbocker, Beth <Beth.Knickerbocker@occ.treas.gov>; Kowitt, Kay <Kay.Kowitt@occ.treas.gov>
Cc: Roberts, Patricia <Patricia.Roberts@occ.treas.gov>
Subject: RE: NYTimes: Student Lender SoFi Applies for a Bank Charter

Thanks. Please forward the public portion to me now and let me know when it is posted tomorrow.
Best,

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Marcotte, Karen <Karen.Marcotte@occ.treas.gov>
Sent: Thursday, July 9, 2020 2:47 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Knickerbocker, Beth <Beth.Knickerbocker@occ.treas.gov>; Kowitt, Kay <Kay.Kowitt@occ.treas.gov>
Cc: Roberts, Patricia <Patricia.Roberts@occ.treas.gov>
Subject: RE: NYTimes: Student Lender SoFi Applies for a Bank Charter

Hi Bryan,

SoFi filed by email yesterday and the application is currently being uploaded into CATS. As I've noted previously, there is a 5-day delay for CAS to reflect updates in CATS. Pat Roberts, the assigned senior licensing analyst for the filing, is reviewing it to ensure that the Public portion of the filing is ready for posting to FOIA's Electronic Reading Room. We anticipate it will be posted tomorrow, at the latest.

We can forward the public portion to you now, if you need it, but we like to review it first to ensure that it does not contain any PII or other confidential information before we make it available on the website.

Thank you,
Karen

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>

Sent: Thursday, July 9, 2020 2:26 PM

To: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Knickerbocker, Beth <Beth.Knickerbocker@occ.treas.gov>; Kowitt, Kay <Kay.Kowitt@occ.treas.gov>

Cc: Marcotte, Karen <Karen.Marcotte@occ.treas.gov>

Subject: NYTimes: Student Lender SoFi Applies for a Bank Charter

Afternoon

I am getting requests to confirm that SOFI has in fact applied for a national charter, again.

<https://www.nytimes.com/reuters/2020/07/09/us/09reuters-sofi-bank-charter.html>

I don't see it in the CAAS application.

Is it true, do we have the public portion of the app?

Bryan Hubbard
Deputy Comptroller for Public Affairs
Office of the Comptroller of the Currency
bryan.hubbard@occ.treas.gov
Constitution Center (10W-403)
Washington DC 20219
(202) 649-6870

From: Marcotte, Karen
Sent: Thu, 9 Jul 2020 18:47:03 +0000
To: Hubbard, Bryan;Lybarger, Stephen;Knickerbocker, Beth;Kowitt, Kay
Cc: Roberts, Patricia
Subject: RE: NYTimes: Student Lender SoFi Applies for a Bank Charter

Hi Bryan,

SoFi filed by email yesterday and the application is currently being uploaded into CATS. As I've noted previously, there is a 5-day delay for CAS to reflect updates in CATS. Pat Roberts, the assigned senior licensing analyst for the filing, is reviewing it to ensure that the Public portion of the filing is ready for posting to FOIA's Electronic Reading Room. We anticipate it will be posted tomorrow, at the latest.

We can forward the public portion to you now, if you need it, but we like to review it first to ensure that it does not contain any PII or other confidential information before we make it available on the website.

Thank you,
Karen

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Thursday, July 9, 2020 2:26 PM
To: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Knickerbocker, Beth <Beth.Knickerbocker@occ.treas.gov>; Kowitt, Kay <Kay.Kowitt@occ.treas.gov>
Cc: Marcotte, Karen <Karen.Marcotte@occ.treas.gov>
Subject: NYTimes: Student Lender SoFi Applies for a Bank Charter

Afternoon

I am getting requests to confirm that SOFI has in fact applied for a national charter, again.

<https://www.nytimes.com/reuters/2020/07/09/us/09reuters-sofi-bank-charter.html>

I don't see it in the CAAS application.

Is it true, do we have the public portion of the app?

Bryan Hubbard
Deputy Comptroller for Public Affairs
Office of the Comptroller of the Currency
bryan.hubbard@occ.treas.gov
Constitution Center (10W-403)
Washington DC 20219
(202) 649-6870

From: Settles, Rosalye A
Sent: Wed, 8 Jul 2020 21:01:27 +0000
To: Hubbard, Bryan;D'Costa, Russell
Subject: RE: Any responsive records for FOIA request re 1/29/20 CBA CRA meeting?

Thank you gentlemen.

Russell, I will close out the Request for Documents for PA.

Have a pleasant evening.

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Wednesday, July 8, 2020 4:55 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Subject: Any responsive records for FOIA request re 1/29/20 CBA CRA meeting?

Here are my emails to Steve Congdon

From: D'Costa, Russell
Sent: Wed, 8 Jul 2020 20:58:05 +0000
To: Hubbard, Bryan
Cc: Settles, Rosalye A
Subject: RE: Any responsive records for FOIA request re 1/29/20 CBA CRA meeting?

Thanks Bryan! Rosalye, this will be all there is from the Comptroller's staff. Let me know if anything else needed.

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Wednesday, July 8, 2020 4:55 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Subject: Any responsive records for FOIA request re 1/29/20 CBA CRA meeting?

Here are my emails to Steve Congdon

From: Collins, Stephanie
Sent: Tue, 7 Jul 2020 19:38:00 +0000
To: Hubbard, Bryan
Subject: FYI - FOIA Request

The National Consumer Law Center sent a FOIA request to the PA inbox re: fintech charter comments. I forwarded the email to Frank and Jackie.

From: Collins, Stephanie
Sent: Tue, 7 Jul 2020 19:38:00 +0000
To: Hubbard, Bryan
Subject: FYI - FOIA Request

The National Consumer Law Center sent a FOIA request to the PA inbox re: fintech charter comments. I forwarded the email to Frank and Jackie.

From: Uppor, Anand
Sent: Tue, 16 Jun 2020 16:05:01 +0000
To: Hubbard, Bryan
Cc: OBrien, Susan B;D'Costa, Russell
Subject: RE: ACTION ITEM for RIM Workgroup

Bryan,

If those applications contains data related to FSI, Privacy or Bank Secrecy Act – Yes. But based on my knowledge of EL and EFOIA I don't think they contain these CUI category of data< but want SME or BU to re confirm that>. Banknet as portal may not contain those data category (but underlying applications which are hosted like Money Laundering Risk System(MLR) and Comparative Analysis Report (CAR) may have, but those belongs to other BU) and Congressional Correspondence I am not familiar with that application.

Regards,

Anand Uppor,PMP, CSM, PMI-ACP ,CISA,CCSK
 IT Project Manager, Policy & Information Systems Application Service Delivery
 Office of Management Information Technology Services [3W-113]
 Office of the Comptroller of the Currency
 202-649-5873 (O)
 202-368-3755 (C)
*Banking on Customer Service – Visit our **OM Portal***

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Tuesday, June 16, 2020 10:06 AM
To: Uppor, Anand <Anand.Uppor@occ.treas.gov>
Cc: OBrien, Susan B <Susan.OBrien@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: RE: ACTION ITEM for RIM Workgroup

How do you want to address BankNet, Examiners Library, FOIA, and internal Congressional Correspondence.

Bryan Hubbard
 OCC Public Affairs
bryan.hubbard@occ.treas.gov
 (202) 649-6747

From: Uppor, Anand <Anand.Uppor@occ.treas.gov>
Sent: Tuesday, June 16, 2020 8:10 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: OBrien, Susan B <Susan.OBrien@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: RE: ACTION ITEM for RIM Workgroup

Bryan,

Good morning, FSI: Related to information connected to an agency's responsibilities **to supervise, examine, and evaluate a financial institution.** Based on my experience working on PA products only systems that hold those category data are CRA and Enforcement Actions applications and underlying databases. Let me know if you have any further questions. Thank you.

Regards,

Anand Uppor,PMP, CSM, PMI-ACP ,CISA,CCSK
IT Project Manager, Policy & Information Systems Application Service Delivery
Office of Management Information Technology Services [3W-113]
Office of the Comptroller of the Currency
202-649-5873 (O)
202-368-3755 (C)
Banking on Customer Service – Visit our OM Portal

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Monday, June 15, 2020 3:50 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>; Uppor, Anand <Anand.Uppor@occ.treas.gov>
Subject: RE: ACTION ITEM for RIM Workgroup

What is FSI?

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Sent: Monday, June 15, 2020 3:45 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FW: ACTION ITEM for RIM Workgroup

Bryan,

The Records team is following up on the below action item. I'm not sure that PA maintains any of the types of data asked for: Bank Secrecy data, Privacy Data, or Financial Supervisory Information ("FSI"). IF such data is maintained, please have the attached spreadsheet completed accordingly. Alternatively, please confirm that PA does not maintain the data.

Thank you,
Russell

From: D'Costa, Russell
Sent: Monday, May 4, 2020 11:01 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Cofield, Joyce <Joyce.Cofield@occ.treas.gov>
Subject: ACTION ITEM for RIM Workgroup

Good morning Bryan and Joyce,

The Records & Information Management Group is requesting that each business unit complete the attached excel spreadsheet to find out which systems within your Business Unit has any of these three CUI categories. This will help with the next step regarding CUI containment/security assessment. Please direct any questions to [Anand Uppor](#). **Please send me any responsive information by COB this Friday**, and I will consolidate and send to RIM.

CUI Information on Bank Secrecy Act data, Privacy Data, and FSI information: We are requesting that each business unit complete the attached excel spreadsheet find out which systems within your Business Unit has these three CUI categories. This will help us for next step regarding CUI containment/security assessment. Please direct any questions to [Anand Uppor](#).

System Name	BSA-FSEC	FSI	PRVCY	System Owner Name
	<i><indicate if system contains</i>	<i><indicate if system contains</i>	<i><indicate if system contains</i>	
<i><enter system name eg: EV></i>	<i>data with an "X"></i>	<i>data with an "X"></i>	<i>data with an "X"></i>	

From: Kennedy, Maryann
Sent: Mon, 15 Jun 2020 21:26:58 +0000
To: Jauquet, William;Gould, Jonathan V;Hubbard, Bryan;Brooks, Brian P;Taylor, Gregory;Richardson, Mark
Cc: Smith, Tanya;Freas, Monica
Subject: RE: [EXTERNAL]OCC cases against Tolstedt et al.

(b)(5)

O Maryann H. Kennedy
 Senior Deputy Comptroller
 Large Bank Supervision
 10W-205, 400 7th St. SW, Washington, DC 20219
 Direct (202) 649-6948 | Mobile (202) 277-6640 | eFax (571) 442-5607
Maryann.Kennedy@OCC.treas.gov

This message is intended for designated recipients only. If you have received this message in error, please delete the original and all copies and notify the sender immediately. Federal law prohibits the disclosure or other use of this information.

From: Jauquet, William <william.jauquet@occ.treas.gov>
Sent: Monday, June 15, 2020 4:58 PM
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>; Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Brooks, Brian P <Brian.Brooks@occ.treas.gov>; Kennedy, Maryann <Maryann.Kennedy@occ.treas.gov>; Taylor, Gregory <Gregory.Taylor@occ.treas.gov>; Richardson, Mark <Mark.Richardson@occ.treas.gov>
Cc: Smith, Tanya <Tanya.Smith@occ.treas.gov>; Freas, Monica <Monica.Freas@occ.treas.gov>
Subject: RE: [EXTERNAL]OCC cases against Tolstedt et al.

Counsel for Michael Bacon, former head of internal investigations, just reached out to Zina because he was contacted by the same reporter asking if Bacon wanted to comment for the story. Bacon's counsel asked for copies of the public filings where Bacon is referenced. Zina is going to refer him to the FOIA reading room.

(b)(5)

- Will

From: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Sent: Monday, June 15, 2020 2:44 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Brooks, Brian P <Brian.Brooks@occ.treas.gov>; Kennedy, Maryann <Maryann.Kennedy@occ.treas.gov>; Taylor, Gregory <Gregory.Taylor@occ.treas.gov>; Richardson, Mark <Mark.Richardson@occ.treas.gov>
Cc: Smith, Tanya <Tanya.Smith@occ.treas.gov>; Freas, Monica <Monica.Freas@occ.treas.gov>; Jauquet, William <william.jauquet@occ.treas.gov>
Subject: Re: [EXTERNAL]OCC cases against Tolstedt et al.

Copying Monica and Will, but

(b)(5)

-Jonathan

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Date: June 15, 2020 at 2:34:25 PM EDT
To: Brooks, Brian P <Brian.Brooks@occ.treas.gov>, Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>, Kennedy, Maryann <Maryann.Kennedy@occ.treas.gov>, Taylor, Gregory <Gregory.Taylor@occ.treas.gov>, Richardson, Mark <Mark.Richardson@occ.treas.gov>
Cc: Smith, Tanya <Tanya.Smith@occ.treas.gov>
Subject: FW: [EXTERNAL]OCC cases against Tolstedt et al.

Afternoon

Kevin Wack, American Banker is writing a story on the litigation against Carrie Tolstedt at Wells based on the public record. He has asked for a comment.

(b)(5)

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Kevin Wack <kevin.wack@arizent.com>
Sent: Monday, June 15, 2020 2:28 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: Collins, Stephanie <Stephanie.Collins@occ.treas.gov>
Subject: [EXTERNAL]OCC cases against Tolstedt et al.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender

From: Jauquet, William
Sent: Mon, 15 Jun 2020 20:58:27 +0000
To: Gould, Jonathan V; Hubbard, Bryan; Brooks, Brian P; Kennedy, Maryann; Taylor, Gregory; Richardson, Mark
Cc: Smith, Tanya; Freas, Monica
Subject: RE: [EXTERNAL]OCC cases against Tolstedt et al.

Counsel for Michael Bacon, former head of internal investigations, just reached out to Zina because he was contacted by the same reporter asking if Bacon wanted to comment for the story. Bacon's counsel asked for copies of the public filings where Bacon is referenced. Zina is going to refer him to the FOIA reading room.

(b)(5)

- Will

From: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Sent: Monday, June 15, 2020 2:44 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Brooks, Brian P <Brian.Brooks@occ.treas.gov>; Kennedy, Maryann <Maryann.Kennedy@occ.treas.gov>; Taylor, Gregory <Gregory.Taylor@occ.treas.gov>; Richardson, Mark <Mark.Richardson@occ.treas.gov>
Cc: Smith, Tanya <Tanya.Smith@occ.treas.gov>; Freas, Monica <Monica.Freas@occ.treas.gov>; Jauquet, William <william.jauquet@occ.treas.gov>
Subject: Re: [EXTERNAL]OCC cases against Tolstedt et al.

Copying Monica and Will,
 -Jonathan

(b)(5)

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Date: June 15, 2020 at 2:34:25 PM EDT
To: Brooks, Brian P <Brian.Brooks@occ.treas.gov>, Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>, Kennedy, Maryann <Maryann.Kennedy@occ.treas.gov>, Taylor, Gregory <Gregory.Taylor@occ.treas.gov>, Richardson, Mark <Mark.Richardson@occ.treas.gov>
Cc: Smith, Tanya <Tanya.Smith@occ.treas.gov>
Subject: FW: [EXTERNAL]OCC cases against Tolstedt et al.

Afternoon

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(b)(5)

Bryan Hubbard

OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Kevin Wack <kevin.wack@arizent.com>
Sent: Monday, June 15, 2020 2:28 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: Collins, Stephanie <Stephanie.Collins@occ.treas.gov>
Subject: [EXTERNAL]OCC cases against Tolstedt et al.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Bryan,

I'm working on a story for tomorrow on the status of the OCC's civil cases against Carrie Tolstedt and four other former Wells Fargo executives, based on what's in the public court record.

The story will report on some of the emails and deposition testimony that have become part of the public record since civil charges were filed in January. It will likely also report on some of the discovery disputes and rulings by the administrative law judge. Please let me know if the OCC would like to comment. I have a 1 p.m. Eastern / 10 a.m. Pacific deadline tomorrow.

Thanks in advance,
Kevin

--

Kevin Wack

Reporter

American Banker

O: 626-486-2341

M: 207-712-4962

kevin.wack@arizent.com

Arizent

One State Street Plaza, 27th Floor

New York, NY 10004

arizent.com

Please note my new email address.

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From: Thornton, Joseph W
Sent: Thu, 11 Jun 2020 18:49:53 +0000
To: Hubbard, Bryan
Subject: Automatic reply: FOIA request per joint examiner training course in 1952/1953--
details about the program

Hello I am teleworking and can be reached via email or (b)(6) Thanks, Joseph

From: Paul Davis
Sent: Wed, 10 Jun 2020 09:45:29 -0400
To: Hubbard, Bryan
Cc: Collins, Stephanie
Subject: Re: [EXTERNAL]checking on a charter application

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Fantastic! Thank you!

On Wed, Jun 10, 2020 at 9:36 AM Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov> wrote:

That application is available in our FOIA electronic reading room.

Bryan Hubbard

OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Paul Davis <paul.davis@arizent.com>
Sent: Wednesday, June 10, 2020 9:30 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: [EXTERNAL]checking on a charter application

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Good morning Bryan. I just noticed that a group is proposing NewBank NA in New York. They've applied for deposit insurance and are pursuing a national charter. Hoping you might have an application on file and can help me with a contact for the organizers.

Any help would be greatly appreciated.

Paul Davis

Editor, Community Banking and M&A

American Banker

(336) 707-3947

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Collins, Stephanie
Sent: Tue, 26 May 2020 20:05:50 +0000
To: Hubbard, Bryan
Cc: Collins, Stephanie
Subject: RE: [Received VIA OCC TLS]Message from Wack Kevin (916264862341)

CCO said it hasn't been updated in at least two weeks. They're working on it now.

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Tuesday, May 26, 2020 1:17 PM
To: Collins, Stephanie <Stephanie.Collins@occ.treas.gov>
Subject: RE: [Received VIA OCC TLS]Message from Wack Kevin (916264862341)

Those items are to be posted in the FOIA ereading room <https://foia-pal.occ.gov/app/ReadingRoom.aspx> in the folder named "Wells Fargo IAP Enforcement Proceeding Filings"

Please check with Greg Taylor to see whether everything has been posted. There are 126 items there. Please walk Kevin through downloading them.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Collins, Stephanie <Stephanie.Collins@occ.treas.gov>
Sent: Tuesday, May 26, 2020 1:04 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FW: [Received VIA OCC TLS]Message from Wack Kevin (916264862341)

Phone message from Kevin Wack, American Banker, requesting copies of pleadings the OCC filed against Carrie Tolstedt, Wells Fargo.

From: Cisco Unity Connection Messaging System <unityconnection@colo-cuc-pub>
Sent: Tuesday, May 26, 2020 12:50 PM
To: press_relations@colo-cuc-pub
Subject: [Received VIA OCC TLS]Message from Wack Kevin (916264862341)

From: Settles, Rosalye A
Sent: Mon, 18 May 2020 20:49:14 +0000
To: Kevin Wack
Cc: Hubbard, Bryan; Vance, Frank
Subject: RE: [EXTERNAL]FOIA request #2020-00144-F

A request for documents has been sent to the business unit. We are waiting for a response.

From: Kevin Wack <kevin.wack@arizent.com>
Sent: Monday, May 18, 2020 10:03 AM
To: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: Re: [EXTERNAL]FOIA request #2020-00144-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

OK, thanks for getting back to me. I also spoke to Frank on Friday.

Best,
Kevin

On Mon, May 18, 2020 at 4:47 AM Settles, Rosalye A <Rosalye.Settles@occ.treas.gov> wrote:
Good Morning, Mr. Wack

This particular request is being processed by another specialist. I will follow up and provide you with information on its status as soon as I can.

Rosalye Settles

From: Kevin Wack <kevin.wack@arizent.com>
Sent: Friday, May 15, 2020 4:21 PM
To: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: [EXTERNAL]FOIA request #2020-00144-F

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Hi Rosalye,

I am writing to you to inquire about the status of a FOIA request that I submitted to the OCC back in February. This is FOIA request #2020-00144-F.

I received an automated reply on Feb. 25 acknowledging that I'd submitted the request. Since then I've heard nothing from OCC. The OCC's FOIA portal lists the status as "assigned for processing."

Can you please provide me the name and contact information of the individual to whom the request has been assigned, so that I can inquire about the current status?

You can also reach me at 626-486-2341.

Thanks,
Kevin Wack

--

Kevin Wack
Reporter
American Banker
O: 626-486-2341
M: 207-712-4962
kevin.wack@arizent.com

Arizent
One State Street Plaza, 27th Floor
New York, NY 10004
arizent.com

Please note my new email address.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

--

Kevin Wack

Reporter

American Banker

O: 626-486-2341

M: 207-712-4962

kevin.wack@arizent.com

Arizent

One State Street Plaza, 27th Floor

New York, NY 10004

arizent.com

Please note my new email address.

From: Kevin Wack
Sent: Mon, 18 May 2020 07:02:41 -0700
To: Settles, Rosalye A
Cc: Hubbard, Bryan; Vance, Frank
Subject: Re: [EXTERNAL]FOIA request #2020-00144-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

OK, thanks for getting back to me. I also spoke to Frank on Friday.
Best,
Kevin

On Mon, May 18, 2020 at 4:47 AM Settles, Rosalye A <Rosalye.Settles@occ.treas.gov> wrote:

Good Morning, Mr. Wack

This particular request is being processed by another specialist. I will follow up and provide you with information on its status as soon as I can.

Rosalye Settles

From: Kevin Wack <kevin.wack@arizent.com>
Sent: Friday, May 15, 2020 4:21 PM
To: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: [EXTERNAL]FOIA request #2020-00144-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Rosalye,

I am writing to you to inquire about the status of a FOIA request that I submitted to the OCC back in February. This is FOIA request #2020-00144-F.

I received an automated reply on Feb. 25 acknowledging that I'd submitted the request. Since then I've heard nothing from OCC. The OCC's FOIA portal lists the status as "assigned for processing."

Can you please provide me the name and contact information of the individual to whom the request has been assigned, so that I can inquire about the current status?

You can also reach me at 626-486-2341.

Thanks,

Kevin Wack

--

Kevin Wack

Reporter

American Banker

O: 626-486-2341

M: 207-712-4962

kevin.wack@arizent.com

Arizent

One State Street Plaza, 27th Floor

New York, NY 10004

arizent.com

Please note my new email address.

--

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

--

Kevin Wack

Reporter

American Banker

O: 626-486-2341

M: 207-712-4962

kevin.wack@arizent.com

Arizent

One State Street Plaza, 27th Floor

New York, NY 10004

arizent.com

Please note my new email address.

From: Settles, Rosalye A
Sent: Mon, 18 May 2020 11:46:48 +0000
To: Kevin Wack
Cc: Hubbard, Bryan;Vance, Frank
Subject: RE: [EXTERNAL]FOIA request #2020-00144-F

Good Morning, Mr. Wack

This particular request is being processed by another specialist. I will follow up and provide you with information on its status as soon as I can.

Rosalye Settles

From: Kevin Wack <kevin.wack@arizent.com>
Sent: Friday, May 15, 2020 4:21 PM
To: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: [EXTERNAL]FOIA request #2020-00144-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Rosalye,

I am writing to you to inquire about the status of a FOIA request that I submitted to the OCC back in February. This is FOIA request #2020-00144-F.

I received an automated reply on Feb. 25 acknowledging that I'd submitted the request. Since then I've heard nothing from OCC. The OCC's FOIA portal lists the status as "assigned for processing."

Can you please provide me the name and contact information of the individual to whom the request has been assigned, so that I can inquire about the current status?

You can also reach me at 626-486-2341.

Thanks,
Kevin Wack

--

Kevin Wack
Reporter

American Banker

O: 626-486-2341

M: 207-712-4962

kevin.wack@arizent.com

Arizent

One State Street Plaza, 27th Floor

New York, NY 10004

arizent.com

Please note my new email address.

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and know the content is safe.

From: Vance, Frank
Sent: Fri, 15 May 2020 21:28:32 +0000
To: Hubbard, Bryan
Subject: RE: [EXTERNAL]FOIA request #2020-00144-F
Importance: High

Spoke to the requester and explained that this is in our backlog, but that I would pull it forward for him. I gave him my number at home to keep in contact, and explained I would move it forward as quickly as possible.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Friday, May 15, 2020 4:28 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: FW: [EXTERNAL]FOIA request #2020-00144-F

Sir, is this one yours?

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Kevin Wack <kevin.wack@arizent.com>
Sent: Friday, May 15, 2020 4:21 PM
To: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: [EXTERNAL]FOIA request #2020-00144-F



CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Rosalye,

I am writing to you to inquire about the status of a FOIA request that I submitted to the OCC back in February. This is FOIA request #2020-00144-F.

I received an automated reply on Feb. 25 acknowledging that I'd submitted the request. Since then I've heard nothing from OCC. The OCC's FOIA portal lists the status as "assigned for processing."

Can you please provide me the name and contact information of the individual to whom the request has been assigned, so that I can inquire about the current status?

You can also reach me at 626-486-2341.

Thanks,
Kevin Wack

--

Kevin Wack
Reporter
American Banker
O: 626-486-2341
M: 207-712-4962
kevin.wack@arizent.com

Arizent
One State Street Plaza, 27th Floor

New York, NY 10004
arizent.com

Please note my new email address.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Vance, Frank
Sent: Mon, 4 May 2020 18:29:46 +0000
To: Hubbard, Bryan
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Wow! Thanks to all of you!



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hubbard, Bryan
Sent: Monday, May 04, 2020 2:29 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Bravo.

Jonathan shared his appreciation

(b)(6)

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Monday, May 4, 2020 2:26 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: Re: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Wow, Frank! This is excellent. I don't think I've ever seen a customer give a compliment like this. You always go that extra mile. Thank you for the support and exceptional service you and your team provide.

You should be proud!

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Date: May 4, 2020 at 1:45:09 PM EDT
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

(b)(6)



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Harris, Judith L. [<mailto:JLHarris@ReedSmith.com>]
Sent: Saturday, May 02, 2020 12:21 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

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and know the content is safe.

FYI...see below. I heard back from Jonathan this morning and he is, needless to say, extremely pleased!!
Hope you are finding ways to enjoy this beautiful day. Judy

Sent with BlackBerry Work
(www.blackberry.com)

From: Harris, Judith L. <JLHarris@ReedSmith.com>

Date: Friday, May 01, 2020, 7:15 PM

To: Jonathan.Gould@occ.treas.gov <Jonathan.Gould@occ.treas.gov>

Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

(b)(6)

(b)(6)

* * *

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From: Gould, Jonathan V
Sent: Mon, 4 May 2020 17:19:55 +0000
To: Hubbard, Bryan
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

(b)(6)

Thank you.

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Saturday, May 2, 2020 4:02 PM
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: Re: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

(b)(6)

From: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Date: May 2, 2020 at 10:23:09 AM EDT
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

(b)(6)

Thank you,
Jonathan

From: Harris, Judith L. <JLHarris@ReedSmith.com>
Date: May 1, 2020 at 7:15:45 PM EDT
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

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Dear Jonathan,

(b)(6)

From: Ludwig, Eugene A. <(b)(6)>
Sent: Wednesday, April 29, 2020 8:29 AM
To: Harris, Judith L. <JLHarris@ReedSmith.com>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

EXTERNAL E-MAIL - From (b)(6)

From: Jonathan Gould <Jonathan.Gould@occ.treas.gov>
Date: Wednesday, April 29, 2020 at 8:21 AM
To: Intro Gene <(b)(6)>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Thank you Gene. Frank Vance, who manages OCC disclosure services including certifications and FOIA, will reach out to her.
-Jonathan

From: Ludwig, Eugene A. <(b)(6)>
Sent: Wednesday, April 29, 2020 7:51 AM
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf
Importance: High

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the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jonathan,

(b)(6)

Warm regards,
Gene

From: Judith Harris <JLHarris@ReedSmith.com>

Date: Tuesday, April 28, 2020 at 6:03 PM

To: Intro Gene (b)(6)

Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

My mobile is (b)(6). My home is (b)(6). My husband's mobile (b)(6) who can usually track me down, is (b)(6). My most accessible e-mails are (b)(6) and jlharris@reedsmith.com. At this latter e-mail address, you might get a bounce-back message, but I am still receiving and sending messages from that address as well as on my (b)(6). THANKS!!!! I'm pretty much available 24-7! Judy

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From: Gould, Jonathan V
Sent: Sat, 2 May 2020 14:23:06 +0000
To: Hubbard, Bryan
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Please see below message of thanks for Frank's help

(b)(6)

(b)(6)

Thank you,
Jonathan

From: Harris, Judith L. <JLHarris@ReedSmith.com>
Date: May 1, 2020 at 7:15:45 PM EDT
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

(b)(6)

From: Ludwig, Eugene A. (b)(6)
Sent: Wednesday, April 29, 2020 8:29 AM
To: Harris, Judith L. <JLHarris@ReedSmith.com>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

EXTERNAL E-MAIL - From (b)(6)

From: Jonathan Gould <Jonathan.Gould@occ.treas.gov>
Date: Wednesday, April 29, 2020 at 8:21 AM
To: Intro Gene (b)(6)

Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Thank you Gene. Frank Vance, who manages OCC disclosure services including certifications and FOIA, will reach out to her.

-Jonathan

From: Ludwig, Eugene A. (b)(6)

Sent: Wednesday, April 29, 2020 7:51 AM

To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>

Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Importance: High

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

(b)(6)

(b)(6)

Warm regards,
Gene

From: Judith Harris <JLHarris@ReedSmith.com>

Date: Tuesday, April 28, 2020 at 6:03 PM

To: Intro Gene (b)(6)

Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

My mobile is (b)(6) My home is (b)(6) My husband's mobile (b)(6) who can usually track me down, is (b)(6) My most accessible e-mails are (b)(6) and jlharris@reedsmith.com. At this latter e-mail address, you might get a bounce-back message, but I am still receiving and sending messages from that address as well as on my (b)(6) THANKS!!!! I'm pretty much available 24-7! Judy

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* * *

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From: Gould, Jonathan V
Sent: Wed, 29 Apr 2020 21:29:19 +0000
To: Hubbard, Bryan; Vance, Frank; Gray, Eden
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Yes, many thanks!

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Date: April 29, 2020 at 5:19:02 PM EDT
To: Vance, Frank <Frank.Vance@occ.treas.gov>, Gray, Eden <Eden.Gray@occ.treas.gov>
Cc: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Perfect! Thank you.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Wednesday, April 29, 2020 5:18 PM
To: Gray, Eden <Eden.Gray@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Hi there!

I was able to help her and was able to provide what she needed. She was very grateful!

FRANK



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Gray, Eden
Sent: Wednesday, April 29, 2020 12:20 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>; Gray, Eden <Eden.Gray@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Hi Frank –

I can assist with the request for Ms. Judith Harris if you determine you need support from the law department once you receive further information from her.

Thank you,

Eden Gray
Assistant Director
Chief Counsel's Office
Phone: 202.649.6211

From: Feldstein, Stuart <Stuart.Feldstein@occ.treas.gov>
Sent: Wednesday, April 29, 2020 11:58 AM
To: Song, Valerie <Valerie.Song@occ.treas.gov>; Gray, Eden <Eden.Gray@occ.treas.gov>
Cc: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Could one of you follow up on this. thanks

From: Gould, Jonathan V
Sent: Wednesday, April 29, 2020 11:50 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Feldstein, Stuart <Stuart.Feldstein@occ.treas.gov>

Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Stuart,

We are still trying to figure out exactly what this person wants, but we think she is looking for some kind of certificate evidencing the transfer of a mortgage from one unit of Wells Fargo to another. (She's gotten certificates from us already showing the transfer of the mortgage from one bank to another by operation of law (i.e., merger)). She needs this documentation to establish clean title for purposes of the sale of real estate.

Do you know whom Frank should work with in Legal on this if they need help?

Thank you,
Jonathan

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Wednesday, April 29, 2020 10:59 AM
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Who should Frank consult with on your team to sort this out?

He contacted Ms. Harris and she's sending documentation, but it may not be clear what action we can/should take.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Sent: Wednesday, April 29, 2020 7:56 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Below please find contact information for the person seeking the certificate. Please let me know if Legal needs to help with anything. Thank you!

From: Ludwig, Eugene A. [REDACTED] (b)(6)
Date: April 29, 2020 at 7:48:19 AM EDT
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web

page-Home.pdf
Importance: High

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jonathan,

(b)(6)

Warm regards,
Gene

From: Judith Harris <JLHarris@ReedSmith.com>

Date: Tuesday, April 28, 2020 at 6:03 PM

To: Intro Gene (b)(6)

Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

My mobile is (b)(6) My home is 2 (b)(6) My husband's mobile (b)(6) who
can usually track me down, is (b)(6) My most accessible e-mails are j (b)(6)
and jlharris@reedsmith.com. At this latter e-mail address, you might get a bounce-back message, but I
am still receiving and sending messages from that address as well as on my (b)(6) THANKS!!!! I'm pretty
much available 24-7! Judy

From: Vance, Frank
Sent: Wed, 29 Apr 2020 21:19:28 +0000
To: Hubbard, Bryan
Subject: RE: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Hi! Just wanted you to know that after several lengthy calls, I was able to provide what she needed. I generated a digitally signed letter from me with a copy of the OCC's actual approval letter of the transaction she needed. She was so thankful (b)(6)

FRANK



**Office of the
Comptroller of the Currency**

Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Vance, Frank
Sent: Wednesday, April 29, 2020 10:57 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: RE: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

I'll keep you posted...



**Office of the
Comptroller of the Currency**

Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hubbard, Bryan
Sent: Wednesday, April 29, 2020 10:46 AM

To: Vance, Frank <Frank.Vance@occ.treas.gov>

Subject: RE: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Thanks. You can have legal help sort it out.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Vance, Frank <Frank.Vance@occ.treas.gov>

Sent: Wednesday, April 29, 2020 10:22 AM

To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>

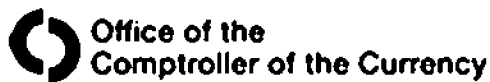
Subject: RE: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Importance: High

Hi!

(b)(6) She is sending me all the documentation momentarily and we will continue the conversation. I'll do what I can do.

Thanks.



**Office of the
Comptroller of the Currency**

Frank D. Vance, Jr.

Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758

DESKTOP FAX: (703) 857-3595

From: Hubbard, Bryan

Sent: Wednesday, April 29, 2020 8:04 AM

To: Vance, Frank <Frank.Vance@occ.treas.gov>

Subject: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Frank,

Jonathan Gould got a question regarding certification regarding the situation below.

Seller is attempting to close the sale of a building. Seller has to show chain of title as a condition of closing. The property in question (or at least the mortgage that was on it) transferred by operation of law from one bank to another through mergers. Seller has obtained a certificate

reflecting that fact. But apparently the mortgage also transferred from one legal entity to another in the same holding company structure, and Seller is under the belief that the OCC also certifies as to that. Does this make any sense to you? The seller has reached out to the OCC but was told the OCC unit was closed due to covid-19 and so was not issuing any certificates.

The individual requesting the certificate is Judy Harris, from Reed Smith.

My mobile is (b)(6) My home is (b)(6) My husband's mobile (b)(6)
who can usually track me down, is (b)(6) My most accessible e-mails are
(b)(6) and jlharris@reedsmith.com

Can you please contact Ms. Harris and see what can be done and work with legal to do what we can?

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Vance, Frank
Sent: Wed, 29 Apr 2020 21:17:39 +0000
To: Gray, Eden
Cc: Hubbard, Bryan; Gould, Jonathan V
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Hi there!

I was able to help her and was able to provide what she needed. She was very grateful!

FRANK



**Office of the
Comptroller of the Currency**

Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Gray, Eden
Sent: Wednesday, April 29, 2020 12:20 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>; Gray, Eden <Eden.Gray@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Hi Frank –

I can assist with the request for Ms. Judith Harris if you determine you need support from the law department once you receive further information from her.

Thank you,

Eden Gray
Assistant Director
Chief Counsel's Office
Phone: 202.649.6211

From: Feldstein, Stuart <Stuart.Feldstein@occ.treas.gov>
Sent: Wednesday, April 29, 2020 11:58 AM
To: Song, Valerie <Valerie.Song@occ.treas.gov>; Gray, Eden <Eden.Gray@occ.treas.gov>
Cc: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Could one of you follow up on this. thanks

From: Gould, Jonathan V
Sent: Wednesday, April 29, 2020 11:50 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Feldstein, Stuart <Stuart.Feldstein@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Stuart,

We are still trying to figure out exactly what this person wants, but we think she is looking for some kind of certificate evidencing the transfer of a mortgage from one unit of Wells Fargo to another. (She's gotten certificates from us already showing the transfer of the mortgage from one bank to another by operation of law (i.e., merger)). She needs this documentation to establish clean title for purposes of the sale of real estate.

Do you know whom Frank should work with in Legal on this if they need help?

Thank you,
Jonathan

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Wednesday, April 29, 2020 10:59 AM
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Who should Frank consult with on your team to sort this out?

He contacted Ms. Harris and she's sending documentation, but it may not be clear what action we can/should take.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Sent: Wednesday, April 29, 2020 7:56 AM

To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>

Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Below please find contact information for the person seeking the certificate. Please let me know if Legal needs to help with anything. Thank you!

From: Ludwig, Eugene A. (b)(6)

Date: April 29, 2020 at 7:48:19 AM EDT

To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>

Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Importance: High

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Jonathan,

(b)(6)

(b)(6)

Warm regards,
Gene

From: Judith Harris <JLHarris@ReedSmith.com>

Date: Tuesday, April 28, 2020 at 6:03 PM

To: Intro Gene (b)(6)

Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

My mobile is (b)(6) My home is (b)(6) My husband's mobile (b)(6) who can usually track me down, is (b)(6) My most accessible e-mails are (b)(6) and jlharris@reedsmith.com. At this latter e-mail address, you might get a bounce-back message, but I am still receiving and sending messages from that address as well as on my (b)(6) THANKS!!!! I'm pretty much available 24-7! Judy

From: Gray, Eden
Sent: Wed, 29 Apr 2020 16:20:26 +0000
To: Vance, Frank
Cc: Hubbard, Bryan;Gould, Jonathan V;Gray, Eden
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Hi Frank –

I can assist with the request for Ms. Judith Harris if you determine you need support from the law department once you receive further information from her.

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Assistant Director
Chief Counsel's Office
Phone: 202.649.6211

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Do you know whom Frank should work with in Legal on this if they need help?

Thank you,

Jonathan

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To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

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Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

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Sent: Wednesday, April 29, 2020 7:56 AM
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Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

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Date: April 29, 2020 at 7:48:19 AM EDT
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Jonathan,

(b)(6)

Warm regards,
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Date: Tuesday, April 28, 2020 at 6:03 PM

To: Intro Gene (b)(6)

Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

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From: Gould, Jonathan V
Sent: Wed, 29 Apr 2020 15:50:27 +0000
To: Hubbard, Bryan;Feldstein, Stuart
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Stuart,

We are still trying to figure out exactly what this person wants, but we think she is looking for some kind of certificate evidencing the transfer of a mortgage from one unit of Wells Fargo to another. (She's gotten certificates from us already showing the transfer of the mortgage from one bank to another by operation of law (i.e., merger)). She needs this documentation to establish clean title for purposes of the sale of real estate.

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To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

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bryan.hubbard@occ.treas.gov
(202) 649-6747

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From: Gould, Jonathan V
Sent: Wed, 29 Apr 2020 12:16:30 +0000
To: Hubbard, Bryan
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

Thank you Bryan.

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Wednesday, April 29, 2020 8:05 AM
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

I will have Frank Vance follow up. If we need additional legal assistance, we'll follow up.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Sent: Wednesday, April 29, 2020 7:56 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
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(b)(6)

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From: Gould, Jonathan V
Sent: Wed, 29 Apr 2020 11:55:44 +0000
To: Hubbard, Bryan
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

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Date: April 29, 2020 at 7:48:19 AM EDT
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf
Importance: High

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(b)(6)

Warm regards,
Gene

From: Judith Harris <JLHarris@ReedSmith.com>

Date: Tuesday, April 28, 2020 at 6:03 PM

To: Intro Gene (b)(6)

Subject: RE: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf

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From: Gould, Jonathan V
Sent: Tue, 28 Apr 2020 22:08:37 +0000
To: Hubbard, Bryan
Subject: FW: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf
Attachments: Office of Comptroller of the Currency's FOIA Web page-Home.pdf
Importance: High

FYI. I have asked Gene and someone from his team for the contact information of the individual as you requested. Will pass it on when I get it. Thank you.

From: Ludwig, Eugene A. [REDACTED] (b)(6)
Sent: Tuesday, April 28, 2020 5:26 PM
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: [EXTERNAL][Sender_Unverified] FW: Office of Comptroller of the Currency's FOIA Web page-Home.pdf
Importance: High

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Jonathan,

Judy sent me the notice about certification cessation we discussed yesterday. She is trying to dig up more information in terms who her mortgage settlement folks might have spoken with at the OCC. She herself as I mentioned, just had no idea who to speak to and is quite concerned she won't be able to close her transaction without the certification.

Thanks for taking a look!! Your awesomely nice to do this,
Warm regards,
Gene

Disclaimer Version RS.US.201.407.01

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FOIA Home

EFFECTIVE IMMEDIATELY, due to COVID-19, the processing of **Certified Documents Requests** has been temporarily suspended. Please **DONOT** submit requests for certified documents at this time. FOIA and Privacy Act Requests will continue to be processed to the fullest extent possible. The specialist(s) will provide updates regarding any pending request statuses. Continue to visit this page for updates. Thank you for your patience.

About FOIA

The Freedom of Information Act (FOIA), 5 USC 552

([http://www.gpo.gov/fdsys/browse/collectionUScode.action?collectionCode=USCODE&searchPath=Title 5/Part I/Chapter 5/SUBCHAPTER II&oldPath=Title 5/Part I/CHAPTER 5&isCollapsed=true&selectedYearFrom=2014&ycord=564](http://www.gpo.gov/fdsys/browse/collectionUScode.action?collectionCode=USCODE&searchPath=Title%205/Part%20I/Chapter%205/SUBCHAPTER%20II&oldPath=Title%205/Part%20I/CHAPTER%205&isCollapsed=true&selectedYearFrom=2014&ycord=564)), serves as the vehicle

to obtain federal agency records, unless the records (or any portion thereof) are protected from disclosure by one of FOIA's nine exemptions or one of its three special law enforcement record exclusions. The OCC's disclosure regulation is located at 12 CFR 4 ([https://www.ecfr.gov/cgi-bin/text-idx?](https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=e1c20319e7e493c474541464e97f1adf&rgn=div5&view=text&node=12:1.0.1.1.4&idno=)

[c=ecfr&SID=e1c20319e7e493c474541464e97f1adf&rgn=div5&view=text&node=12:1.0.1.1.4&idno=](https://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=e1c20319e7e493c474541464e97f1adf&rgn=div5&view=text&node=12:1.0.1.1.4&idno=)

As a bureau of the United States Department of the Treasury, the OCC also complies with Treasury regulations. For further information about the Department of the Treasury's disclosure requirements, visit the Department of the Treasury FOIA site

(<https://home.treasury.gov/footer/freedom-of-information-act>). This Web page provides members of the general public with basic information on how to gain access to records maintained by the Office of the Comptroller of the Currency.

About the Privacy Act

The Privacy Act of 1974, 5 USC 552a, serves as the vehicle whereby individuals can gain access to information about themselves that is maintained in a system of records under the control of a federal agency. If you are requesting records about yourself or records contained in a Privacy Act system of records please attach the required consent and proof of identity documents to your request before submitting.

Submit or Check the Status of an Appeal, FOIA or Privacy Act Request Online

Register to create an online account or Sign In to your existing account, to submit a FOIA or Privacy Act request or an Appeal. As you navigate the request submission steps please follow all prompts, look for red system warnings, and make sure that all required fields are completed. The ability to check the status details of a request, send a message to the assigned specialist, or retrieve records delivered electronically becomes available once signed in.

Submit a Certified Documents Request

Temporarily Unavailable

Search the FOIA Electronic Reading Room

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Feel free to contact us at (202) 649-6700 if you have any questions or issues concerning the submission of a request.

From: Anna Hrushka
Sent: Wed, 22 Apr 2020 15:32:52 -0400
To: Hubbard, Bryan
Subject: [EXTERNAL]Re: Monzo

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Thanks!
Anna

Anna Hrushka
Reporter
[@annahrushka](#) | [LinkedIn](#)
Industry Dive
--

On Wed, Apr 22, 2020 at 3:06 PM Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov> wrote:

Yes, they filed a De Novo application Monday. The public portion is available in the OCC FOIA Public Reading Room.

Bryan Hubbard

OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Anna Hrushka <ahrushka@industrydive.com>
Sent: Wednesday, April 22, 2020 2:30 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: [EXTERNAL]Monzo

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Hi Bryan,

I heard that UK digital bank Monzo has applied for a US banking license through the OCC. Can you confirm if this is true? If so, when did they submit the application?

Thanks,

Anna

Anna Hrushka

Reporter

[@annahrushka](#) | [LinkedIn](#)

Industry Dive

--

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and know the content is safe.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Marcotte, Karen
Sent: Wed, 22 Apr 2020 18:45:42 +0000
To: Hubbard, Bryan; Lybarger, Stephen
Cc: Collins, Stephanie; Knickerbocker, Beth
Subject: RE: Monzo

Hi Bryan,

We received a de novo charter application from Monzo on Monday, 4/20. There is a 5 day delay for CAS to reflect new filings. However, the public portion of the application was posted to FOIA's Electronic Reading Room on Tuesday, 4/21.

Let me know if you need additional information.

Thank you,
Karen

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Wednesday, April 22, 2020 2:39 PM
To: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Marcotte, Karen <Karen.Marcotte@occ.treas.gov>
Cc: Collins, Stephanie <Stephanie.Collins@occ.treas.gov>; Knickerbocker, Beth <Beth.Knickerbocker@occ.treas.gov>
Subject: Monzo

Afternoon

I have a media query suggesting the Monzo, a UK digital bank, has applied to the OCC for a license or charter. I do not see anything in our CAAS system yet.

Can you confirm if they have submitted a public application of any kind?

I see press reports that they currently partner with Sutton Bank in the U.S.

Bryan Hubbard
Deputy Comptroller for Public Affairs
Office of the Comptroller of the Currency
bryan.hubbard@occ.treas.gov
Constitution Center (10W-403)
Washington DC 20219
(202) 649-6870

Page 083

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 084

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 085

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Page 096

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(b)(5)

of the Freedom of Information and Privacy Act

From: Gould, Jonathan V
Sent: Wed, 15 Apr 2020 18:56:59 +0000
To: Taylor, Gregory; Nguyen, Bao; Dowd, Ted
Cc: Freas, Monica; Hattix, Larry; Hubbard, Bryan
Subject: RE: [EXTERNAL] Fw: BuzzFeed FOIA case, no. 19-3024

Makes sense to me. UST ought to pay our legal fees for doing all the work!

From: Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Sent: Wednesday, April 15, 2020 1:57 PM
To: Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>; Nguyen, Bao <Bao.Nguyen@occ.treas.gov>; Dowd, Ted <Ted.Dowd@occ.treas.gov>
Cc: Freas, Monica <Monica.Freas@occ.treas.gov>; Hattix, Larry <Larry.Hattix@occ.treas.gov>; Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FW: [EXTERNAL] Fw: BuzzFeed FOIA case, no. 19-3024

FYI –

Buzzfeed is satisfied with the revised production of TOIG materials, and they have agreed to drop the case if the government pays its attorney fees.

Buzzfeed has not indicated what, if anything, they intend to do with the information that they have received.

(b)(5)

Gregory F. Taylor
Director, Litigation
Office of the Comptroller of the Currency
(202) 649-6306

From: Burch, Alan (USADC) <Alan.Burch@usdoj.gov>
Sent: Wednesday, April 15, 2020 1:27 PM
To: PerezSangimino, Juan P <Juan.PerezSangimino@occ.treas.gov>; Taylor, Gregory <Gregory.Taylor@occ.treas.gov>; Altemus, Amy J. <AltemusA@oig.treas.gov>
Subject: [EXTERNAL] Fw: BuzzFeed FOIA case, no. 19-3024

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Good news from BuzzFeed -- they are dropping their challenges to the records. Pltf counsel will send us an offer to settle its claim for atty fees next week. (b)(5)

(b)(5)

Nice work folks!

From: Burch, Alan (USADC)
Sent: Wednesday, April 15, 2020 1:23 PM
To: Matt Topic <matt@loevy.com>
Cc: FOIA Team <foia@loevy.com>
Subject: Re: BuzzFeed FOIA case, no. 19-3024

(b)(5)

From: Matt Topic <matt@loevy.com>
Sent: Wednesday, April 15, 2020 11:57 AM
To: Burch, Alan (USADC) <ABurch1@usa.doj.gov>
Cc: FOIA Team <foia@loevy.com>
Subject: Re: BuzzFeed FOIA case, no. 19-3024

We're all set on the records. I will send you an offer next week on our fees and costs.

On Tue, Mar 31, 2020 at 6:59 AM Burch, Alan (USADC) <Alan.Burch@usdoj.gov> wrote:
Perfect—thanks!

From: Matt Topic <matt@loevy.com>
Sent: Monday, March 30, 2020 5:50 PM
To: Burch, Alan (USADC) <ABurch1@usa.doj.gov>
Cc: FOIA Team <foia@loevy.com>
Subject: Re: BuzzFeed FOIA case, no. 19-3024

Hi Alan. Thanks for this. It may take a few days for us to sort out and get back to you. No problem with a 14 day extension on all the deadlines in light of this.

On Mon, Mar 30, 2020 at 4:46 PM Burch, Alan (USADC) <Alan.Burch@usdoj.gov> wrote:
Hello Matt,

(b)(5)

I'm happy to discuss further. I anticipate sending those along shortly, assuming I get them all in final form from the agency.

Thanks,
Alan
202-809-8605

--

Matthew Topic

Loevy & Loevy

311 North Aberdeen, 3rd Floor

Chicago, IL 60607

312-789-4973 (direct)

(b)(6)

matt@loevy.com

www.loevy.com/attorneys/matthew-v-topic

[@mvtopic](#)

To schedule a call or meeting, click here: <https://freebusy.io/matt@loevy.com>

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--

Matthew Topic Loevy & Loevy

311 North Aberdeen, 3rd Floor

Chicago, IL 60607

312-789-4973 (direct)

(b)(6)

matt@loevy.com

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From: Taylor, Gregory
Sent: Wed, 15 Apr 2020 17:57:20 +0000
To: Gould, Jonathan V;Nguyen, Bao;Dowd, Ted
Cc: Freas, Monica;Hattix, Larry;Hubbard, Bryan
Subject: FW: [EXTERNAL]Fw: Buzzfeed FOIA case, no. 19-3024

FYI –

Buzzfeed is satisfied with the revised production of TOIG materials, and they have agreed to drop the case if the government pays its attorney fees.

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To: Burch, Alan (USADC) <ABurch1@usa.doj.gov>
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Hello Matt,

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I'm happy to discuss further. I anticipate sending those along shortly, assuming I get them all in final form from the agency.

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Alan
202-809-8605

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Matthew Topic
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(b)(6)

matt@loevy.com

[@mvtopic](http://www.loevy.com/attorneys/matthew-v-topic)

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--

**Matthew Topic
Loevy & Loevy**

311 North Aberdeen, 3rd Floor
Chicago, IL 60607
312-789-4973 (direct)

(b)(6)

matt@loevy.com

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From: Taylor, Gregory
Sent: Wed, 8 Apr 2020 18:57:05 +0000
To: Hubbard, Bryan
Cc: Nguyen, Bao
Subject: FW: NCRC Lawsuit Over CRA FOIA

Bryan –

To complete the circle, and in case you get asked, this is a FOIA suit aimed at the OCC and the FDIC. With regard to the claims against the OCC, NCRC alleges that we have not yet responded to the FOIA request in terms of making any sort of production. They also allege that the FDIC has responded, but that they only had three documents, including an OCC document. They are being sued for not doing a complete search.

Happy to answer any questions.

Greg

From: Nguyen, Bao
Sent: Wednesday, April 8, 2020 1:33 PM
To: Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Cc: Tierney, Patrick <Patrick.Tierney@occ.treas.gov>
Subject: FW: NCRC Lawsuit Over CRA FOIA

(b)(5)

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Wednesday, April 8, 2020 12:48 PM
To: Wides, Barry <Barry.Wides@occ.treas.gov>; Nguyen, Bao <Bao.Nguyen@occ.treas.gov>; Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>
Subject: RE: NCRC Lawsuit Over CRA FOIA

Thank you.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Wides, Barry <Barry.Wides@occ.treas.gov>
Sent: Wednesday, April 8, 2020 12:24 PM
To: Nguyen, Bao <Bao.Nguyen@occ.treas.gov>; Gould, Jonathan V <Jonathan.Gould@occ.treas.gov>; Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: NCRC Lawsuit Over CRA FOIA

FDIC
OCC

Julianne Fisher Breitbeil
Bryan Hubbard

(202) 898-6895
(202) 649-6870

From: Murphy, Kathy
Sent: Tue, 24 Mar 2020 14:43:40 +0000
To: Hubbard, Bryan;Morgan, Morris
Subject: RE: Closure of Federal Record Centers

Thanks Bryan. I think they could do training and IDP items; but would then fall in the guidance today if there job is not possible. Agree?

From: Hubbard, Bryan
Sent: Tuesday, March 24, 2020 10:26 AM
To: Murphy, Kathy <Kathy.Murphy@occ.treas.gov>; Morgan, Morris <Morris.Morgan@occ.treas.gov>
Subject: FW: Closure of Federal Record Centers

(b)(5); (b)(6)

(b)(5); (b)(6)

We will find work (something) for them to do and use the admin leave option when those other waterfall options are exhausted.

(b)(5); (b)(6)

(b)(5); (b)(6)

I am following up with Oliver

(b)(5); (b)(6)

Bryan Hubbard
 OCC Public Affairs
bryan.hubbard@occ.treas.gov
 (202) 649-6747

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Tuesday, March 24, 2020 10:18 AM
To: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: RE: Closure of Federal Record Centers

Jackie – what does this mean for the FOIA staff?

From: England, Jacqueline
Sent: Tuesday, March 24, 2020 10:12 AM
To: Belton, Felicia <Felicia.Belton@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>; Hogan, Gail <Gail.Hogan@occ.treas.gov>; Howard, Rhonda A <Rhonda.Howard@occ.treas.gov>; Satterfield, Kevin <Kevin.Satterfield@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Ware, Kimberly <Kimberly.Ware@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: FW: Closure of Federal Record Centers

Note the FRC is closed

From: OBrien, Susan B

Sent: Tuesday, March 24, 2020 9:46 AM

To: Vance, Frank <Frank.Vance@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>; Merritt, Kristin <Kristin.Merritt@occ.treas.gov>; Marcotte, Karen <Karen.Marcotte@occ.treas.gov>; Friedman, Jason E <Jason.Friedman@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>

Cc: RIM <RIM@occ.treas.gov>; RIM Team <RIMTeam@occ.treas.gov>; Baumgardner, Rusty <Charles.Baumgardner@occ.treas.gov>

Subject: Closure of Federal Record Centers

Hello,

We wanted to share with our “highest” user groups regarding **closure of all Federal Records Centers during this pandemic.**

Please pass this onto your teams as appropriate.

I am informing each district, and will also be informing our broader RIM Workgroup tomorrow. Since recalling records does not impact most OCC employees, I was not planning to send a broad message agency-wide.

Originally FRCs were planning to remain open and we were going to be able to provide “scan on demand” services as needed on a case-by-case basis. However, NARA has changes their decision for safety of their staff which we all agree is the most important.

Therefore, we cannot provide assistance for any paper records stored at any FRC, including all the Corporate History Files and licensing files that used to be stored at HQ.

The Bank Director Oaths are still currently in the RM File Room, however we are in process of scanning these and have some already available – so please let us know and we can see if we have already digitized it.

Finally, if you are still working onsite at OCC HQ (unless policy changes and this is not allowed), and if you have already recalled boxes that are currently in our RM File Room at HQ (room 8E-119), please contact me and we can grant limited access for the day(s) you will be onsite and can work in the file room. We will still require all records to remain in the file room and that you sign in when entering. We have the multipurpose scanner available for your use, and we also have high quality Canon scanners in the room (you need software and specific driver installed on your machine) if that would help with your needs.

The FOIA team already has access to the room, and we ask that you continue to sign the log detailing information you were using whenever you enter the room.

Thank you for understanding this current situation.

Please call me at (b)(6) if you have any questions or concerns.

Best wishes,
Susan

Susan O'Brien, Agency Records Office, CUI & IT Accessibility Programs Manager
Office of the Comptroller of the Currency
400 7th Street, SW Room 3W-401
Washington, DC 20219
Cell 202-981-1547

From: Murphy, Kathy
Sent: Tue, 24 Mar 2020 14:40:40 +0000
To: Hubbard, Bryan
Subject: RE: Closure of Federal Record Centers

Thanks. I was still running that report they requested. How do you want to handle this for tomorrow's discussion?

From: Hubbard, Bryan
Sent: Tuesday, March 24, 2020 10:26 AM
To: Murphy, Kathy <Kathy.Murphy@occ.treas.gov>; Morgan, Morris <Morris.Morgan@occ.treas.gov>
Subject: FW: Closure of Federal Record Centers

(b)(5); (b)(6)

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(b)(5); (b)(6)

(b)(5); (b)(6)

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(b)(5); (b)(6)

Bryan Hubbard
 OCC Public Affairs
bryan.hubbard@occ.treas.gov
 (202) 649-6747

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Sent: Tuesday, March 24, 2020 10:18 AM
To: England, Jacqueline <Jacqueline.England@occ.treas.gov>
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Cc: RIM <RIM@occ.treas.gov>; RIM Team <RIMTeam@occ.treas.gov>; Baumgardner, Rusty <Charles.Baumgardner@occ.treas.gov>

Subject: Closure of Federal Record Centers

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Best wishes,
Susan

Susan O'Brien, Agency Records Office, CUI & IT Accessibility Programs Manager
Office of the Comptroller of the Currency
400 7th Street, SW Room 3W-401
Washington, DC 20219
Cell 202-981-1547

From: Wides, Barry
Sent: Tue, 10 Mar 2020 12:45:39 +0000
To: Vance, Frank
Subject: FW: CRC FOIA Request for CRA-related documents (Request #2020-00071-F)

Frank,
Can you please provide an update for me via email today? The Comptroller asked about this.

Thanks,
Barry

From: Wides, Barry
Sent: Monday, March 9, 2020 11:39 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: Fwd: CRC FOIA Request for CRA-related documents (Request #2020-00071-F)

Frank,
Please see below. Can you please update me on status of this FOIA? Thanks

From: Wides, Barry <Barry.Wides@occ.treas.gov>
Date: March 5, 2020 at 11:49:00 AM EST
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: Gardineer, Grovetta <Grovetta.Gardineer@occ.treas.gov>, Key, Steven <Steven.Key@occ.treas.gov>
Subject: CRC FOIA Request for CRA-related documents (Request #2020-00071-F)

(b)(5)

Thanks,
Barry

From: Key, Steven <Steven.Key@occ.treas.gov>
Sent: Thursday, January 9, 2020 3:18 PM
To: Murphy, Donna <Donna.Murphy@occ.treas.gov>; Crum, Indira <Indira.Crum@occ.treas.gov>; Wides, Barry <Barry.Wides@occ.treas.gov>; Bellesi, Karen <Karen.Bellesi@occ.treas.gov>; Kennedy, Bobbie K <Bobbie.Kennedy@occ.treas.gov>; Eanes, Vonda <Vonda.Eanes@occ.treas.gov>; Carrier, Michael <Michael.Carrier@occ.treas.gov>
Cc: Gardineer, Grovetta <Grovetta.Gardineer@occ.treas.gov>; Cross, Shannon <Shannon.Cross@occ.treas.gov>; Reymann, Paul <Paul.Reymann@occ.treas.gov>; Green, Tahira <Tahira.Green@occ.treas.gov>; Fix, Janet <Janet.Fix@occ.treas.gov>
Subject: RE: Please Respond: FOIA Request for CRA-related documents (Request #2020-00071-F)

All,

You may stop your searches for responsive documents. With respect to BSP, the FOIA office is focused on items #3 and #4 and will work with IT to facilitate that search. The FOIA office has marked the request as closed with respect to BSP. For those who have already searched, thank you very much.

Steven

From: Key, Steven

Sent: Tuesday, January 7, 2020 8:55 AM

To: Murphy, Donna <Donna.Murphy@occ.treas.gov>; Crum, Indira <Indira.Crum@occ.treas.gov>; Wides, Barry <Barry.Wides@occ.treas.gov>; Bellesi, Karen <Karen.Bellesi@occ.treas.gov>; Kennedy, Bobbie K <Bobbie.Kennedy@occ.treas.gov>; Eanes, Vonda <Vonda.Eanes@occ.treas.gov>

Cc: Gardineer, Grovetta <Grovetta.Gardineer@occ.treas.gov>; Cross, Shannon <Shannon.Cross@occ.treas.gov>; Reymann, Paul <Paul.Reymann@occ.treas.gov>; Green, Tahira <Tahira.Green@occ.treas.gov>

Subject: Please Respond: FOIA Request for CRA-related documents (Request #2020-00071-F)

Importance: High

We have received a FOIA request for certain Community Reinvestment Act related documents. Please read the descriptions below of the four categories of requested documents carefully. The request is seeking documents dated or created September 5, 2018, to the present.

Please search your documents, including emails, and –

- ***If you do not have responsive documents***, please let me know by email.
- ***If you have responsive documents***, please send them by email to [Rosalve Settles](mailto:Rosalve.Settles@occ.treas.gov) and copy me by no later than Monday, January 20. Include the FOIA Request #2020-00071-F in the subject line.

If you believe others in BSP may have responsive documents, please forward this email to those individuals and copy me.

Please let me know if you have any questions.

Thanks,
Steven

From: Rosalve.Settles@occ.treas.gov <Rosalve.Settles@occ.treas.gov>

Sent: Monday, January 6, 2020 11:49 AM

To: Key, Steven <Steven.Key@occ.treas.gov>

Cc: Green, Tahira <Tahira.Green@occ.treas.gov>

Subject: [EXTERNAL]Request for Documents for #2020-00071-F

--

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request for Documents for Request # '2020-00071-F'. Your response due date is: 1/21/2020 12:00:00 AM
 Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Nitin Shah (Democracy Forward Foundation)** for

1. All emails related to the revision of the Community Reinvestment Act regulations whose sender and/or recipient fields include one or more email addresses with a top-level domain ".com," ".org," or ".edu." This does not include comments filed in the public rulemaking docket number OCC-2018-0008, "Reforming the Community Reinvestment Act Regulatory Framework."
2. All records containing or reflecting communications, conversations, complaints, interpretations, decisions or actions taken relating to whether public comments related to the Advanced Notice of Proposed Rulemaking (ANPR) "Reforming the Community Reinvestment Act Regulatory Framework" were fabricated, manufactured, or otherwise not authored by the putative signatory.
3. All records containing or reflecting communications to or from Comptroller Joseph Otting or Deputy Comptroller for Community Affairs Barry Wides concerning or relating to California Reinvestment Coalition (CRC) or the American Banker articles "BankThink Why is OCC scared of public input?" or "Setting the record straight on CRA reform."
4. All records containing or reflecting communications from Deputy Comptroller for Community Affairs Barry Wides to persons or entities outside the government seeking corrections of or responding to statements, whether inside or outside the ANPR/rulemaking process, by such persons or entities about the OCC effort to revise the Community Reinvestment Act regulations.

The timeline for this search is September 5, 2018 to the date the search is completed. Please search for records regardless of format, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical materials. This request includes, without limitation, all correspondence, letters, emails, text messages, calendar entries, facsimiles, telephone messages, voice mail messages, and transcripts, notes, minutes, or audio or video recordings of any meetings, telephone conversations, or discussions. In searching for responsive records, however, please exclude publicly available materials such as news clips that mention otherwise responsive search terms. [see attached letter].

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or

further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. **Please do not refer this request yourself.**

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Rosalyn Settles** by close of business on **January 21, 2020**. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6768**.

Thank you for your assistance.

CAUTION: This email originated from outside of the organization. Do not open attachments or click links unless you recognize the sender and know the content is safe.

From: Gould, Jonathan V
Sent: Tue, 10 Mar 2020 12:00:29 +0000
To: Nguyen, Bao;Hubbard, Bryan
Subject: RE: Chairman Meeks Fed Data_10mar20

(b)(5)

Thank you,
Jonathan

From: Nguyen, Bao <Bao.Nguyen@occ.treas.gov>
Sent: Monday, March 9, 2020 6:54 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Gould, Jonathan V
<Jonathan.Gould@occ.treas.gov>
Subject: Chairman Meeks Fed Data_10mar20

Bryan

I spoke to Joseph about this. Please see my suggested edits. Let's chat if you have any questions. Joseph wanted to see the draft again after you and I were done.

Thanks

From: Taylor, Gregory
Sent: Thu, 5 Mar 2020 13:57:58 +0000
To: Hubbard, Bryan; Freas, Monica; Jauquet, William
Subject: RE: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

(b)(5)

Greg

From: Hubbard, Bryan
Sent: Wednesday, March 4, 2020 6:39 PM
To: Freas, Monica <Monica.Freas@occ.treas.gov>; Jauquet, William <william.jauquet@occ.treas.gov>; Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Subject: Re: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

Thanks. I have multiple requests that I will direct to my team.

From: Freas, Monica <Monica.Freas@occ.treas.gov>
Date: March 4, 2020 at 6:36:53 PM EST
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>, Jauquet, William <william.jauquet@occ.treas.gov>, Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Subject: FW: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

Hello Bryan: Passing along this message below. We had given a heads up that FOIA would be the entry point for requests for filed documents in the proceedings. My understanding is that the FOIA office would contact Litigation when these requests come in, but Greg can confirm process from there. Best, Monica

Monica Fuentes Freas
Director
Enforcement and Compliance Division
Office of the Comptroller of the Currency
Constitution Center, 400 7th Street, S.W., 9E-11
Washington, D.C. 20219
Ph: (202) 649-6228
Fax: (571) 442-5725 (digital fax)

From: Freas, Monica
Sent: Wednesday, January 29, 2020 9:37 AM

To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Jauquet, William <william.jauquet@occ.treas.gov>
Cc: Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Subject: FW: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

FYI.. the ALJ has been provided the contact information below for the Wells matter. MF

From: Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Date: January 28, 2020 at 6:09:03 PM EST
To: Freas, Monica <Monica.Freas@occ.treas.gov>
Subject: FW: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

FYI

From: Taylor, Gregory
Sent: Tuesday, January 28, 2020 6:09 PM
To: cmcneil@FDIC.gov
Subject: FW: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

Dear Judge McNeil –

Thank you for the email. We can give you a couple of points of contact:

- Requests from the media should be directed to our Press Office at (202) 649-6870. We generally do not comment on pending litigation.
- Requests for records relating to a particular case should be directed to the OCC's FOIA office: <https://occ.gov/about/connect-with-us/foia/index-foia.html>

I hope that this is responsive to your request. Let me know if I can help you further.

Gregory F. Taylor
Director, Litigation
Office of the Comptroller of the Currency
(202) 649-6306

This message is intended for designated recipients only. If you have received this message in error, please delete the original and all copies and notify the sender immediately. Federal law prohibits the disclosure or other use of this information.

From: McNeil, Christopher B. <cmcneil@FDIC.gov>

Sent: Friday, January 24, 2020 10:55 AM

To: Hearing Clerk <HearingClerk@occ.treas.gov>

Subject: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

Received via OCC Secure Mail

This message was sent securely using Zix®

In the Designation Order I issued yesterday in the case of OCC/Tolstedt, et al., I included an order regarding OFIA's response to inquiries into the status of the case. In that Order I stated the following:

Access to Public Records

Although the Office of Financial Institution Adjudication (OFIA) is a governmental entity and thus presumptively subject to laws providing for public access to its records, it functions as a repository of records held for the benefit of its four constituent agencies: the Federal Reserve Board, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, and the National Credit Union Administration – collectively here, the Agencies.

In performing its functions, OFIA acts on behalf of the Agencies. When OFIA receives documents, and when it generates documents, it does so exclusively in its capacity as the entity designated to act on behalf of one of the Agencies. In this capacity, OFIA is not independent of the Agency for whom it is acting, but instead serves as that Agency's delegatee.

I will in this administrative matter instruct OFIA staff members to direct all requests for copies of documents maintained by OFIA to the public records office of the Office of the Comptroller of the Currency. Upon receipt of a request for copies of documents (including requests to inspect such documents on site), OFIA staff members will be directed to contact the Freedom of Information Act officer of the OCC. OFIA staff shall also provide the requester with contact information for the OCC's Freedom of Information Act officer in charge.

Consistent with this Order, would you please provide me with contact information within the OCC that OFIA staff members may supply in response to inquiries for information regarding the status of OCC/Tolstedt? This may be someone in the OCC's public information office or its FOIA office, or perhaps someone in the office of the Hearing Clerk or its executive staff.

Thanks,
Chris McNeil

Christopher B. McNeil
Administrative Law Judge
Office of Financial Institution Adjudication
c/o Federal Deposit Insurance Corporation (FDIC)
Room VS-D-8080
Phone: (703) 562-6366

Email: (b)(6)

This message was secured by **Zix**[®].

From: Freas, Monica
Sent: Wed, 4 Mar 2020 23:36:51 +0000
To: Hubbard, Bryan;Jauquet, William;Taylor, Gregory
Subject: FW: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

Hello Bryan: Passing along this message below. We had given a heads up that FOIA would be the entry point for requests for filed documents in the proceedings. My understanding is that the FOIA office would contact Litigation when these requests come in, but Greg can confirm process from there. Best, Monica

Monica Fuentes Freas
Director
Enforcement and Compliance Division
Office of the Comptroller of the Currency
Constitution Center, 400 7th Street, S.W., 9E-11
Washington, D.C. 20219
Ph: (202) 649-6228
Fax: (571) 442-5725 (digital fax)

From: Freas, Monica
Sent: Wednesday, January 29, 2020 9:37 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Jauquet, William <william.jauquet@occ.treas.gov>
Cc: Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Subject: FW: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

FYI.. the ALJ has been provided the contact information below for the Wells matter. MF

From: Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Date: January 28, 2020 at 6:09:03 PM EST
To: Freas, Monica <Monica.Freas@occ.treas.gov>
Subject: FW: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

FYI

From: Taylor, Gregory
Sent: Tuesday, January 28, 2020 6:09 PM
To: cmcneil@FDIC.gov
Subject: FW: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

Dear Judge McNeil –

Thank you for the email. We can give you a couple of points of contact:

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- Requests for records relating to a particular case should be directed to the OCC's FOIA office: <https://occ.gov/about/connect-with-us/foia/index-foia.html>

I hope that this is responsive to your request. Let me know if I can help you further.

Gregory F. Taylor
Director, Litigation
Office of the Comptroller of the Currency
(202) 649-6306

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From: McNeil, Christopher B. <cmcneil@FDIC.gov>
Sent: Friday, January 24, 2020 10:55 AM
To: Hearing Clerk <HearingClerk@occ.treas.gov>
Subject: [Received VIA OCC TLS]Inquiries for information regarding the status of cases, in re OCC/Tolstedt et al.

Received via OCC Secure Mail

This message was sent securely using Zix®

In the Designation Order I issued yesterday in the case of OCC/Tolstedt, et al., I included an order regarding OFIA's response to inquiries into the status of the case. In that Order I stated the following:

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In performing its functions, OFIA acts on behalf of the Agencies. When OFIA receives documents, and when it generates documents, it does so exclusively in its capacity as the entity

designated to act on behalf of one of the Agencies. In this capacity, OFIA is not independent of the Agency for whom it is acting, but instead serves as that Agency's delegatee.

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Consistent with this Order, would you please provide me with contact information within the OCC that OFIA staff members may supply in response to inquiries for information regarding the status of OCC/Tolstedt? This may be someone in the OCC's public information office or its FOIA office, or perhaps someone in the office of the Hearing Clerk or its executive staff.

Thanks,
Chris McNeil

Christopher B. McNeil
Administrative Law Judge
Office of Financial Institution Adjudication
c/o Federal Deposit Insurance Corporation (FDIC)
Room VS-D-8080
Phone: (703) 562-6366
Email: cmcneil@fdic.gov

This message was secured by **Zix**®.

From: Taylor, Gregory
Sent: Wed, 4 Mar 2020 21:57:11 +0000
To: Jauquet, William; Hubbard, Bryan; Freas, Monica
Subject: RE: Administrative Law Docket

This is correct. It eventually ends up with a FOIA to the OCC.

Greg

From: Jauquet, William
Sent: Wednesday, March 4, 2020 4:55 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Freas, Monica <Monica.Freas@occ.treas.gov>; Taylor, Gregory <Gregory.Taylor@occ.treas.gov>
Subject: RE: Administrative Law Docket

The ALJs will direct folk to our FOIA office. Someone between either the OCC's hearing clerk or someone in Frank Vance's shop should provide them.

They are not posted publicly anywhere. But unless filed under seal, they are FOIA – able

From: Hubbard, Bryan
Sent: Wednesday, March 4, 2020 4:46 PM
To: Freas, Monica <Monica.Freas@occ.treas.gov>; Jauquet, William <william.jauquet@occ.treas.gov>
Subject: Administrative Law Docket

Where can reporters public look up Administrative Law docket for proceedings against the Wells executives?

Bryan Hubbard
Deputy Comptroller for Public Affairs
Office of the Comptroller of the Currency
bryan.hubbard@occ.treas.gov
Constitution Center (10W-403)
Washington DC 20219
(202) 649-6870

From: Jauquet, William
Sent: Wed, 4 Mar 2020 21:55:29 +0000
To: Hubbard, Bryan; Freas, Monica; Taylor, Gregory
Subject: RE: Administrative Law Docket

The ALJs will direct folk to our FOIA office. Someone between either the OCC's hearing clerk or someone in Frank Vance's shop should provide them.

They are not posted publicly anywhere. But unless filed under seal, they are FOIA – able

From: Hubbard, Bryan
Sent: Wednesday, March 4, 2020 4:46 PM
To: Freas, Monica <Monica.Freas@occ.treas.gov>; Jauquet, William <william.jauquet@occ.treas.gov>
Subject: Administrative Law Docket

Where can reporters public look up Administrative Law docket for proceedings against the Wells executives?

Bryan Hubbard
Deputy Comptroller for Public Affairs
Office of the Comptroller of the Currency
bryan.hubbard@occ.treas.gov
Constitution Center (10W-403)
Washington DC 20219
(202) 649-6870

From: England, Jacqueline
Sent: Tue, 3 Mar 2020 20:03:44 +0000
To: Kurtin, Noelle M;Vance, Frank
Cc: Hubbard, Bryan;Hogan, Gail
Subject: RE: FOIA request related to CRA

Thanks for the heads up. We will check in as it relates to this and other CRA requests.

Gail Hogan is the specialist assigned to this current request, be sure to include her on communications relating to this case.

Jackie

From: Kurtin, Noelle M
Sent: Tuesday, March 3, 2020 10:47 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FOIA request related to CRA

Frank/Jackie,

Bao mentioned that the OCC has received a FOIA request related to the data supporting the recent Community Reinvestment Act (CRA) notice of proposed rulemaking (NPR).

(b)(5)

Thanks,
Noelle

Noelle M. Kurtin

Senior Advisor to Senior Deputy Comptroller and Chief Counsel
Office of the Comptroller of the Currency
400 7th Street, SW
Washington, DC 20219
(202) 649-6243 - phone
(202) 674-1407 - mobile
Noelle.Kurtin@occ.treas.gov

From: Kurtin, Noelle M
Sent: Tue, 3 Mar 2020 15:46:36 +0000
To: Vance, Frank;England, Jacqueline
Cc: Hubbard, Bryan
Subject: FOIA request related to CRA

Frank/Jackie,

Bao mentioned that the OCC has received a FOIA request related to the data supporting the recent Community Reinvestment Act (CRA) notice of proposed rulemaking (NPR).

(b)(5)

Thanks,
Noelle

Noelle M. Kurtin

Senior Advisor to Senior Deputy Comptroller and Chief Counsel
Office of the Comptroller of the Currency
400 7th Street, SW
Washington, DC 20219
(202) 649-6243 - phone
(202) 674-1407 - mobile
Noelle.Kurtin@occ.treas.gov

From: Vance, Frank
Sent: Fri, 28 Feb 2020 15:09:24 +0000
To: Hubbard, Bryan
Subject: RE: Keeping My Old HP for Longer than Required

Thank you sir!



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hubbard, Bryan
Sent: Friday, February 28, 2020 10:06 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; Sharp, Elsie <Elsie.Sharp@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Subject: RE: Keeping My Old HP for Longer than Required

Approved.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Vance, Frank
Sent: Friday, February 28, 2020 10:05 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Sharp, Elsie <Elsie.Sharp@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Subject: RE: Keeping My Old HP for Longer than Required
Importance: High

All I need is an email that says you formally approve. Once I receive that, I need to submit a GET HELP ticket and include that approval.

Thanks



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hubbard, Bryan
Sent: Friday, February 28, 2020 8:54 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; Sharp, Elsie <Elsie.Sharp@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Subject: RE: Keeping My Old HP for Longer than Required

Is an email all you need for this and his staff?

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Vance, Frank
Sent: Monday, February 24, 2020 8:06 AM
To: Sharp, Elsie <Elsie.Sharp@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: RE: Keeping My Old HP for Longer than Required

We are in the process of getting our SDC approval.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Sharp, Elsie
Sent: Monday, February 24, 2020 7:52 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: RE: Keeping My Old HP for Longer than Required

If you have a justified business need to keep your old Windows 7 computer, follow the guidance in this [knowledge base article](#) to request approval for this extension **before February 28**.

- For **non-ITS employees**, extension requests require manager and SDC approval.
- For **ITS employees**, extension requests require manager, Senior Leader Team (SLT), Chief Information Officer (CIO), and SDC approval.

From: Robinson, Oliver
Sent: Friday, February 21, 2020 3:56 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Sharp, Elsie <Elsie.Sharp@occ.treas.gov>
Subject: RE: Keeping My Old HP for Longer than Required

Frank – how long will you need to keep your office HP laptop for the FOIA project?

Elsie – I approve this request pending Bryan’s response.

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Vance, Frank
Sent: Friday, February 21, 2020 3:38 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: Keeping My Old HP for Longer than Required
Importance: High

Currently I am operating with my old HP computer. I am in the midst of working with Litigation on a sensitive matter that requires heavy redaction using FOIAXpress. As the other new computers have been deployed throughout my unit, there have been some downtime while the “bugs” are fixed. I can’t afford this with the project at hand.

Further, I received no docking station for the new computer for my dual monitor set up.

Additionally, there is another HP laptop, deployed by IT and configured to handle Lotus Approach that is used to create the CRA data for the monthly press release. It sits in 6W-412. It needs to be active and not "quarantined" or we will be unable to provide that data.

Can you please approve and pass on. They require manager approval and SDC approval.



Frank D. Vance, Jr.

Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758

DESKTOP FAX: (703) 857-3595

From: Robinson, Oliver
Sent: Fri, 28 Feb 2020 13:52:35 +0000
To: Hubbard, Bryan
Subject: Automatic reply: Keeping My Old HP for Longer than Required

Hello -

Thanks for your e-mail.

I am out of the office. If you need immediate assistance, please contact Frank Vance (FOIA) on 202-649-6758.

To submit requests for editorial, design, or print help, please submit your request using our form:
<http://occnet.occ/edit-design-print> Someone will contact you.

Thank you,
Oliver Robinson

From: Hubbard, Bryan
Sent: Fri, 31 Jul 2020 14:03:05 +0000
To: Hicks, Hannah E
Cc: Koch, Peter
Subject: RE: FOIA Supplemental Records Collection

Knock yourselves out.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Hicks, Hannah E <Hannah.Hicks@occ.treas.gov>
Sent: Friday, July 31, 2020 10:02 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: Koch, Peter <Peter.Koch@occ.treas.gov>
Subject: FOIA Supplemental Records Collection

Good morning,

The National Community Reinvestment Coalition (NCRC) has filed a Freedom of Information Act (FOIA) lawsuit against the OCC. The OCC has recently produced to NCRC records responsive to the underlying FOIA request. You are receiving this email because you are among four individuals identified by NCRC in connection with a request that the OCC perform a supplemental records search. The Litigation Group believes that it would be beneficial to our position to conduct the supplemental search. The Litigation Group will apply search terms to identify and review potentially responsive emails. Any records collected will be redacted pursuant to applicable exemptions.

Should you have any questions, please do not hesitate to contact me at 202-860-4306 or hannah.hicks@occ.treas.gov.

Thank you for your assistance in this matter.

Sincerely,

Hannah Hicks
Litigation Group
(202) 649-7081 (office)
(202) 860-4306 (cell)
hannah.hicks@occ.treas.gov

From: Hubbard, Bryan
Sent: Thu, 9 Jul 2020 19:42:22 +0000
To: Philip Rosenstein; Collins, Stephanie
Subject: RE: [EXTERNAL]Law360 - SoFi Applies for National Bank Charter

I can confirm that it has been submitted and the public portion should be available in the FOIA electronic reading room tomorrow.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Philip Rosenstein <philip.rosenstein@law360.com>
Sent: Thursday, July 9, 2020 3:33 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Collins, Stephanie <Stephanie.Collins@occ.treas.gov>
Subject: [EXTERNAL]Law360 - SoFi Applies for National Bank Charter

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Hubbard, Bryan
Sent: Tue, 16 Jun 2020 14:05:32 +0000
To: Uppor, Anand
Cc: OBrien, Susan B;D'Costa, Russell
Subject: RE: ACTION ITEM for RIM Workgroup

How do you want to address BankNet, Examiners Library, FOIA, and internal Congressional Correspondence.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Uppor, Anand <Anand.Uppor@occ.treas.gov>
Sent: Tuesday, June 16, 2020 8:10 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: OBrien, Susan B <Susan.OBrien@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: RE: ACTION ITEM for RIM Workgroup

Bryan,
Good morning, FSI: Related to information connected to an agency's responsibilities **to supervise, examine, and evaluate a financial institution.** Based on my experience working on PA products only systems that hold those category data are CRA and Enforcement Actions applications and underlying databases. Let me know if you have any further questions. Thank you.

Regards,
Anand Uppor,PMP,CSM,PMI-ACP,CISA,CCSK
IT Project Manager, Policy & Information Systems Application Service Delivery
Office of Management Information Technology Services [3W-113]
Office of the Comptroller of the Currency
202-649-5873 (O)
202-368-3755 (C)
Banking on Customer Service – Visit our OM Portal

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Monday, June 15, 2020 3:50 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>; Uppor, Anand <Anand.Uppor@occ.treas.gov>
Subject: RE: ACTION ITEM for RIM Workgroup

What is FSI?

Bryan Hubbard

OCC Public Affairs
bryan.hubbard@occ.treas.gov
 (202) 649-6747

From: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Sent: Monday, June 15, 2020 3:45 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FW: ACTION ITEM for RIM Workgroup

Bryan,

The Records team is following up on the below action item. I'm not sure that PA maintains any of the types of data asked for: Bank Secrecy data, Privacy Data, or Financial Supervisory Information ("FSI"). IF such data is maintained, please have the attached spreadsheet completed accordingly. Alternatively, please confirm that PA does not maintain the data.

Thank you,
 Russell

From: D'Costa, Russell
Sent: Monday, May 4, 2020 11:01 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Cofield, Joyce <Joyce.Cofield@occ.treas.gov>
Subject: ACTION ITEM for RIM Workgroup

Good morning Bryan and Joyce,

The Records & Information Management Group is requesting that each business unit complete the attached excel spreadsheet to find out which systems within your Business Unit has any of these three CUI categories. This will help with the next step regarding CUI containment/security assessment. Please direct any questions to [Anand Uppor](#). **Please send me any responsive information by COB this Friday**, and I will consolidate and send to RIM.

CUI Information on Bank Secrecy Act data, Privacy Data, and FSI information: We are requesting that each business unit complete the attached excel spreadsheet find out which systems within your Business Unit has these three CUI categories. This will help us for next step regarding CUI containment/security assessment. Please direct any questions to [Anand Uppor](#).

System Name	BSA-FSEC	FSI	PRVCY	System Owner Name
<enter system name eg: EV>	<indicate if system contains data with an "x">	<indicate if system contains data with an "x">	<indicate if system contains data with an "x">	

From: Hubbard, Bryan
Sent: Thu, 11 Jun 2020 18:49:50 +0000
To: Saunders, Fleming
Cc: Thornton, Joseph W
Subject: RE: FOIA request per joint examiner training course in 1952/1953--details about the program

Thanks.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Saunders, Fleming <Fleming.Saunders@occ.treas.gov>
Sent: Thursday, June 11, 2020 2:42 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: Thornton, Joseph W <Joseph.Thornton@occ.treas.gov>
Subject: FOIA request per joint examiner training course in 1952/1953--details about the program

Bryan,

Per your inquiry, I contacted Tom Munz after Gail Hogan in the FOIA office asked me if I knew anything about a joint training examiner school in 1953.

As a follow-up, Joseph Thornton of the Library found references to the training program in "Minutes of Actions taken by the Board of Governors" at a meeting on September 16, 1952 (attached).

According to the Fed minutes, the Interagency Bank Examination School for newly appointed assistant examiners began in Washington DC on September 15 (the day before the Fed meeting) and was scheduled to last five weeks. The school opened with a total 36 individuals enrolled, 12 from the Federal Reserve Banks, 12 from the regional offices of the Federal Insurance Deposit Corporation, and 12 from the Federal Reserve Banks, and 12 from the regional offices of the Comptroller of the Currency, with instructors from the three agencies. A Fed official noted that \$2,000 in currency would be used as part of the course, under the watchful eye of Fed examiner Glenn M. Goodman.

Fleming

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Thursday, June 11, 2020 9:26 AM
To: Saunders, Fleming <Fleming.Saunders@occ.treas.gov>
Subject: FW: [EXTERNAL]1953

Fleming

What is this about?

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Tom Munz <munzconsulting@gmail.com>
Sent: Thursday, June 11, 2020 9:20 AM
To: Tom Munz <MunzT@aol.com>
Subject: [EXTERNAL]1953

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The last time we had a request for OCC history it was for 1918 Spanish Flu. This time we are moving up a few decades.

Requesting information related to a FOIA request: The request is asking for any information about school for bank examiners the OCC set up with the FDIC and the FEDs in 1953. The requester is asking for documents supporting the school (any

memos describing its origin, training material etc.) Anyone have any information or memory if this school existed, if it was an OCC school, The name of the school, the location of the school and if the school was on the OCC premises.

If you any information please feel free to forward it to me or send it directly to Fleming Saunders (fleming.saunders@occ.treas.gov).

(b)(6)

Tom

please email me if you wish to be removed from this distribution list

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From: Hubbard, Bryan
Sent: Thu, 11 Jun 2020 13:25:32 +0000
To: Saunders, Fleming
Subject: FW: [EXTERNAL]1953

Fleming

What is this about?

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Tom Munz <munzconsulting@gmail.com>
Sent: Thursday, June 11, 2020 9:20 AM
To: Tom Munz <MunzT@aol.com>
Subject: [EXTERNAL]1953

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The last time we had a request for OCC history it was for 1918 Spanish Flu. This time we are moving up a few decades.

Requesting information related to a FOIA request: The request is asking for any information about school for bank examiners the OCC set up with the FDIC and the FEDs in 1953. The requester is asking for documents supporting the school (any memos describing its origin, training material etc.) Anyone have any information or memory if this school existed, if it was an OCC school, The name of the school, the location of the school and if the school was on the OCC premises.

If you any information please feel free to forward it to me or send it directly to Fleming Saunders (fleming.saunders@occ.treas.gov).

(b)(6)

Tom

please email me if you wish to be removed from this distribution list

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From: Cohen, Arnie
Sent: Fri, 7 Aug 2020 18:22:27 +0000
To: Moore, Carrie
Subject: RE: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F

Do not know

From: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Sent: Friday, August 7, 2020 2:05 PM
To: Zaman, Nida <Nida.Zaman@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>; Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F

Laura Lyon has been in touch on their bill. Since this request is so limited in timeframe, not sure if there are other names to search or not.
Arnie, do you know of others?

From: Zaman, Nida <Nida.Zaman@occ.treas.gov>
Sent: Friday, August 7, 2020 1:57 PM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>; Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F

Who's the staffer we are in touch with?

From: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Sent: Friday, August 7, 2020 1:56 PM
To: Zaman, Nida <Nida.Zaman@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>; Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F
Importance: High

All,
FOIA received a request for "correspondence or memoranda between employees of the agency and representatives of Congressman Van Taylor (TX-3), from June 1st, 2020 to the present." I have confirmed with the FOIA folks that this request includes both formal written correspondence to the agency as well as email correspondence between OCC and Rep. Taylor staff. Please search your emails for any responsive documents and provide to Jackie before 8/20.

Thanks,
Carrie

From: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Sent: Thursday, August 6, 2020 4:33 PM
To: DeLeon, Ralph <Ralph.DeLeon@occ.treas.gov>; Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: England, Jacqueline <Jacqueline.England@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F
Importance: High

Hi Ralph and Carrie,

Below is a new FOIA request that came in. Ralph, I think you're team may have info responsive to #1 and Carrie I think your team would have anything responsive to #2 below.

Please send any responsive documents your teams may have to Jacquie England, copied on this email by 8/20/20 as indicated in the highlighted below.

Thank you,
Russell

Russell C. D'Costa
Executive Assistant to the Comptroller
Office of the Comptroller of the Currency
U.S. Department of the Treasury
Office:202-649-8283; Mobile:202-740-0939; Fax:1-571-918-6980

From: jacqueline.england@occ.treas.gov <jacqueline.england@occ.treas.gov>
Sent: Thursday, August 6, 2020 2:06 PM
To: Goya, Zully <Zully.Goya@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F

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attachments unless you recognize the sender and know the content is safe.

You have received this email message from FOIAXpress Request for Documents. Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Jon Sussman (UNITE HERE)** seeking the following:

1. **Any correspondence or memoranda between employees of the agency and representatives of the American Hotel and Lodging Association (AHLA), from June 1st, 2020 to the present. The context for the communications with the American Hotel and Lodging Association is any discussion of pending legislation, in particular proposed coronavirus relief legislation. Email addresses for the AHLA should end in "@ahla.com".**
2. **Any correspondence or memoranda between employees of the agency and representatives of Congressman Van Taylor (TX-3), from June 1st, 2020 to the present.**

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. **Please do not refer this request yourself.**

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Jacqueline England** by close of business on **August 20, 2020**. Be sure to include the quantity of records you are forwarding and the associated search time. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6763**.

Thank you for your assistance.

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From: D'Costa, Russell
Sent: Fri, 27 Mar 2020 20:16:36 +0000
To: Moore, Carrie
Cc: Spellacy, Patti; Rowe, William
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00184-F

Carrie, please see the below FOIA request we received today from **Elizabeth Gray (DCCC)** for **copies of all logs of congressional correspondence to or from any officials at the OCC and Rep. Brian Fitzpatrick between January 1, 2017 and March 16, 2020.** Please forward all responsive information or documents to to **Rhonda Howard** by close of business on **April 10, 2020.** Let me know if you have any questions.

Thanks,
Russell

From: rhonda.howard@occ.treas.gov <rhonda.howard@occ.treas.gov>
Sent: Friday, March 27, 2020 4:12 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00184-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You have received this email message from FOIAXpress Request for Documents. Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Elizabeth Gray (DCCC)** for **copies of all logs of congressional correspondence to or from any officials at the OCC and Rep. Brian Fitzpatrick between January 1, 2017 and March 16, 2020.**

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. **Please do not refer this request yourself.**

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Rhonda Howard** by close of business on **April 10, 2020**. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6766**.

Thank you for your assistance.

From: Settles, Rosalye A
Sent: Mon, 27 Jan 2020 13:56:27 +0000
To: Spellacy, Patti
Cc: Moore, Carrie;D'Costa, Russell
Subject: RE: [EXTERNAL]Request for Documents for #2020-00090-F

Good Morning, Patti

I was out of the office on Friday and just seeing your message. Thank you for the documents. I will close out the Request for Documents as completed.

Enjoy your week.

From: Spellacy, Patti
Sent: Friday, January 24, 2020 8:49 AM
To: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Moore, Carrie <Carrie.Moore@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: RE: [EXTERNAL]Request for Documents for #2020-00090-F

Hi Rosalye – Please find attached responsive correspondence. If you have any questions, please let me know.

From: D'Costa, Russell
Sent: Tuesday, January 14, 2020 10:56 AM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Iñiguez, Diane <Diane.Iniguez@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: Fwd: [EXTERNAL]Request for Documents for #2020-00090-F

Good morning Carrie,

Please see the below FOIA request.

For written correspondence, I believe your team should be able to produce all letters, etc.

For the electronic correspondence between your team and the respective staffs, I think a list of emails addresses of the respective staff members and congressmen would be needed so that our IT team could pull and search. Can you please have a list of those email addresses put together? I will then send that list to Diane and her team to have an e-discovery search ran when I submit the e-discovery request.

Please let me know if there is anything further I can do on my end to assist.

Russell

From: Rosalye.Settles@occ.treas.gov <Rosalye.Settles@occ.treas.gov>

Date: January 14, 2020 at 10:00:30 AM EST

To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>

Cc: Rowe, William <William.Rowe@occ.treas.gov>

Subject: [EXTERNAL]Request for Documents for #2020-00090-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request for Documents for Request # '2020-00090-F'. Your response due date is: 1/29/2020 12:00:00 AM
Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Allied Progress, a project of Accountable.US**) for access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and January 13, 2020 for the following Congress persons:

Sen. Mitch McConnell; Sen. Rand Paul; Sen. Mike Lee; Sen. Mitt Romney; Rep. Rob Bishop; Rep. John Curtis; Rep. Ben McAdams; Rep. Chris Stewart; Rep. James Comer; Rep. Brett Guthrie; Rep. John Yarmuth; Rep. Thomas Massie; Rep. Hal Rogers; Rep. Andy Barr; Specifically, correspondence that contain any of the following keywords or phrases: "Republic Bank" "Elastic" "FinWise" "All West" "Rent-A-Bank" "Rent A Bank" "Valid-When-Made" "12 CFR Part 7" "12 CFR Part 160" "RIN 1557-AE73" Please see the attached [see attached letter].

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive

information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. Please do not refer this request yourself.

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to Rosalye Settles by close of business on January 29, 2020. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. Do not create any responsive records.

Helpful information is located at the Disclosure Services Web Site. Also consult with FOIA PPM 2100-15 (REV). Guidelines for conducting searches can be found by consulting our FOIA Processing Quick Tips.

Feel free to direct any questions to me at **202-649-6768**.

Thank you for your assistance.

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From: Spellacy, Patti
Sent: Fri, 24 Jan 2020 13:49:19 +0000
To: Settles, Rosalye A
Cc: Moore, Carrie;D'Costa, Russell
Subject: RE: [EXTERNAL]Request for Documents for #2020-00090-F
Attachments: CONGR-2019-0054 Request - McHenry, et al (Madden - Valid When Made).pdf, Rep. Barr (10-9-19).pdf

Hi Rosalye – Please find attached responsive correspondence. If you have any questions, please let me know.

From: D'Costa, Russell
Sent: Tuesday, January 14, 2020 10:56 AM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Iñiguez, Diane <Diane.Iniguez@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: Fwd: [EXTERNAL]Request for Documents for #2020-00090-F

Good morning Carrie,

Please see the below FOIA request.

For written correspondence, I believe your team should be able to produce all letters, etc.

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Please let me know if there is anything further I can do on my end to assist.

Russell

From: Rosalye.Settles@occ.treas.gov <Rosalye.Settles@occ.treas.gov>
Date: January 14, 2020 at 10:00:30 AM EST
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL]Request for Documents for #2020-00090-F

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Request for Documents for Request # '2020-00090-F'. Your response due date is: 1/29/2020 12:00:00 AM
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I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. Please do not refer this request yourself.

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to Rosalye Settles by close of business on January 29, 2020. Be sure to include

the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6768**.

Thank you for your assistance.

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Congress of the United States
Washington, DC 20515

September 19, 2019

The Honorable Joseph Otting
Comptroller of the Currency
Office of the Comptroller of the Currency
400 7th Street, NW
Washington, D.C. 20219

Dear Comptroller Otting,

We write regarding the legal doctrine of “valid when made” and the ability of financial institutions to partner with non-bank financial technology (fintech) firms to provide credit to consumers and businesses throughout our nation.

As you know, in 2015, the Second Circuit Court of Appeals held in *Madden v. Midland Funding* (*Madden*) that the National Bank Act allows federally chartered banks to charge interest according to the laws of their home state on loans that they make nationwide. However, the court also ruled that when non-banks purchase loans from federally chartered banks on the secondary market, the usury laws of other states can apply.

The *Madden* decision deviated from the legal precedent of “valid when made,” which provides that if a loan’s interest rate is valid in the state where it is originated, the loan continues to be valid when transferred to a third party in another state. The “valid when made” doctrine has been central to U.S. banking law for more than a century, and by abandoning that principle, *Madden* has caused significant uncertainty and disruption in many types of lending programs.

The *Madden* decision has resulted in a fragmented interpretation of banking law in our country, which threatens bank-fintech partnerships that can often provide small businesses and consumers with better access to capital and financing alternatives. This outcome has the potential to affect all types of securitized debt, which impacts access to credit and lenders’ risk and liquidity management activities.

Some evidence shows that credit availability has declined in states directly impacted by the *Madden* decision, with a particularly severe reduction in credit to borrowers with lower credit scores who may lack access to traditional lending sources.¹ Additionally, bank-fintech partnerships have since been challenged in courts in other jurisdictions, which presents the possibility that other federal circuits could adopt a similar ruling.

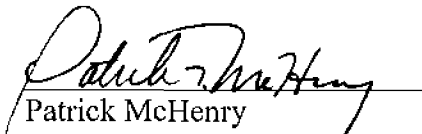
¹ Colleen Honigsberg, Robert Jackson, and Richard Squire, *How Does Legal Enforceability Affect Consumer Lending? Evidence from a Natural Experiment*, THE JOURNAL OF LAW AND ECONOMICS, October 2017, available at https://ccl.yale.edu/sites/default/files/files/LEO18_Honigsberg.pdf.

This uncertainty hinders the efficient and effective operation of credit markets and impedes fintech innovation, because non-bank third parties, such as marketplace lenders, may be discouraged from purchasing, servicing, or securitizing loans originated by banks and credit unions because of the risk of litigation. At a time when policymakers are working to sustain economic growth and prosperity over the long term, we believe it is unwise to artificially limit access to credit in this manner.

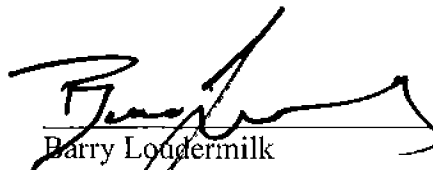
Fortunately, we believe administrative solutions to mitigate the consequences of the *Madden* decision are available and achievable. Specifically, the OCC has the authority to update its interpretation of the definition of “interest” under the National Bank Act to ensure that our nation’s policies governing usury laws are applied on a clear, consistent basis nationwide. We appreciate the OCC’s and the FDIC’s expression of support for the “valid when made” doctrine in the agencies’ recent amicus brief filed to the U.S. District Court for the District of Colorado in *Rent-Rite Super Kegs Ltd. v. World Business Lenders, LLC*. We also note that the Treasury Department’s July 2018 report on fintech recommended that the federal banking regulators use their available authorities to address the impacts of the *Madden* decision. We request that this issue be made a priority on the OCC’s rulemaking agenda.

We appreciate your attention to this matter and look forward to finding a workable solution that will benefit American consumers and small businesses. Please do not hesitate to reach out if we can be of assistance.

Sincerely,



Patrick McHenry
Member of Congress



Barry Loudermilk
Member of Congress



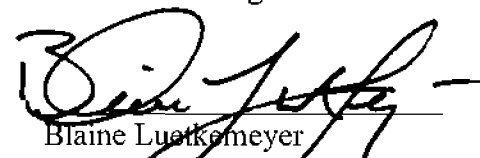
French Hill
Member of Congress



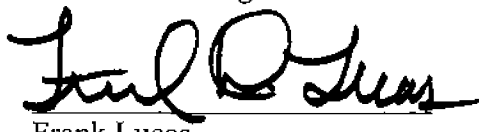
Ted Budd
Member of Congress



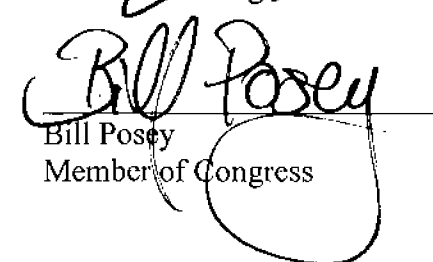
Ann Wagner
Member of Congress



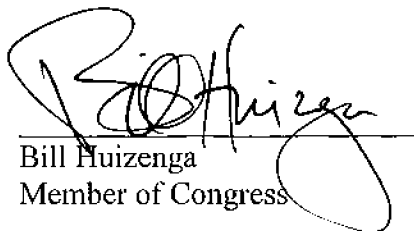
Blaine Luetkemeyer
Member of Congress



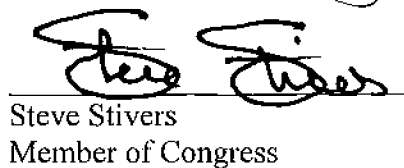
Frank Lucas
Member of Congress



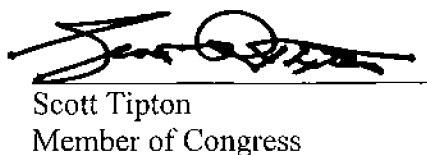
Bill Posey
Member of Congress



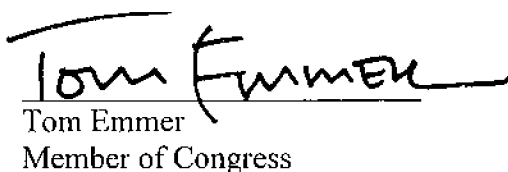
Bill Huizenga
Member of Congress



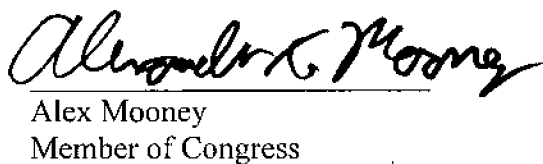
Steve Stivers
Member of Congress



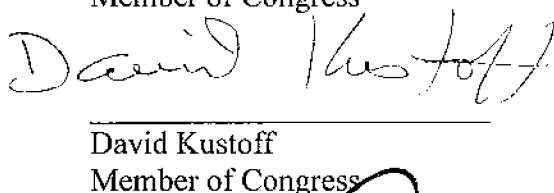
Scott Tipton
Member of Congress



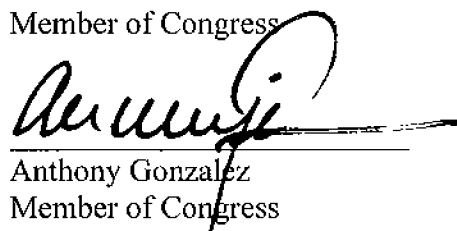
Tom Emmer
Member of Congress



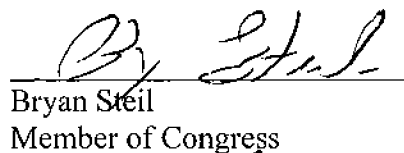
Alex Mooney
Member of Congress



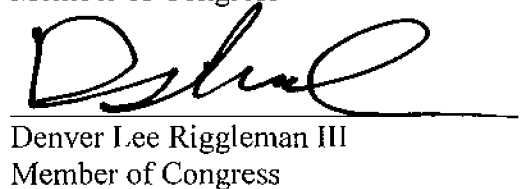
David Kustoff
Member of Congress



Anthony Gonzalez
Member of Congress



Bryan Steil
Member of Congress



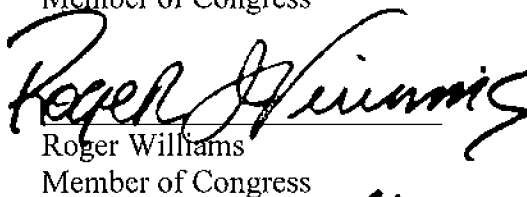
Denver Lee Riggleman III
Member of Congress



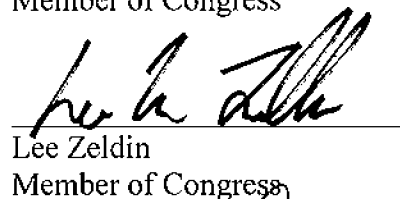
Sean Duffy
Member of Congress



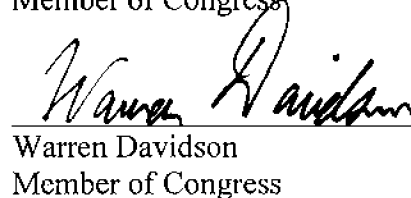
Andy Barr
Member of Congress



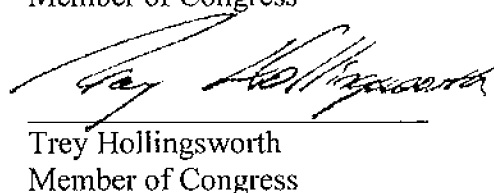
Roger Williams
Member of Congress



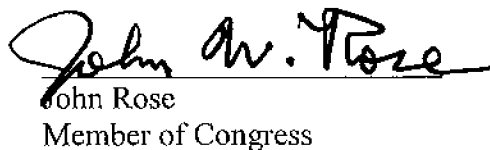
Lee Zeldin
Member of Congress



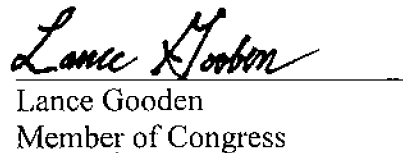
Warren Davidson
Member of Congress



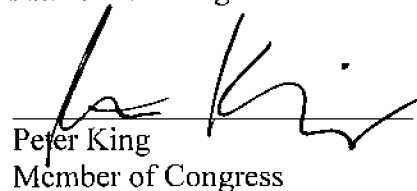
Trey Hollingsworth
Member of Congress



John Rose
Member of Congress



Lance Gooden
Member of Congress



Peter King
Member of Congress



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Andy Barr
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Barr:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

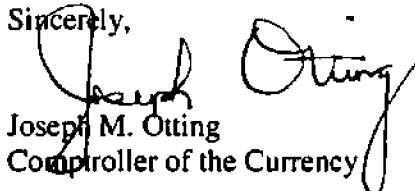
In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

As you noted, the *Madden* decision deviated from the long-established valid-when-made doctrine, which provides that, if the interest-rate term in a bank’s original loan agreement was non-usurious, the loan does not become usurious upon assignment, and so the assignee may lawfully charge interest at the original rate. The valid-when-made doctrine supports commercial needs and fundamental fairness and is consistent with general principles of contract law.

We agree that administrative solutions to mitigate the consequences of the *Madden* decision may be available. As we have stated before, the Office of the Comptroller of the Currency (OCC) believes that the *Madden* case was wrongly decided. We first took this position in a 2016 *amicus* brief filed in the U.S. Supreme Court, in which the OCC and the U.S. Solicitor General stated that the *Madden* decision was incorrect. Just a few weeks ago, we reiterated this view in an *amicus* brief we filed jointly with the FDIC in the U.S. District Court for the District of Colorado in *Rent-Rite Super Kegs West Ltd. v. World Business Lenders, LLC*. We continue to consider all options, including providing regulatory clarity, to provide more certainty to the banks we regulate.

We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency

From: Moore, Carrie
Sent: Fri, 7 Aug 2020 20:46:05 +0000
To: Sizelove, Khrystal
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F

Hi Khrystal,
 I wanted to share this with you in case you also have responsive emails. Mr. Brooks and Rep. Taylor spoke on 6/18.
 Thanks.

From: Moore, Carrie
Sent: Friday, August 7, 2020 1:56 PM
To: Zaman, Nida <Nida.Zaman@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>; Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F
Importance: High

All,
 FOIA received a request for "correspondence or memoranda between employees of the agency and representatives of Congressman Van Taylor (TX-3), from June 1st, 2020 to the present." I have confirmed with the FOIA folks that this request includes both formal written correspondence to the agency as well as email correspondence between OCC and Rep. Taylor staff. Please search your emails for any responsive documents and provide to Jackie before 8/20.

Thanks,
 Carrie

From: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Sent: Thursday, August 6, 2020 4:33 PM
To: DeLeon, Ralph <Ralph.DeLeon@occ.treas.gov>; Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: England, Jacqueline <Jacqueline.England@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F
Importance: High

Hi Ralph and Carrie,

Below is a new FOIA request that came in. Ralph, I think you're team may have info responsive to #1 and Carrie I think your team would have anything responsive to #2 below.

Please send any responsive documents your teams may have to Jacquie England, copied on this email by 8/20/20 as indicated in the highlighted below.

Thank you,
Russell

Russell C. D'Costa
Executive Assistant to the Comptroller
Office of the Comptroller of the Currency
U.S. Department of the Treasury
Office:202-649-8283; Mobile:202-740-0939; Fax:1-571-918-6980

From: jacqueline.england@occ.treas.gov <jacqueline.england@occ.treas.gov>
Sent: Thursday, August 6, 2020 2:06 PM
To: Goya, Zully <Zully.Goya@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F

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You have received this email message from FOIAExpress Request for Documents. Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Jon Sussman (UNITE HERE)** seeking the following:

1. **Any correspondence or memoranda between employees of the agency and representatives of the American Hotel and Lodging Association (AHLA), from June 1st, 2020 to the present. The context for the communications with the American Hotel and Lodging Association is any discussion of pending legislation, in particular proposed coronavirus relief legislation. Email addresses for the AHLA should end in "@ahla.com".**
2. **Any correspondence or memoranda between employees of the agency and representatives of Congressman Van Taylor (TX-3), from June 1st, 2020 to the present.**

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. **Please do not refer this request yourself.**

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Jacqueline England** by close of business on **August 20, 2020**. Be sure to include the quantity of records you are forwarding and the associated search time. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6763**.

Thank you for your assistance.

From: Moore, Carrie
Sent: Fri, 7 Aug 2020 19:55:38 +0000
To: Cohen, Arnie
Subject: RE: FOIA Request for Documents for #2020-00351-F

Thanks. Appreciate it!

From: Cohen, Arnie <Arnie.Cohen@occ.treas.gov>
Sent: Friday, August 7, 2020 3:46 PM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Subject: RE: FOIA Request for Documents for #2020-00351-F

Will do

From: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Sent: Friday, August 7, 2020 3:37 PM
To: Cohen, Arnie <Arnie.Cohen@occ.treas.gov>; Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: RE: FOIA Request for Documents for #2020-00351-F

Arnie, can you please take out the internal emails? The request is only for correspondence between the OCC and the Rep Taylor office. Thanks.

From: Cohen, Arnie <Arnie.Cohen@occ.treas.gov>
Sent: Friday, August 7, 2020 2:45 PM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>; Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: FOIA Request for Documents for #2020-00351-F

Attached as requested – a lot of emails (external with Laura and internally-related). Not sure if all the internally-related apply to the request but still included.

Thanks

From: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Sent: Friday, August 7, 2020 1:56 PM
To: Zaman, Nida <Nida.Zaman@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>; Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F
Importance: High

All,
FOIA received a request for “correspondence or memoranda between employees of the agency and representatives of Congressman Van Taylor (TX-3), from June 1st, 2020 to the present.” I have confirmed with the FOIA folks that this request includes both formal written correspondence to the agency as well as email correspondence between OCC and Rep. Taylor staff. Please search your emails for any responsive documents and provide to Jackie before 8/20.

Thanks,
Carrie

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Sent: Thursday, August 6, 2020 4:33 PM
To: DeLeon, Ralph <Ralph.DeLeon@occ.treas.gov>; Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: England, Jacqueline <Jacqueline.England@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F
Importance: High

Hi Ralph and Carrie,

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Please send any responsive documents your teams may have to Jacquie England, copied on this email by 8/20/20 as indicated in the highlighted below.

Thank you,
Russell

Russell C. D'Costa
Executive Assistant to the Comptroller
Office of the Comptroller of the Currency
U.S. Department of the Treasury
Office:202-649-8283; Mobile:202-740-0939; Fax:1-571-918-6980

From: jacqueline.england@occ.treas.gov <jacqueline.england@occ.treas.gov>
Sent: Thursday, August 6, 2020 2:06 PM
To: Goya, Zully <Zully.Goya@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00351-F



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To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Jacqueline England** by close of business on **August 20, 2020**. Be sure to include

the quantity of records you are forwarding and the associated search time. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

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Feel free to direct any questions to me at **202-649-6763**.

Thank you for your assistance.

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From: Moore, Carrie
Sent: Thu, 21 May 2020 18:51:47 +0000
To: Spellacy, Patti
Subject: RE: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

Bryan is aware of this. Please send to Frank through your normal process. Thank you!

From: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Sent: Thursday, May 21, 2020 2:32 PM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

Carrie – As requested, responsive documents are attached.

From: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Sent: Tuesday, May 19, 2020 9:12 AM
To: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

Patti,
I think this is a request for our letters re: Wells Sales practices. Before you send, please let me know and I will make sure Bryan is aware of the request from the Banker reporter, and our response.
Thanks.

From: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Sent: Tuesday, May 19, 2020 9:04 AM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

Good morning Carrie,

Please see the FOIA request received for the information highlighted below. Please have any responsive documents sent to Frank Vance by June 1st.

Thank you,
Russell

From: frank.vance@occ.treas.gov <frank.vance@occ.treas.gov>
Sent: Friday, May 15, 2020 5:17 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

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You have received this email message from FOIAXpress Request for Documents. Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Kevin Wack (American Banker)** for * a copy of any letter or letters sent by Comptroller Joseph Otting to Sen. Michael Crapo during June 2018; * a copy of any letter or letters sent by Comptroller Joseph Otting to Sen. Sherrod Brown during June 2018; * a copy of any letter or letters sent by Comptroller Joseph Otting to Rep. Jeb Hensarling during June 2018; and * a copy of any letter or letters sent by Comptroller Joseph Otting to Rep. Maxine Waters during June 2018. (Date Range for Record Search: From 06/01/2018 To 06/30/2018).

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. **Please do not refer this request yourself.**

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Frank Vance** by close of business on **June 1, 2020**. Be sure to include the quantity

of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

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Feel free to direct any questions to me at **202-649-6758**.

Thank you for your assistance.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Moore, Carrie
Sent: Thu, 21 May 2020 18:42:40 +0000
To: Hubbard, Bryan
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F
Attachments: Response - Crapo, Brown, Hensarling, Waters (Wells Sales Practices).pdf

Bryan,
FYI, American Banker's Kevin Wack submitted a FOIA for letters sent by Comptroller Joseph Otting to Sens. Michael Crapo, Brown, Reps. Hensarling or Waters during June 2018. Responsive docs are attached – which are our WF sales practices letter. I wanted to let you know as an FYI before we send this to Frank Vance.

Let me know if you have any questions.
Carrie

From: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Sent: Thursday, May 21, 2020 2:32 PM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

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Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

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To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
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Disclosure Services has received a Freedom of Information Act request from **Kevin Wack (American Banker)** for * a copy of any letter or letters sent by Comptroller Joseph Otting to Sen. Michael Crapo during June 2018; * a copy of any letter or letters sent by Comptroller Joseph Otting to Sen. Sherrod Brown during June 2018; * a copy of any letter or letters sent by Comptroller Joseph Otting to Rep. Jeb Hensarling during June 2018; and * a copy of any letter or letters sent by Comptroller Joseph Otting to Rep. Maxine Waters during June 2018. (Date Range for Record Search: From 06/01/2018 To 06/30/2018).

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. **Please do not refer this request yourself.**

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Frank Vance** by close of business on **June 1, 2020**. Be sure to include the quantity

of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6758**.

Thank you for your assistance.

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



Office of the Comptroller of the Currency

Washington, DC 20219

June 11, 2018

The Honorable Mike Crapo
Chairman
Committee on Banking, Housing, and Urban Affairs
United States Senate
Washington, D.C. 20510

Dear Chairman Crapo:

On September 20, 2016, then Comptroller of the Currency Thomas Curry testified before the U.S. Senate Banking Committee regarding the Office of the Comptroller of the Currency's (OCC) public enforcement action against Wells Fargo Bank for reckless unsafe and unsound sales practices. At that time, Comptroller Curry announced the agency would conduct a horizontal review of sales practices at large and midsize banks with significant retail consumer sales activities to assess the sufficiency of controls with respect to these practices. The review included more than 40 national banks and federal savings associations and began in October 2016. The review focused on sales practices related to consumer or small business deposit, loan, and private banking or wealth management products or services for which incentives are offered to employees. Field work for this horizontal review concluded in the fourth quarter 2017. Throughout this process, the OCC issued supervisory letters to each bank included in the horizontal review. Now that the horizontal review has been completed, this letter provides additional information regarding the OCC's findings and related actions by the OCC and participating banks.

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- Phase 3 focused on large and midsize insured depository institutions with assets greater than \$50 billion to determine if their Heightened Standards Risk Governance

Frameworks effectively controlled risks associated with sales practices and incentive compensation programs.¹

The OCC coordinated with the Bureau of Consumer Financial Protection, the Federal Deposit Insurance Corporation, and the Federal Reserve Board throughout the review. Other federal banking agencies conducted similar reviews of institutions they supervise. The review consumed a significant portion of the examination staff resources assigned to OCC's Large Bank Supervision and Midsize and Community Bank Supervision units.

At the conclusion of each phase, the OCC shared with each bank details of examiners' findings, conclusions, and required actions to address any identified gaps. Consistent with its supervision process, the OCC documents issues requiring attention through the use of "matters requiring attention" (MRA), which are communicated through supervisory letters or reports of examination. Exam findings and material used to support those conclusions are confidential supervisory information and are not released to the public. MRAs detail deficiencies banks are required to correct in a timely and effective manner. Examiners monitor the corrective action and verify its completion before closing an MRA. Failure to resolve an MRA in a timely and effective manner can result in additional supervisory action, including public enforcement action.

Findings and Actions

Prior to the 2016 Wells Fargo enforcement action and the Sales Practices Horizontal Review, few banks approached risk governance over sales practices in an enterprise-wide, holistic manner. Accordingly, the review identified several common weaknesses in policies, procedures, and controls and in banks' risk governance frameworks related to account opening, account closing, account management, employee complaints, and employee fraud or misconduct. These common weaknesses were documented in MRAs issued to the participating banks. Most banks received MRAs regarding one or more of these common weaknesses. These MRAs were focused primarily on actions to strengthen operational risk governance and policies and procedures, and were not based upon findings related to unauthorized account openings.

Where warranted, the agency issued a few bank-specific MRAs based on the facts and circumstances related to the bank for a total of more than 250 MRAs. These MRAs primarily focused on governance-related issues specific to the operations and practices of the bank, such as incentive compensation program design, third-party vendor oversight, and suspicious activity report filing procedures. The number of MRAs opened as a result of the review did not materially change the overall volume of outstanding MRAs among institutions within the federal banking system. The type of weaknesses varied from bank to bank and were not systemic. The review identified limited, bank-specific instances of accounts being opened without proof of customer consent. The most common factors involved either short-term sales promotions without adequate risk controls, deficient account opening and closing procedures, or isolated instances of employee misconduct with no clear connection to sales goals, incentives, or quota programs.

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While examiners found several common issues related to policies and risk governance and some bank-specific findings, the review did not identify systemic issues with bank employees opening accounts without the customer's consent.

Based on the OCC's review of the banks' practices, the corrective actions underway, and the nature of the issues found, the OCC determined that issuing MRAs was the appropriate supervisory response. Examiners continue to monitor banks' corrective actions through the regular course of the agency's supervision. Bank failure to implement corrective actions identified through MRAs can result in additional supervisory and enforcement actions, within the OCC's authority. The OCC's authority includes a range of escalating supervisory and enforcement actions, both public and nonpublic.

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Several banks have established new governance infrastructure specifically focused on continual oversight of sales practices and incentive program design and execution, with explicit committees, cross-functional teams, risk units, or individuals empowered to oversee and monitor sales practices on an enterprise-wide basis. Banks are also working to better aggregate data from multiple sources across their organization to identify possible patterns of employee misconduct or related concerns in a timely manner.

Incentive Plan Design and Management

Since the launch of the horizontal review, many banks have reassessed the design of their incentive compensation programs, with a lens focused on the potential for unintended outcomes. The OCC has observed a shift to a more customer-centric focus, with the intent to reduce the potential for undue sales pressure, unauthorized account opening, or other inappropriate conduct.

Numerous banks have recalibrated incentives to provide more balance between customer satisfaction and production targets, with several using customer satisfaction survey results as a core component in determining incentive eligibility or payout amounts.

Regarding the design of incentive programs, some banks have redefined the types of account opening activity that qualifies for incentives. Such changes include incentives paid only on accounts that are fully activated and used by the customer, or based on either account usage or new money (thereby excluding from incentive consideration a shift of funds from an existing account in the bank). Some banks have also recalibrated incentives to measure employee productivity over a longer time frame (e.g. quarterly, semi-annually, or annually), or to focus more on team or unit productivity versus individual employee performance. And some banks have reduced or eliminated higher incentives linked to specific products in order to reduce the risk of employees steering customers to those products or services that offer higher incentive payouts.

Account Opening and Closing Policies, Procedures, and Controls

Across the board, banks have implemented more robust account opening and closing policies, procedures, and controls designed to reduce the potential for inappropriate activities or unauthorized account opening. Several banks are contacting customers shortly after account

opening to confirm their knowledge of the new product, but also to assess customer satisfaction. Some banks have also expanded their use of mystery shoppers to monitor and assess the sales practices of their customer-facing staff. Additionally, several banks have revised policies and procedures to obtain and retain documentation more consistently to demonstrate customer consent at account opening, including a physical signature or other evidence of consent, both for credit card accounts and other types of products and services.

Management Information Systems—Employee Misconduct Analysis and Reporting

Examiners observed a number of new, more forward-looking management information systems metrics and alerts designed to identify and escalate unauthorized account opening or other employee misconduct in a timely manner. Some banks have developed, or are working to develop, robust sales practices dashboards or surveillance reporting, leveraging data from multiple sources to monitor sales activity, with the ability to track activity at various levels (e.g. region, branch, individual employee). Most banks have also enhanced internal reporting to promote prompt escalation of potential issues to executive management and their boards as warranted.

Internal Complaints, Whistleblowers, and Ethics Hotlines

As a result of the review, banks have taken action to strengthen internal complaint and feedback mechanisms. Among them is more frequent executive-level messaging to promote employee awareness of and encourage usage of available tools and resources to report inappropriate conduct or other similar issues or concerns. Several banks have also expanded or revised the structure of exit interviews with the intent to better capture employee feedback, including feedback specific to sales practices at the time of separation. Some banks are now aggregating information gathered from internal sources with customer complaints and other relevant data to provide a more robust data set to analyze for potential signs of inappropriate activities.

Customer Complaint Processes

During the review, the OCC concluded that most banks had effective customer complaint processes in place. Some banks have enhanced the coding of complaints to better identify and stratify those complaints indicative of possible sales conduct concerns. Banks have also sought to expand data mining capabilities, with some now exploring the use of artificial intelligence and machine learning to provide real-time enterprise-wide monitoring of complaints with an expanded capability to identify potential trends or early-warning indicators.

Front-line Unit, Independent Risk Management, and Audit Accountability

In conjunction with more formal sales practices governance, examiners observed banks more explicitly defining and delineating the roles and responsibilities for front-line business units, independent risk management, and internal audit in the governance, monitoring, and testing of sales practices.

Self-assessment and Root Cause Analysis

Subsequent to the initial sales practices self-assessments conducted in late 2016, some banks expanded their periodic assessments to better identify the potential for unauthorized account opening and other misconduct across their institutions (e.g., branch, state, region, business unit, etc.) and within various job functions (account representatives, branch managers, regional management, etc.). As a result, there is more explicit focus on root-cause considerations when potential issues surface, with the goal to identify the motivating factors prompting inappropriate sales conduct.

Third-party Risk Management

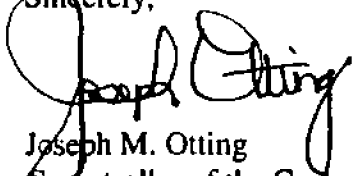
During the review, examiners observed oversight gaps in the monitoring of third-party relationships similar to those related to banks' own sales practices. Several banks have applied some of the same enhanced internal sales practices governance policies, procedures, and controls to strengthen their oversight of other activities conducted through third-party relationships.

Suspicious Activity Report Filing Policies, Procedures, and Controls

In this area, the most notable improved practices are more formal policies, procedures, and controls specifically addressing the referral, investigation, and reporting of employee misconduct related to inappropriate sales practices, along with centralized review functions, to promote consistent review and determination whether a suspicious activity report should be filed.

If you have additional questions regarding OCC supervision of national banks or federal savings associations, please contact me or Carrie Moore, Director for Congressional Relations, at (202) 649-6737.

Sincerely,



Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

June 11, 2018

The Honorable Jeb Hensarling
Chairman
Committee on Financial Services
United States House of Representatives
Washington, D.C. 20515

Dear Chairman Hensarling:

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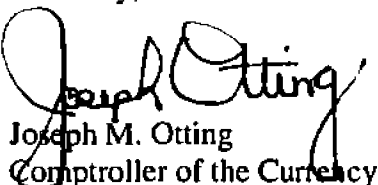
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Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

June 11, 2018

The Honorable Maxine Waters
Ranking Member
Committee on Financial Services
United States House of Representatives
Washington, D.C. 20515

Dear Ranking Member Waters:

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Examiners assessed the design of existing incentive programs and did not identify situations where the design of incentives or quotas (production targets) resulted in widespread unauthorized account openings by bank employees. Where specific weaknesses were identified, banks took timely actions prior to or during the review to address weaknesses in policies, procedures, and controls; incentive programs; and their risk governance frameworks. As a result, systems and controls in these banks are now better integrated and more apt to identify inappropriate sales activities in a timely manner. When unauthorized account opening or other inappropriate sales practices were identified, banks have already taken—or are in process of taking—remedial action, including, as appropriate, closing the account, refunding or reversing any inappropriate fees or other customer charges; and correcting credit bureau information.

While examiners found several common issues related to policies and risk governance and some bank-specific findings, the review did not identify systemic issues with bank employees opening accounts without the customer's consent.

Based on the OCC's review of the banks' practices, the corrective actions underway, and the nature of the issues found, the OCC determined that issuing MRAs was the appropriate supervisory response. Examiners continue to monitor banks' corrective actions through the regular course of the agency's supervision. Bank failure to implement corrective actions identified through MRAs can result in additional supervisory and enforcement actions, within the OCC's authority. The OCC's authority includes a range of escalating supervisory and enforcement actions, both public and nonpublic.

Responsible Practices in Managing Sales Practice Risk

Since the launch of the Sales Practices Horizontal Review in late 2016, the boards and senior executives of many institutions have increased their attention to sales practices, as well as culture and conduct risk, more generally. The vast majority of banks covered by the review have strengthened policies, procedures, and controls and the risk governance framework over sales practices, as well as the design and execution of sales and incentive programs. These improvements are intended to prevent or detect potential conduct issues before they become a systemic problem or result in negative impact to bank customers. During the review, the OCC assembled an inventory of practices banks could consider to enhance their management of sales practice risk. The OCC shared these practices with banks in June 2018. The agency expects that each bank's governance program addressing sales practices should be commensurate with the inherent risk presented by the bank's sales culture, the composition of products and services, the nature and design of incentive compensation programs, the presence of sales goals or quotas, and any other relevant bank-specific considerations. The inventory includes practices in 10 categories:

- Culture and Risk Governance
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- Self-assessment and Root Cause Analysis
- Third-Party Risk Management
- Suspicious Activity Report Filing Policies, Procedures, and Controls

Culture and Risk Governance

Banks have taken steps to strengthen and reinforce their culture pertaining to sales practices and the expectation for ethical conduct and consistent focus on the best interest of each customer. In some cases, this includes routine, periodic communication from either board or management executives to staff reinforcing “tone at the top” priorities. Several banks have created “fair-banking” policies or expanded existing “code of conduct” policies to specifically address sales practices, expected conduct, and ramifications for inappropriate actions. Several have also revised employee performance plans and performance measures to more fully encompass sales practices.

Several banks have established new governance infrastructure specifically focused on continual oversight of sales practices and incentive program design and execution, with explicit committees, cross-functional teams, risk units, or individuals empowered to oversee and monitor sales practices on an enterprise-wide basis. Banks are also working to better aggregate data from multiple sources across their organization to identify possible patterns of employee misconduct or related concerns in a timely manner.

Incentive Plan Design and Management

Since the launch of the horizontal review, many banks have reassessed the design of their incentive compensation programs, with a lens focused on the potential for unintended outcomes. The OCC has observed a shift to a more customer-centric focus, with the intent to reduce the potential for undue sales pressure, unauthorized account opening, or other inappropriate conduct.

Numerous banks have recalibrated incentives to provide more balance between customer satisfaction and production targets, with several using customer satisfaction survey results as a core component in determining incentive eligibility or payout amounts.

Regarding the design of incentive programs, some banks have redefined the types of account opening activity that qualifies for incentives. Such changes include incentives paid only on accounts that are fully activated and used by the customer, or based on either account usage or new money (thereby excluding from incentive consideration a shift of funds from an existing account in the bank). Some banks have also recalibrated incentives to measure employee productivity over a longer time frame (e.g. quarterly, semi-annually, or annually), or to focus more on team or unit productivity versus individual employee performance. And some banks have reduced or eliminated higher incentives linked to specific products in order to reduce the risk of employees steering customers to those products or services that offer higher incentive payouts.

Account Opening and Closing Policies, Procedures, and Controls

Across the board, banks have implemented more robust account opening and closing policies, procedures, and controls designed to reduce the potential for inappropriate activities or unauthorized account opening. Several banks are contacting customers shortly after account

opening to confirm their knowledge of the new product, but also to assess customer satisfaction. Some banks have also expanded their use of mystery shoppers to monitor and assess the sales practices of their customer-facing staff. Additionally, several banks have revised policies and procedures to obtain and retain documentation more consistently to demonstrate customer consent at account opening, including a physical signature or other evidence of consent, both for credit card accounts and other types of products and services.

Management Information Systems—Employee Misconduct Analysis and Reporting

Examiners observed a number of new, more forward-looking management information systems metrics and alerts designed to identify and escalate unauthorized account opening or other employee misconduct in a timely manner. Some banks have developed, or are working to develop, robust sales practices dashboards or surveillance reporting, leveraging data from multiple sources to monitor sales activity, with the ability to track activity at various levels (e.g. region, branch, individual employee). Most banks have also enhanced internal reporting to promote prompt escalation of potential issues to executive management and their boards as warranted.

Internal Complaints, Whistleblowers, and Ethics Hotlines

As a result of the review, banks have taken action to strengthen internal complaint and feedback mechanisms. Among them is more frequent executive-level messaging to promote employee awareness of and encourage usage of available tools and resources to report inappropriate conduct or other similar issues or concerns. Several banks have also expanded or revised the structure of exit interviews with the intent to better capture employee feedback, including feedback specific to sales practices at the time of separation. Some banks are now aggregating information gathered from internal sources with customer complaints and other relevant data to provide a more robust data set to analyze for potential signs of inappropriate activities.

Customer Complaint Processes

During the review, the OCC concluded that most banks had effective customer complaint processes in place. Some banks have enhanced the coding of complaints to better identify and stratify those complaints indicative of possible sales conduct concerns. Banks have also sought to expand data mining capabilities, with some now exploring the use of artificial intelligence and machine learning to provide real-time enterprise-wide monitoring of complaints with an expanded capability to identify potential trends or early-warning indicators.

Front-line Unit, Independent Risk Management, and Audit Accountability

In conjunction with more formal sales practices governance, examiners observed banks more explicitly defining and delineating the roles and responsibilities for front-line business units, independent risk management, and internal audit in the governance, monitoring, and testing of sales practices.

Self-assessment and Root Cause Analysis

Subsequent to the initial sales practices self-assessments conducted in late 2016, some banks expanded their periodic assessments to better identify the potential for unauthorized account opening and other misconduct across their institutions (e.g., branch, state, region, business unit, etc.) and within various job functions (account representatives, branch managers, regional management, etc.). As a result, there is more explicit focus on root-cause considerations when potential issues surface, with the goal to identify the motivating factors prompting inappropriate sales conduct.

Third-party Risk Management

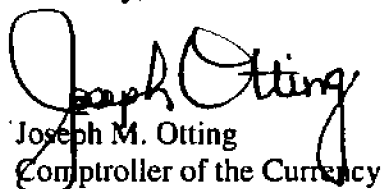
During the review, examiners observed oversight gaps in the monitoring of third-party relationships similar to those related to banks' own sales practices. Several banks have applied some of the same enhanced internal sales practices governance policies, procedures, and controls to strengthen their oversight of other activities conducted through third-party relationships.

Suspicious Activity Report Filing Policies, Procedures, and Controls

In this area, the most notable improved practices are more formal policies, procedures, and controls specifically addressing the referral, investigation, and reporting of employee misconduct related to inappropriate sales practices, along with centralized review functions, to promote consistent review and determination whether a suspicious activity report should be filed.

If you have additional questions regarding OCC supervision of national banks or federal savings associations, please contact me or Carrie Moore, Director for Congressional Relations, at (202) 649-6737.

Sincerely,



Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

June 11, 2018

The Honorable Sherrod Brown
Ranking Member
Committee on Banking, Housing, and Urban Affairs
United States Senate
Washington, D.C. 20510

Dear Ranking Member Brown:

On September 20, 2016, then Comptroller of the Currency Thomas Curry testified before the U.S. Senate Banking Committee regarding the Office of the Comptroller of the Currency's (OCC) public enforcement action against Wells Fargo Bank for reckless unsafe and unsound sales practices. At that time, Comptroller Curry announced the agency would conduct a horizontal review of sales practices at large and midsize banks with significant retail consumer sales activities to assess the sufficiency of controls with respect to these practices. The review included more than 40 national banks and federal savings associations and began in October 2016. The review focused on sales practices related to consumer or small business deposit, loan, and private banking or wealth management products or services for which incentives are offered to employees. Field work for this horizontal review concluded in the fourth quarter 2017. Throughout this process, the OCC issued supervisory letters to each bank included in the horizontal review. Now that the horizontal review has been completed, this letter provides additional information regarding the OCC's findings and related actions by the OCC and participating banks.

About the Horizontal Sales Practices Review

The review was conducted in three phases.

- Phase 1 determined whether systemic or bank-specific issues existed with regard to bank employees opening accounts for individual and small business customers without consent.
- Phase 2 evaluated sales goals, strategies, incentive compensation, and quota programs to determine if banks appropriately balance sales and revenue targets with risk management and customer satisfaction.
- Phase 3 focused on large and midsize insured depository institutions with assets greater than \$50 billion to determine if their Heightened Standards Risk Governance

Frameworks effectively controlled risks associated with sales practices and incentive compensation programs.¹

The OCC coordinated with the Bureau of Consumer Financial Protection, the Federal Deposit Insurance Corporation, and the Federal Reserve Board throughout the review. Other federal banking agencies conducted similar reviews of institutions they supervise. The review consumed a significant portion of the examination staff resources assigned to OCC's Large Bank Supervision and Midsize and Community Bank Supervision units.

At the conclusion of each phase, the OCC shared with each bank details of examiners' findings, conclusions, and required actions to address any identified gaps. Consistent with its supervision process, the OCC documents issues requiring attention through the use of "matters requiring attention" (MRA), which are communicated through supervisory letters or reports of examination. Exam findings and material used to support those conclusions are confidential supervisory information and are not released to the public. MRAs detail deficiencies banks are required to correct in a timely and effective manner. Examiners monitor the corrective action and verify its completion before closing an MRA. Failure to resolve an MRA in a timely and effective manner can result in additional supervisory action, including public enforcement action.

Findings and Actions

Prior to the 2016 Wells Fargo enforcement action and the Sales Practices Horizontal Review, few banks approached risk governance over sales practices in an enterprise-wide, holistic manner. Accordingly, the review identified several common weaknesses in policies, procedures, and controls and in banks' risk governance frameworks related to account opening, account closing, account management, employee complaints, and employee fraud or misconduct. These common weaknesses were documented in MRAs issued to the participating banks. Most banks received MRAs regarding one or more of these common weaknesses. These MRAs were focused primarily on actions to strengthen operational risk governance and policies and procedures, and were not based upon findings related to unauthorized account openings.

Where warranted, the agency issued a few bank-specific MRAs based on the facts and circumstances related to the bank for a total of more than 250 MRAs. These MRAs primarily focused on governance-related issues specific to the operations and practices of the bank, such as incentive compensation program design, third-party vendor oversight, and suspicious activity report filing procedures. The number of MRAs opened as a result of the review did not materially change the overall volume of outstanding MRAs among institutions within the federal banking system. The type of weaknesses varied from bank to bank and were not systemic. The review identified limited, bank-specific instances of accounts being opened without proof of customer consent. The most common factors involved either short-term sales promotions without adequate risk controls, deficient account opening and closing procedures, or isolated instances of employee misconduct with no clear connection to sales goals, incentives, or quota programs.

¹ The OCC has established heightened safety and soundness standards for certain insured large banks, federal savings associations, and federal branches. Under these standards, institutions are expected to establish and adhere to a formal, written risk governance framework. Additional detail appears in the OCC's regulations at 12 C.F.R. part 30, app. D, § II.A.

Examiners assessed the design of existing incentive programs and did not identify situations where the design of incentives or quotas (production targets) resulted in widespread unauthorized account openings by bank employees. Where specific weaknesses were identified, banks took timely actions prior to or during the review to address weaknesses in policies, procedures, and controls; incentive programs; and their risk governance frameworks. As a result, systems and controls in these banks are now better integrated and more apt to identify inappropriate sales activities in a timely manner. When unauthorized account opening or other inappropriate sales practices were identified, banks have already taken—or are in process of taking—remedial action, including, as appropriate, closing the account, refunding or reversing any inappropriate fees or other customer charges; and correcting credit bureau information.

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Based on the OCC's review of the banks' practices, the corrective actions underway, and the nature of the issues found, the OCC determined that issuing MRAs was the appropriate supervisory response. Examiners continue to monitor banks' corrective actions through the regular course of the agency's supervision. Bank failure to implement corrective actions identified through MRAs can result in additional supervisory and enforcement actions, within the OCC's authority. The OCC's authority includes a range of escalating supervisory and enforcement actions, both public and nonpublic.

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Since the launch of the Sales Practices Horizontal Review in late 2016, the boards and senior executives of many institutions have increased their attention to sales practices, as well as culture and conduct risk, more generally. The vast majority of banks covered by the review have strengthened policies, procedures, and controls and the risk governance framework over sales practices, as well as the design and execution of sales and incentive programs. These improvements are intended to prevent or detect potential conduct issues before they become a systemic problem or result in negative impact to bank customers. During the review, the OCC assembled an inventory of practices banks could consider to enhance their management of sales practice risk. The OCC shared these practices with banks in June 2018. The agency expects that each bank's governance program addressing sales practices should be commensurate with the inherent risk presented by the bank's sales culture, the composition of products and services, the nature and design of incentive compensation programs, the presence of sales goals or quotas, and any other relevant bank-specific considerations. The inventory includes practices in 10 categories:

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Front-line Unit, Independent Risk Management, and Audit Accountability

In conjunction with more formal sales practices governance, examiners observed banks more explicitly defining and delineating the roles and responsibilities for front-line business units, independent risk management, and internal audit in the governance, monitoring, and testing of sales practices.

From: Moore, Carrie
Sent: Thu, 21 May 2020 18:40:06 +0000
To: Spellacy, Patti
Subject: RE: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

Thanks. I wasn't sure if this would be the only responsive doc, but now you've confirmed. I will share with Bryan as an FYI, then let's send to Russell and Frank next week.

From: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Sent: Thursday, May 21, 2020 2:32 PM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Subject: RE: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

Carrie – As requested, responsive documents are attached.

From: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Sent: Tuesday, May 19, 2020 9:12 AM
To: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

Patti,
 I think this is a request for our letters re: Wells Sales practices. Before you send, please let me know and I will make sure Bryan is aware of the request from the Banker reporter, and our response.
 Thanks.

From: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Sent: Tuesday, May 19, 2020 9:04 AM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

Good morning Carrie,

Please see the FOIA request received for the information highlighted below. Please have any responsive documents sent to Frank Vance by June 1st.

Thank you,
 Russell

From: frank.vance@occ.treas.gov <frank.vance@occ.treas.gov>
Sent: Friday, May 15, 2020 5:17 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

You have received this email message from FOIAXpress Request for Documents. Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Kevin Wack (American Banker)** for * a copy of any letter or letters sent by Comptroller Joseph Otting to Sen. Michael Crapo during June 2018; * a copy of any letter or letters sent by Comptroller Joseph Otting to Sen. Sherrod Brown during June 2018; * a copy of any letter or letters sent by Comptroller Joseph Otting to Rep. Jeb Hensarling during June 2018; and * a copy of any letter or letters sent by Comptroller Joseph Otting to Rep. Maxine Waters during June 2018. (Date Range for Record Search: From 06/01/2018 To 06/30/2018).

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. **Please do not refer this request yourself.**

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Frank Vance** by close of business on **June 1, 2020**. Be sure to include the quantity

of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6758**.

Thank you for your assistance.

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From: Moore, Carrie
Sent: Tue, 19 May 2020 13:12:02 +0000
To: Spellacy, Patti
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

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Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: FW: [EXTERNAL][Sender_Unverified] Request for Documents for #2020-00144-F

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CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Marcotte, Karen
Sent: Wed, 5 Feb 2020 19:28:10 +0000
Cc: Abramsky, Emily;Adamoli, Joseph;Adams, Nikkie;Auth, Kim;Battista, Victor;Belton, Felicia;Bloom, Benjamin L;Catlin, Paige;Cohen, Arnie;Collins, Stephanie;Cook, Courtney;Davenport, Dianne;DeLeon, Ralph;Doss, Camron;Duckett, Rose;England, Jacqueline;Fix, Janet;Flores, Lissette M;Ghariani, Heitham;Gold, Emily;Hallman, Dana;Harris, Vincent;Hogan, Gail;Holland, Catalina;Howard, Rhonda A;Hubbard, Bryan;Jones, Joyce;Kreiselman, Jason;Love-Butler, Natalie;Mac, Thuy;Miles, Jennifer;Moore, Carrie;Moss, Andrew;Nguyen, Andrew;Portell, Ryan;Rank, Kevin;Rasche, Christina;Robinson, Oliver;Ross, Paul R;Rowe, William;Santos, Chrisalyn;Satterfield, Kevin;Saunders, Fleming;Settles, Rosalye A;Shacklette, Richard H;Shaw, Brittany;Small, David;Smith, Erin;Spellacy, Patti;Spencer, Millie;Stewart, Margaret;Vance, Frank;Zaman, Nida;Zeldis, Jennifer
Subject: RE: [EXTERNAL]Regulation question

Apologies. Please ignore.

From: Marcotte, Karen
Sent: Wednesday, February 5, 2020 2:16 PM
To: jaraslm@hh-law.com
Cc: Abramsky, Emily <Emily.Abramsky@occ.treas.gov>; Adamoli, Joseph <Joseph.Adamoli@occ.treas.gov>; Adams, Nikkie <Nikkie.Adams@occ.treas.gov>; Auth, Kim <Kim.Auth@occ.treas.gov>; Battista, Victor <Victor.Battista@occ.treas.gov>; Belton, Felicia <Felicia.Belton@occ.treas.gov>; Bloom, Benjamin L <Benjamin.Bloom@occ.treas.gov>; Catlin, Paige <Paige.Catlin@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>; Collins, Stephanie <Stephanie.Collins@occ.treas.gov>; Cook, Courtney <Courtney.Cook@occ.treas.gov>; Davenport, Dianne <Leslie.Davenport@occ.treas.gov>; DeLeon, Ralph <Ralph.DeLeon@occ.treas.gov>; Doss, Camron <Camron.Doss@occ.treas.gov>; Duckett, Rose <Rose.Duckett@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>; Fix, Janet <Janet.Fix@occ.treas.gov>; Flores, Lissette M <Lissette.Flores@occ.treas.gov>; Ghariani, Heitham <Heitham.Ghariani@occ.treas.gov>; Gold, Emily <Emily.Gold@occ.treas.gov>; Hallman, Dana <Dana.Hallman@occ.treas.gov>; Harris, Vincent <Vincent.Harris@occ.treas.gov>; Hogan, Gail <Gail.Hogan@occ.treas.gov>; Holland, Catalina <Catalina.Holland@occ.treas.gov>; Howard, Rhonda A <Rhonda.Howard@occ.treas.gov>; Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>; Jones, Joyce <Joyce.Jones@occ.treas.gov>; Kreiselman, Jason <Jason.Kreiselman@occ.treas.gov>; Love-Butler, Natalie <Natalie.Love-Butler@occ.treas.gov>; Mac, Thuy <Thuy.Mac@occ.treas.gov>; Miles, Jennifer <Jennifer.Miles@occ.treas.gov>; Moore, Carrie <Carrie.Moore@occ.treas.gov>; Moss, Andrew <Andrew.Moss@occ.treas.gov>; Nguyen, Andrew <Andrew.Nguyen@occ.treas.gov>; Portell, Ryan <Ryan.Portell@occ.treas.gov>; Rank, Kevin <Kevin.Rank@occ.treas.gov>; Rasche, Christina <Christina.Rasche@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Ross, Paul R <Paul.Ross@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>; Santos, Chrisalyn <Chrisalyn.Santos@occ.treas.gov>; Satterfield, Kevin <Kevin.Satterfield@occ.treas.gov>; Saunders, Fleming <Fleming.Saunders@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Shacklette, Richard H <Richard.Shacklette@occ.treas.gov>; Shaw, Brittany <Brittany.Shaw@occ.treas.gov>; Small, David <David.Small@occ.treas.gov>; Smith, Erin <Erin.Smith@occ.treas.gov>; Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Spencer, Millie <Millie.Spencer@occ.treas.gov>; Stewart, Margaret <Margaret.Stewart@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Zaman, Nida <Nida.Zaman@occ.treas.gov>; Zeldis, Jennifer

<Jennifer.Zeldis@occ.treas.gov>

Subject: RE: [EXTERNAL]Regulation question

Hello Ms. Jaras,

An after-the-fact notice to the OCC may be required depending upon the fiduciary activities being conducted in the new state. Please refer to 12 CFR 5.26(e)(6) for additional information.

To obtain a copy of the bank's charter, you will need to submit a FOIA request. Here is a link to the electronic request form: <https://foia-pal.occ.gov/>

Thank you,

Karen Marcotte
Director for Licensing Activities
Office of the Comptroller of the Currency

From: Lisa M. Jaras <jaraslm@hh-law.com>

Sent: Wednesday, February 5, 2020 12:57 PM

To: Publicaffairs <Publicaffairs3@occ.treas.gov>

Subject: [EXTERNAL]Regulation question

Importance: High

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon.

I am looking for information regarding requirements of an OCC regulated/chartered financial institution when the financial institution is required to register to business as a foreign entity in a state.

Securian Trust Company, N.A. needs to register to do business in Pennsylvania (to provide trustee services for an estate/charitable trust). The county in which the decedent resides requires Securian to register at PA state level prior to admitting them for services in the county.

What, if anything, will your offices require to complete this task and how may I obtain a copy of the charter of record to support our filing ?

Lisa

Lisa M. Jaras

Corporate Paralegal

HoustonHarbaugh

Three Gateway Center | 22nd Floor

401 Liberty Avenue | Pittsburgh, PA 15222

jaraslm@hh-law.com | (412) 288-5003 | hh-law.com

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CAUTION: This email originated from outside

the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Oliver.Robinson@occ.treas.gov
Sent: Thu, 23 Apr 2020 10:10:45 -0400
To: Vance, Frank
Subject: RE: ON THE FOIA FRONT

Sounds good for your staff. You know what's best!

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Date: April 23, 2020 at 10:09:46 AM EDT
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: Small, David <David.Small@occ.treas.gov>
Subject: RE: ON THE FOIA FRONT

Sent: Wed, 8 Apr 2020 12:37:24 +0000
To: Communications Division – All
Subject: Staff Meeting - Agenda

Meeting Agenda:

General Updates
Training
FOIA Updates
Editorial – Design Updates
Reminders

Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile

Sent: Tue, 7 Apr 2020 19:18:52 +0000
To: Small, David;Vance, Frank
Subject: RE: Tomorrow's Comm staff meeting

David and Frank – for our staff meeting tomorrow, be prepared to provide highlights from your areas.
You can add to the list or correct it.

Here's what I am thinking:

Opening - Oliver

Updates - Oliver

- Design and FOIA hiring

- Parking fees – going up

- COVID updates

- How to inform OCC and others memo from Kathy

Mandatory Training - Oliver

FOIA Updates - Frank

- Certification Process

- Working with WEPs on database

- Enforcement Action – Wells

(b)(6)

Design & Editing Updates - David

(b)(6)

Reminders - Oliver

- PA all-hands meeting 4/8/20 at 3:00

- OCC town hall meeting 4/9/20 at 12:30-1:30

From: Small, David

Sent: Tuesday, April 7, 2020 12:00 PM

To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>

Subject: RE: Tomorrow's Comm staff meeting

Update on Felicia and Vince

I think others would be genuinely interested to hear about the advancements in CRA process and the Comptroller's support for electronic certifications

Might want to go through recent all-OCC emails to remind folks of stuff

- PMR training (get somebody who took it to give overview)
- Parking fee increase
- COVID procedures for notification

Give some props to the editorial team for the myriad bulletins we've been putting out and provide some strategic perspective to link their job with the larger national effort/financial industry = critical infrastructure during COVID

New Designer and FOIA positions updates

(b)(6)

From: Robinson, Oliver

Sent: Tuesday, April 7, 2020 11:54 AM

To: Small, David <David.Small@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>

Subject: Tomorrow's Comm staff meeting

Good morning – anything you'd like covered at our division meeting tomorrow morning?

Oliver A. Robinson

Comptroller of the Currency

Director, Communications

Public Affairs

202.649.6757 office

202.821.5760 mobile

Sent: Tue, 24 Mar 2020 15:17:01 +0000
To: Vance, Frank (Frank.Vance@occ.treas.gov); England, Jacqueline
Subject: Telework for FOIA staff

I need to put together a plan for [REDACTED] that describes the work they'll be doing over the next two weeks while teleworking? Can I get that information today if possible. Also, I can have a conference call with them tomorrow to talk about this. Thank you.

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

Sent: Fri, 21 Feb 2020 20:55:01 +0000
To: Vance, Frank
Cc: Hubbard, Bryan;Sharp, Elsie
Subject: RE: Keeping My Old HP for Longer than Required

Frank – how long will you need to keep your office HP laptop for the FOIA project?

Elsie – I approve this request pending Bryan’s response.

From: Vance, Frank
Sent: Friday, February 21, 2020 3:38 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: Keeping My Old HP for Longer than Required
Importance: High

Currently I am operating with my old HP computer. I am in the midst of working with Litigation on a sensitive matter that requires heavy redaction using FOIAXpress. As the other new computers have been deployed throughout my unit, there have been some downtime while the “bugs” are fixed. I can’t afford this with the project at hand.

Further, I received no docking station for the new computer for my dual monitor set up.

Additionally, there is another HP laptop, deployed by IT and configured to handle Lotus Approach that is used to create the CRA data for the monthly press release. It sits in 6W-412. It needs to be active and not “quarantined” or we will be unable to provide that data.

Can you please approve and pass on. They require manager approval and SDC approval.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Vance, Frank
Sent: Tue, 28 Jul 2020 19:17:13 +0000
To: Small, David
Cc: Robinson, Oliver
Subject: FW: PPM 6000-3 - EA Postings - Obsolete PPM?
Importance: High

David:

You may be hearing from Enforcement Attorney Larry Keene about rescinding a 40 year old PPM. I provided him information that he requested below. I agree that the PPM should be rescinded because the world of banking has changed so much in the past 40 years.

-
He asked about how this is done....and I told him to call you and that he should be prepared to submit a GET COMMUNICATIONS HELP ticket. Hope I did okay.

He's contacting his boss, Monica Freas before proceeding and passing along my email to her.

If I hear anything further, I will let you know.

FRANK



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 657-3595

From: Vance, Frank
Sent: Tuesday, July 28, 2020 3:05 PM
To: Keen, Larry <larry.keen@occ.treas.gov>
Cc: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Williams, Sarah <Sarah.Williams@occ.treas.gov>
Subject: RE: PPM 6000-3 - EA Postings - Obsolete PPM?
Importance: High

Hi Larry! My apologies for not responding sooner. In my head I thought I did, but obviously didn't.

Our monthly release was thanks to former Communications Director, and subsequent Deputy Comptroller for Public Affairs, Leonora S. Cross. With the passage of FIRREA and the Crime Control Act of 1990, which were a big deal that required enforcement actions to become public (along with CRA

performance evaluations), she thought it would be a good idea, and in the public interest, to publish enforcement actions and CRA evaluations via press releases. Since Communications housed FOIA, she directed my staff and I to maintain hard copy files for all those actions and evaluations to be able to handle requests under FOIA.

As far as I know, the PPM you mentioned was not affiliated in any way to her decision.

I note that the PPM you referenced, is 9 years older than FIRREA and I vaguely remember these summaries it references. They were quite bland because at that time, not much about banking was ever considered public. Enforcement actions were withheld and were treated with the same hallowed reverence as we reserve for examinations today. My thought is that since we make the actions listed, themselves, as "public" today, **this PPM should be rescinded.**

Let me know if I can be of further assistance.

FRANK



Frank D. Vance, Jr.
 Manager, Disclosure Services
 & Freedom of Information Act Officer
 Communications Division
 Office of the Comptroller of the Currency
 DESK: (202) 649-6758
 DESKTOP FAX: (703) 857-3595

From: Keen, Larry <larry.keen@occ.treas.gov>
Sent: Tuesday, July 28, 2020 2:33 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Williams, Sarah <Sarah.Williams@occ.treas.gov>
Subject: RE: PPM 6000-3 - EA Postings - Obsolete PPM?

Hi Frank – Hope you are doing well. I am just checking in to see if you have been able to give any thoughts to the potentially obsolete PPM we had come across. Thanks.

From: Keen, Larry
Sent: Friday, June 12, 2020 9:56 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Williams, Sarah <Sarah.Williams@occ.treas.gov>
Subject: PPM 6000-3 - EA Postings - Obsolete PPM?

Hi Frank – Hope you are doing well. In ENF we recently came across PPM 6000-3 (1980) - "Policy on Disclosure of Statutory Enforcement Actions," which provides that written summaries of "statutory

enforcement actions” will be published at least semi-annually. It is still an active PPM.
<https://el.occ/publications/publications-by-type/internal/ppms/index-ppms.html>

I noticed that the monthly enforcement action posting that Comms prepares provides:

“Copies of the final actions are available for download by viewing the searchable database of all public enforcement actions taken **since August 1989** at <http://apps.occ.gov/EnforcementActions/>.

(emphasis added).

So, I am wondering if the monthly posting exercise, which is required by 12 USC 1818(u), replaced what had been required/done pursuant to PPM 6000-3. If so, the OCC probably needs to rescind PPM 6000-3 because it is obsolete now, right?

I am copying Sarah Williams as well. Sarah and ENF have worked together on various PPM matters.

Thanks,
Larry

Lawrence J. Keen III
Assistant Director
Enforcement
Office of the Comptroller of the Currency
(202) 649-6241

From: Vance, Frank
Sent: Tue, 28 Jul 2020 13:20:31 +0000
To: England, Jacqueline; Robinson, Oliver
Cc: Small, David
Subject: RE: Varo Charter Certificate

This is great. Thanks to all!



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Tuesday, July 28, 2020 8:26 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Small, David <David.Small@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Yeah! Thanks for following up Oliver.

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Tuesday, July 28, 2020 8:23 AM
To: England, Jacqueline <Jacqueline.England@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Small, David <David.Small@occ.treas.gov>
Subject: FW: Varo Charter Certificate

FYI

From: Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Sent: Tuesday, July 28, 2020 8:15 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Yes, I have asked them to resubmit the Articles. They have a Board meeting planned for later this week and can ratify the amendment at that time. I will make sure an original is sent to the folks in Communications/Record Management.

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Tuesday, July 28, 2020 6:02 AM
To: Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Subject: FW: Varo Charter Certificate

Hi Louis – this question came from our FOIA staff. See below. Do the articles and the bank certificate match?

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Tuesday, July 28, 2020 7:48 AM
To: Small, David <David.Small@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Do you know if the bank is resubmitting the articles? The name in the certificate should agree with the bank's articles otherwise that is a problem for us when it comes to certifying.

Sent: Tue, 28 Jul 2020 11:51:55 +0000
To: Gittleman, Louis
Subject: FW: Varo Charter Certificate

Hi Louis – this question came from our FOIA staff. See below.

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Tuesday, July 28, 2020 7:48 AM
To: Small, David <David.Small@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Do you know if the bank is resubmitting the articles? The name in the certificate should agree with the bank's articles otherwise that is a problem for us when it comes to certifying.

From: Small, David <David.Small@occ.treas.gov>
Sent: Monday, July 27, 2020 5:01 PM
To: England, Jacqueline <Jacqueline.England@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: FW: Varo Charter Certificate

Frank and Jackie, I thought you'd appreciate this back and forth over a comma in a bank name.

From: Battista, Victor <Victor.Battista@occ.treas.gov>
Sent: Monday, July 27, 2020 4:51 PM
To: Gittleman, Louis <Louis.Gittleman@occ.treas.gov>; Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>
Cc: Small, David <David.Small@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Davenport, Dianne <Leslie.Davenport@occ.treas.gov>
Subject: RE: Varo Charter Certificate

All, Please see the attached text for the certificate. I will be in tomorrow morning to run the re-print. Please let me know if this is good to go as soon as you can. Thanks.
 -Victor

From: Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Sent: Monday, July 27, 2020 2:52 PM
To: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Battista, Victor <Victor.Battista@occ.treas.gov>
Subject: RE: Varo Charter Certificate
Importance: High

Steve, as I indicated I reviewed the Articles to make sure the Charter Cert was correct. When I reviewed the Articles there was no comma between Varo Bank and National Association. That is what I had Karen prepare. To be on the safe side I asked in-house counsel if they meant to have a comma and she just

replied that they did. Therefore I hate to have to do this, but could we get the three certificates run again, this time with the comma, as follows:

Varo Bank, National Association.

I was trying to keep this moving but I also wanted to make sure the final document was accurate. Please accept my apologies for having to prepare two different sets. At least we caught it before it was sealed. Everything else is still correct.

From: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Sent: Monday, July 27, 2020 11:46 AM
To: Battista, Victor <Victor.Battista@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>; Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Cc: Small, David <David.Small@occ.treas.gov>; DeLeon, Ralph <Ralph.DeLeon@occ.treas.gov>; Davenport, Dianne <Leslie.Davenport@occ.treas.gov>; Dwyer, Donald W <Donald.Dwyer@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Victor

I have a 2:00 meeting with Jonathan Gould but Don Dwyer is here also.

Stephen



Stephen A. Lybarger
Deputy Comptroller, Licensing
Comptroller of the Currency
 400 7th Street, S. W.
 Washington, DC 20219
 (202) 649-6319
Stephen.Lybarger@occ.treas.gov

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From: Battista, Victor <Victor.Battista@occ.treas.gov>
Sent: Monday, July 27, 2020 1:44 PM
To: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>; Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Cc: Small, David <David.Small@occ.treas.gov>; DeLeon, Ralph <Ralph.DeLeon@occ.treas.gov>; Davenport, Dianne <Leslie.Davenport@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Steve, I am getting ready to print them now and I can run them up to you in a few minutes or so...
-Victor

From: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Sent: Monday, July 27, 2020 12:07 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>; Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Cc: Battista, Victor <Victor.Battista@occ.treas.gov>; Small, David <David.Small@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Oliver,
If Karen is not in the office I am here and Victor can bring them to me.
Stephen



Stephen A. Lybarger
Deputy Comptroller, Licensing
Comptroller of the Currency
400 7th Street, S. W.
Washington, DC 20219
(202) 649-6319
Stephen.Lybarger@occ.treas.gov

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From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Monday, July 27, 2020 9:38 AM
To: Proctor, Karen <Karen.Proctor@occ.treas.gov>; Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Cc: Battista, Victor <Victor.Battista@occ.treas.gov>; Small, David <David.Small@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Hi Karen – did you point out who should receive the certificates tomorrow? That way Victor will know where to leave or deliver them. Thanks.

From: Proctor, Karen <Karen.Proctor@occ.treas.gov>
Sent: Monday, July 27, 2020 9:33 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Lybarger, Stephen

<Stephen.Lybarger@occ.treas.gov>; Gittleman, Louis <Louis.Gittleman@occ.treas.gov>

Subject: Varo Charter Certificate

Good Morning All

Please note , that the request for 3 copies of the Varo Bank National Association, charter certificate has been sent to production. I've asked to receive the certificates by noon on 7/28/20, so that it may be reviewed and any needed edits can be done by COB of the same day. Should have questions, please feel free to contact me via email or by phone at (b)(6)

Thanks

Karen

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Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 222

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

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Page 224

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Page 228

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Page 229

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From: Vance, Frank
Sent: Thu, 23 Jul 2020 12:55:31 +0000
To: England, Jacqueline; Robinson, Oliver
Subject: RE: Wells in the news again...

Oh Goody!



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Thursday, July 23, 2020 8:47 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Wells in the news again...

There is probably going to be a spike in FOIA requests.

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Thursday, July 23, 2020 8:45 AM
To: England, Jacqueline <Jacqueline.England@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Wells in the news again...

(b)(5)



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Thursday, July 23, 2020 8:43 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: RE: Wells in the news again...

Not sure, it was in the news last night.

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Thursday, July 23, 2020 8:38 AM
To: England, Jacqueline <Jacqueline.England@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: RE: Wells in the news again...

(b)(5)

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Thursday, July 23, 2020 8:25 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: Wells in the news again...

<https://www.foxbusiness.com/financials/wells-fargo-customers-say-bank-paused-their-mortgage-payments-without-asking>

(b)(5)

From: Vance, Frank
Sent: Thu, 23 Jul 2020 12:45:24 +0000
To: England, Jacqueline; Robinson, Oliver
Subject: RE: Wells in the news again...

(b)(5)



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Thursday, July 23, 2020 8:43 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: RE: Wells in the news again...

Not sure, it was in the news last night.

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Thursday, July 23, 2020 8:38 AM
To: England, Jacqueline <Jacqueline.England@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: RE: Wells in the news again...

(b)(5)

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Thursday, July 23, 2020 8:25 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: Wells in the news again...

<https://www.foxbusiness.com/financials/wells-fargo-customers-say-bank-paused-their-mortgage-payments-without-asking>

(b)(5)

From: Vance, Frank
Sent: Fri, 17 Jul 2020 20:49:31 +0000
To: Robinson, Oliver
Subject: FOIA JOB
Importance: High

Oliver:

(b)(6)

I've been working with Litigation today to get the tasks associated with the Court Case on CRA that I'm involved in, completed.

I also alerted HR to the fact that I am not happy about not being able to find a quality candidate from the last posting. I've requested that they repost, but that we work together to figure out how to attract a different caliber of candidate than what I got this go round.

After two reboots, I am still unable to access Monster.com to clear the certs and officially nonselect everyone. I'll keep trying this weekend periodically.

Thanks

Frank



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
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DESKTOP FAX: (703) 857-3595

Page 234

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(b)(5)

of the Freedom of Information and Privacy Act



Frank D. Vance, Jr.

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Page 236

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(b)(6)

of the Freedom of Information and Privacy Act

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Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

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(b)(6)

of the Freedom of Information and Privacy Act

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(b)(5)

of the Freedom of Information and Privacy Act

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Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act



Frank D. Vance, Jr.

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& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758

DESKTOP FAX: (703) 857-3595

From: Vance, Frank
Sent: Thu, 2 Apr 2020 11:15:20 +0000
To: Hubbard, Bryan
Cc: Robinson, Oliver
Subject: Wells Fargo Dox
Importance: High

FYI -- The first batch of Wells IAP Enforcement Dox were posted in the FOIA Reading Room yesterday.

Frank



**Office of the
Comptroller of the Currency**

Frank D. Vance, Jr.

Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758

DESKTOP FAX: (703) 857-3595

From: Vance, Frank
Sent: Wed, 1 Apr 2020 16:54:32 +0000
To: Small, David; Robinson, Oliver; England, Jacqueline
Subject: UPDATEE

Queried Sandra Galloway to find out how many, if any applications have been received for the FOIA job. She said just now that so far we have 27 applicants.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

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Page 244

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(b)(5)

of the Freedom of Information and Privacy Act

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(b)(5)

of the Freedom of Information and Privacy Act

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(b)(5)

of the Freedom of Information and Privacy Act

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(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

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(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

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Withheld pursuant to exemption

(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

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(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

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(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

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Withheld pursuant to exemption

(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

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Withheld pursuant to exemption

(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

Page 254

Withheld pursuant to exemption

(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

From: Vance, Frank
Sent: Mon, 23 Mar 2020 17:56:00 +0000
To: Hewitt, Ronald
Cc: Robinson, Oliver;Lybarger, Stephen;Proctor, Karen
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence
Importance: High

Mr. Hewett:

Your request was processed and shipped
at 7:41 a.m. via UPS.

Let me know if I can be of further service. Have a great and safe week.

FRANK



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hewitt, Ronald [mailto:rhewitt@cov.com]
Sent: Sunday, March 22, 2020 4:32 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence



CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

That would be great. I can be reached at (b)(6) at any time. Thanks again and enjoy the rest of your weekend.

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Sunday, March 22, 2020 4:09 PM
To: Hewitt, Ronald <rhewitt@cov.com>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence

[EXTERNAL]

It's a challenge for sure, but things appear to be flowing smoothly. I will call you in the morning when I know something. Do you have a number that I can use? My cell is (b)(6)



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hewitt, Ronald [<mailto:rhewitt@cov.com>]
Sent: Sunday, March 22, 2020 4:06 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

That is correct. Thank you. We greatly appreciate your response and assistance, particularly during this time with people working remotely and with limited staff.

Best regards,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Sunday, March 22, 2020 4:04 PM
To: Hewitt, Ronald <rhewitt@cov.com>
Subject: RE: [EXTERNAL]RE: Certificate of Corporate Existence
Importance: High

[EXTERNAL]

My specialist who handles these requests had left for the day when your request was received. I've flagged him for first thing in the morning. I will call him in the morning.

Typically Certificates of Corporate Existence are handled rather quickly.

Just to confirm: You are requesting a Certificate of Corporate Existence for:

Wilmington Trust, National Association, Wilmington, Delaware, Charter 22859?



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hewitt, Ronald [<mailto:rhewitt@cov.com>]
Sent: Sunday, March 22, 2020 3:53 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: [EXTERNAL]RE: Certificate of Corporate Existence

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Frank,

Thank you for reaching out. We submitted a request through the portal and were assigned the following Case Number: 2020-00514-C. Please let us know if there is any further information that we could provide or if there is anything further that we need to do.

Thanks and kind regards,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Sunday, March 22, 2020 3:48 PM
To: Hewitt, Ronald <rhewitt@cov.com>
Subject: Certificate of Corporate Existence
Importance: High

[EXTERNAL]
Hi.

To get the requested Certificate of Corporate Existence, you should visit our FOIA Portal at <https://occ.gov/about/connect-with-us/foia/request-certified-documents.html> . Let me know if you have any questions.

Thanks.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

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From: Vance, Frank
Sent: Sun, 22 Mar 2020 20:51:20 +0000
To: Lybarger, Stephen
Cc: Robinson, Oliver; Proctor, Karen; Reilly, David
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence
Importance: High

This looks like a "normal" chartered bank. We rely on the CATS report that we generate to prepare these documents. [REDACTED] (b)(5)

[REDACTED] (b)(5) Let me know.

Thanks.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Lybarger, Stephen
Sent: Friday, March 20, 2020 3:02 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>; Reilly, David <David.Reilly@occ.treas.gov>
Subject: FW: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence

Vance,
If you cannot reach Karen Proctor, I can provide confirmation that Wilmington Trust, National Association (OCC Charter Number 22859) is in business similar to the process we established for American Express.
Stephen



Stephen A. Lybarger
Deputy Comptroller, Licensing
Comptroller of the Currency
400 7th Street, S. W.
Washington, DC 20219
(202) 649-6319
Stephen.Lybarger@occ.treas.gov

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From: Hewitt, Ronald <rhewitt@cov.com>
Sent: Friday, March 20, 2020 2:58 PM
To: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Subject: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Stephen,

We're seeking the Certificate of Corporate Existence of our client Wilmington Trust, National Association (OCC Charter Number 22859). Please let me know if you require any further information.

Thanks,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Sent: Friday, March 20, 2020 2:55 PM
To: Hewitt, Ronald <rhewitt@cov.com>
Subject: RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence

[EXTERNAL]

Ron,
Can you share with me who the bank is
Thanks
Stephen



Stephen A. Lybarger
Deputy Comptroller, Licensing
Comptroller of the Currency
400 7th Street, S. W.
Washington, DC 20219
(202) 649-6319
Stephen.Lybarger@occ.treas.gov

This message is intended for designated recipients only. If you have received this message in error, please delete the original and all copies and notify the sender immediately. Federal law prohibits the disclosure or other use of this information.

From: Hewitt, Ronald <rhewitt@cov.com>
Sent: Friday, March 20, 2020 1:48 PM
To: Solomon, Karen <KSolomon@cov.com>; Cummings, Marva <Marva.Cummings@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan

<Jonathan.Rushdoony@occ.treas.gov>; Bennett, Bruce <BBENNETT@cov.com>

Subject: [EXTERNAL]RE: [EXTERNAL]certificate of existence

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Marva,

Thank you for your quick response and assistance during this time. We submitted the request and were given the following Case Number: 2020-00514-C. Please let me know if you have any questions or if there is any further information that I could provide.

We very much appreciate your assistance.

Best regards,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

[7C7edf37446a694e1eb03e08d7ccec2cf3%7Cfd30c7091bb849f19c7edd8840c989d0%7C0%7C0%7C637203187053206492&sdata=s7pvzuzQOfU3BCblxRrRHmMTtek%2F6AMCggTXiVJG6w8%3D&reset=0](https://www.occ.treas.gov/7C7edf37446a694e1eb03e08d7ccec2cf3%7Cfd30c7091bb849f19c7edd8840c989d0%7C0%7C0%7C637203187053206492&sdata=s7pvzuzQOfU3BCblxRrRHmMTtek%2F6AMCggTXiVJG6w8%3D&reset=0)

Take care and be well.

Marva

From: Solomon, Karen <KSolomon@cov.com>

Sent: Friday, March 20, 2020 11:47 AM

To: Cummings, Marva <Marva.Cummings@occ.treas.gov>

Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>

Subject: [EXTERNAL]certificate of existence

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Marva -- I hope you're well and managing through these crazy times with a minimum of disruption. I'm sure there are lots of things on your plate right now, so I'll be brief:

We have a national bank client, supervised from New York, set to close on a capital markets deal at the end of next week. The client has a "certificate of existence" dated at the beginning of March of this year but is expecting to have to present a certificate dated closer in time to the closing of the transaction. Is it possible now to obtain a certificate from the OCC? Alternatively, if we provide the necessary information, might we be able to get a confirming e-mail from Licensing in New York indicating that nothing has changed since the certificate was issued and that it's still good?

Many thanks for your attention in what I'm sure are very trying times for the office.

Best,

Karen

Karen Solomon

Covington & Burling LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001-4956
T +1 202 662 5489 | ksolomon@cov.com
www.cov.com

COVINGTON

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: Vance, Frank
Sent: Sun, 22 Mar 2020 20:49:24 +0000
To: Lybarger, Stephen
Cc: Robinson, Oliver; Cummings, Marva
Subject: RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence

These generally are handled ahead of any others. I believe we can get this to him by the time required. (I've been in touch with the requester.) PS – the request arrived after the specialist left for the day on Friday. He is expected in first thing on Monday.



Frank D. Vance, Jr.
 Manager, Disclosure Services
 & Freedom of Information Act Officer
 Communications Division
 Office of the Comptroller of the Currency

 DESK: (202) 649-6758
 DESKTOP FAX: (703) 857-3595

From: Lybarger, Stephen
Sent: Friday, March 20, 2020 2:54 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Cummings, Marva <Marva.Cummings@occ.treas.gov>
Subject: FW: [EXTERNAL]RE: [EXTERNAL]certificate of existence

Frank,
 Is it possible to expedite this request?
 Thanks
 Stephen



Stephen A. Lybarger
 Deputy Comptroller, Licensing
 Comptroller of the Currency
 400 7th Street, S. W.
 Washington, DC 20219
 (202) 649-6319
Stephen.Lybarger@occ.treas.gov

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From: Cummings, Marva
Sent: Friday, March 20, 2020 1:55 PM
To: Hewitt, Ronald <rhewitt@cov.com>; Solomon, Karen <KSolomon@cov.com>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>; Bennett, Bruce <BBENNETT@cov.com>
Subject: RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence

Thanks Ron.

From: Hewitt, Ronald <rhewitt@cov.com>
Sent: Friday, March 20, 2020 1:48 PM
To: Solomon, Karen <KSolomon@cov.com>; Cummings, Marva <Marva.Cummings@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>; Bennett, Bruce <BBENNETT@cov.com>
Subject: [EXTERNAL]RE: [EXTERNAL]certificate of existence

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Hi Marva,

Thank you for your quick response and assistance during this time. We submitted the request and were given the following Case Number: 2020-00514-C. Please let me know if you have any questions or if there is any further information that I could provide.

We very much appreciate your assistance.

Best regards,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Solomon, Karen <KSolomon@cov.com>
Sent: Friday, March 20, 2020 1:43 PM
To: Cummings, Marva <Marva.Cummings@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>; Bennett, Bruce <BBENNETT@cov.com>; Hewitt, Ronald <rhewitt@cov.com>
Subject: RE: [EXTERNAL]certificate of existence

Marva -- Thank you so much for taking the time to give us this information. I'm copying in my colleagues Bruce Bennett and Ron Hewitt, who have direct responsibility for the matter, with the request that they notify you as you've asked.

As always, we very much appreciate your help!

Karen

Karen Solomon

Covington & Burling LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001-4956
T +1 202 662 5489 | ksolomon@cov.com

www.cov.com

COVINGTON

From: Cummings, Marva <Marva.Cummings@occ.treas.gov>
Sent: Friday, March 20, 2020 12:40 PM
To: Solomon, Karen <KSolomon@cov.com>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>
Subject: RE: [EXTERNAL]certificate of existence

[EXTERNAL]

Hi Karen...

Nice to hear from you. I hope you are also well.

Regarding certificates of existence – These certificates are issued by the folks in Communications. Below is a link for you to make the request. Let me know when you have submitted your request and we will follow up with Communications.

<https://nam01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.occ.gov%2Fabout%2Fconnect-with-us%2Ffoia%2Fcertified-documents.html%23.XnTview4PL2c.email&data=02%7C01%7Cmarva.cummings%40occ.treas.gov%7C7edf37446a694e1eb03e08d7ccec2cf3%7Cfd30c7091bb849f19c7edd8840c989d0%7C0%7C0%7C637203187053206492&sdata=s7pvzuzQOfU3BCblxRrRHmMTtek%2F6AMCggTXiVJG6w8%3D&reserved=0>

Take care and be well.

Marva

From: Solomon, Karen <KSolomon@cov.com>
Sent: Friday, March 20, 2020 11:47 AM
To: Cummings, Marva <Marva.Cummings@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>
Subject: [EXTERNAL]certificate of existence



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Marva -- I hope you're well and managing through these crazy times with a minimum of disruption. I'm sure there are lots of things on your plate right now, so I'll be brief:

We have a national bank client, supervised from New York, set to close on a capital markets deal at the end of next week. The client has a "certificate of existence" dated at the beginning of March of this year but is expecting to have to present a certificate dated closer in time to the closing of the transaction. Is it possible now to obtain a certificate from the OCC? Alternatively, if we provide the necessary information, might we be able to get a confirming e-mail from Licensing in New York indicating that nothing has changed since the certificate was issued and that it's still good?

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Best,

Karen

Karen Solomon

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Washington, DC 20001-4956
T +1 202 662 5489 | ksolomon@cov.com
www.cov.com

COVINGTON

From: Vance, Frank
Sent: Sun, 22 Mar 2020 20:35:35 +0000
To: Hewitt, Ronald
Cc: Robinson, Oliver
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence

You too sir. Stay safe.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hewitt, Ronald [mailto:rhewitt@cov.com]
Sent: Sunday, March 22, 2020 4:32 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence

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That would be great. I can be reached at (b)(6) at any time. Thanks again and enjoy the rest of your weekend.

Ronald Hewitt

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www.cov.com

COVINGTON

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Sunday, March 22, 2020 4:09 PM
To: Hewitt, Ronald <rhewitt@cov.com>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence

[EXTERNAL]

It's a challenge for sure, but things appear to be flowing smoothly. I will call you in the morning when I know something. Do you have a number that I can use? My cell is 703-577-6806.



**Office of the
Comptroller of the Currency**

Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hewitt, Ronald [<mailto:rhewitt@cov.com>]
Sent: Sunday, March 22, 2020 4:06 PM

To: Vance, Frank <Frank.Vance@occ.treas.gov>

Subject: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence

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That is correct. Thank you. We greatly appreciate your response and assistance, particularly during this time with people working remotely and with limited staff.

Best regards,
Ron

Ronald Hewitt

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New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Vance, Frank <Frank.Vance@occ.treas.gov>

Sent: Sunday, March 22, 2020 4:04 PM

To: Hewitt, Ronald <rhewitt@cov.com>
Subject: RE: [EXTERNAL]RE: Certificate of Corporate Existence
Importance: High

[EXTERNAL]

My specialist who handles these requests had left for the day when your request was received. I've flagged him for first thing in the morning. I will call him in the morning.

Typically Certificates of Corporate Existence are handled rather quickly.

Just to confirm: You are requesting a Certificate of Corporate Existence for:

Wilmington Trust, National Association, Wilmington, Delaware, Charter 22859?



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hewitt, Ronald [<mailto:rhewitt@cov.com>]
Sent: Sunday, March 22, 2020 3:53 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: [EXTERNAL]RE: Certificate of Corporate Existence

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender

and know the content is safe.

Hi Frank,

Thank you for reaching out. We submitted a request through the portal and were assigned the following Case Number: 2020-00514-C. Please let us know if there is any further information that we could provide or if there is anything further that we need to do.

Thanks and kind regards,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Sunday, March 22, 2020 3:48 PM
To: Hewitt, Ronald <rhewitt@cov.com>
Subject: Certificate of Corporate Existence
Importance: High

[EXTERNAL]
Hi.

To get the requested Certificate of Corporate Existence, you should visit our FOIA Portal at <https://occ.gov/about/connect-with-us/foia/request-certified-documents.html> . Let me know if you have any questions.

Thanks.



Frank D. Vance, Jr.

Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758

DESKTOP FAX: (703) 857-3595

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From: Vance, Frank
Sent: Sun, 22 Mar 2020 20:11:05 +0000
To: Parham, Michelle; Robinson, Oliver
Subject: RE: Return call assignment for the case number (b)(6)

I've tried to help him with our FOIA portal, but he seems to have some challenges. Since we don't rely on FOIA.gov, and are working to be added to it, the folks currently that could help him at Privacy, Transparency & Records at Treasury. I can call him back. Thanks for referring.

-----Original Message-----

From: Parham, Michelle
 Sent: Friday, March 20, 2020 2:24 PM
 To: Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
 Subject: FW: Return call assignment for the case number 03237801
 Importance: High

Hello,

CAG received a call from (b)(6). He needs technical assistance registering for OCC.Gov to submit a FOIA request. I informed the consumer that I would forward the information to you. See his call back number below.

K. Michelle Parham, CRCM, CAMS
 Director for Consumer Complaint Operations Office of Enterprise Governance and the Ombudsman – Customer Assistance Group Office of the Comptroller of the Currency Phone - 713-336-4343

This message is intended for designated recipients only. If you have received this message in error, please delete the original and all copies and notify the sender immediately. Federal law prohibits the disclosure or other use of this information.

-----Original Message-----

From: OMBUDSMAN_REMEDY <OMBUDSMAN_REMEDY@occ.treas.gov>
 Sent: Friday, March 20, 2020 12:51 PM
 To: Parham, Michelle <Michelle.Parham@occ.treas.gov>
 Subject: Return call assignment for the case number 03237801
 Importance: High

Please work on the return call.

Case Number : (b)(6)
 Assigned Call : Michelle.Parham
 Assigned Date: 3/20/2020 1:50:06 PM

Comment History:

3/20/2020 12:39:36 PM Patrice.Prazma
 RETURN CALL

CALLER NAME: (b)(6)

CALLER ISSUE: Appeal-MGR Refer to manager CSR RESPONSE: "The group that can best assist you is not available at the moment. I will be happy to take a message and someone will return your call."

PHONE # : (b)(6)

Additional information for CAG:

(b)(6)

From: Vance, Frank
Sent: Sun, 22 Mar 2020 20:08:44 +0000
To: Hewitt, Ronald
Cc: Robinson, Oliver
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence

It's a challenge for sure, but things appear to be flowing smoothly. I will call you in the morning when I know something. Do you have a number that I can use? My cell is (b)(6)



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hewitt, Ronald [mailto:rhewitt@cov.com]
Sent: Sunday, March 22, 2020 4:06 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: [EXTERNAL]RE: [EXTERNAL]RE: Certificate of Corporate Existence

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That is correct. Thank you. We greatly appreciate your response and assistance, particularly during this time with people working remotely and with limited staff.

Best regards,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Sunday, March 22, 2020 4:04 PM
To: Hewitt, Ronald <rhewitt@cov.com>
Subject: RE: [EXTERNAL]RE: Certificate of Corporate Existence
Importance: High

[EXTERNAL]

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Wilmington Trust, National Association, Wilmington, Delaware, Charter 22859?



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

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Sent: Sunday, March 22, 2020 3:53 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: [EXTERNAL]RE: Certificate of Corporate Existence

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Hi Frank,

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Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

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Thanks.



Frank D. Vance, Jr.
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& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

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From: Vance, Frank
Sent: Sun, 22 Mar 2020 19:53:39 +0000
To: Lybarger, Stephen
Cc: Robinson, Oliver; Proctor, Karen; Reilly, David
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence
Importance: High

The request is in our queue. I will check with my specialist first thing on Monday to find how quickly he can do. Typically these are done rather quickly.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Lybarger, Stephen
Sent: Friday, March 20, 2020 3:02 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>; Reilly, David <David.Reilly@occ.treas.gov>
Subject: FW: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence

Vance,
If you cannot reach Karen Proctor, I can provide confirmation that Wilmington Trust, National Association (OCC Charter Number 22859) is in business similar to the process we established for American Express.
Stephen



Stephen A. Lybarger
*Deputy Comptroller, Licensing
Comptroller of the Currency
400 7th Street, S. W.*

Washington, DC 20219
(202) 649-6319
Stephen.Lybarger@occ.treas.gov

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From: Hewitt, Ronald <rhewitt@cov.com>
Sent: Friday, March 20, 2020 2:58 PM
To: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Subject: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Stephen,

We're seeking the Certificate of Corporate Existence of our client Wilmington Trust, National Association (OCC Charter Number 22859). Please let me know if you require any further information.

Thanks,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Sent: Friday, March 20, 2020 2:55 PM
To: Hewitt, Ronald <rhewitt@cov.com>
Subject: RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence

[EXTERNAL]

Ron,
Can you share with me who the bank is
Thanks
Stephen



Stephen A. Lybarger
Deputy Comptroller, Licensing
Comptroller of the Currency
400 7th Street, S. W.
Washington, DC 20219
(202) 649-6319
Stephen.Lybarger@occ.treas.gov

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From: Hewitt, Ronald <rhewitt@cov.com>
Sent: Friday, March 20, 2020 1:48 PM
To: Solomon, Karen <KSolomon@cov.com>; Cummings, Marva <Marva.Cummings@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>; Bennett, Bruce <BBENNETT@cov.com>
Subject: [EXTERNAL]RE: [EXTERNAL]certificate of existence

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Hi Marva,

Thank you for your quick response and assistance during this time. We submitted the request and were given the following Case Number: 2020-00514-C. Please let me know if you have any questions or if there is any further information that I could provide.

We very much appreciate your assistance.

Best regards,
Ron

Ronald Hewitt

Covington & Burling LLP
The New York Times Building, 620 Eighth Avenue
New York, NY 10018-1405
T +1 212 841 1220 | rhewitt@cov.com
www.cov.com

COVINGTON

From: Solomon, Karen <KSolomon@cov.com>
Sent: Friday, March 20, 2020 1:43 PM
To: Cummings, Marva <Marva.Cummings@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>; Bennett, Bruce <BBENNETT@cov.com>; Hewitt, Ronald <rhewitt@cov.com>
Subject: RE: [EXTERNAL]certificate of existence

Marva -- Thank you so much for taking the time to give us this information. I'm copying in my colleagues Bruce Bennett and Ron Hewitt, who have direct responsibility for the matter, with the request that they notify you as you've asked.

As always, we very much appreciate your help!

Karen

Karen Solomon

Covington & Burling LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001-4956
T +1 202 662 5489 | ksolomon@cov.com
www.cov.com

COVINGTON

From: Cummings, Marva <Marva.Cummings@occ.treas.gov>
Sent: Friday, March 20, 2020 12:40 PM
To: Solomon, Karen <KSolomon@cov.com>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>
Subject: RE: [EXTERNAL]certificate of existence

[EXTERNAL]

Hi Karen...

Nice to hear from you. I hope you are also well.

Regarding certificates of existence – These certificates are issued by the folks in Communications. Below is a link for you to make the request. Let me know when you have submitted your request and we will follow up with Communications.

<https://nam01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.occ.gov%2Fabout%2Fconnect-with-us%2Ffoia%2Fcertified-documents.html%23.XnTview4PL2c.email&data=02%7C01%7Cmarva.cummings%40occ.treas.gov%7C7edf37446a694e1eb03e08d7ccec2cf3%7Cfd30c7091bb849f19c7edd8840c989d0%7C0%7C0%7C6372>

[03187053206492&sdata=s7pvzuzQOfU3BCblxRrRHmMTtek%2F6AMCggTXiVJG6w8%3D&reserved=0](#)

Take care and be well.

Marva

From: Solomon, Karen <KSolomon@cov.com>

Sent: Friday, March 20, 2020 11:47 AM

To: Cummings, Marva <Marva.Cummings@occ.treas.gov>

Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Rushdoony, Jonathan <Jonathan.Rushdoony@occ.treas.gov>

Subject: [EXTERNAL]certificate of existence

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Marva -- I hope you're well and managing through these crazy times with a minimum of disruption. I'm sure there are lots of things on your plate right now, so I'll be brief:

We have a national bank client, supervised from New York, set to close on a capital markets deal at the end of next week. The client has a "certificate of existence" dated at the beginning of March of this year

but is expecting to have to present a certificate dated closer in time to the closing of the transaction. Is it possible now to obtain a certificate from the OCC? Alternatively, if we provide the necessary information, might we be able to get a confirming e-mail from Licensing in New York indicating that nothing has changed since the certificate was issued and that it's still good?

Many thanks for your attention in what I'm sure are very trying times for the office.

Best,

Karen

Karen Solomon

Covington & Burling LLP
One CityCenter, 850 Tenth Street, NW
Washington, DC 20001-4956
T +1 202 662 5489 | ksolomon@cov.com
www.cov.com

COVINGTON

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From: Vance, Frank
Sent: Sun, 22 Mar 2020 19:48:18 +0000
To: Lybarger, Stephen
Cc: Robinson, Oliver
Subject: RE: [EXTERNAL]RE: [EXTERNAL]RE: [EXTERNAL]certificate of existence
Importance: High

I've contacted the requester. Awaiting his response.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

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Sent: Friday, March 20, 2020 3:02 PM
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Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>; Reilly, David <David.Reilly@occ.treas.gov>
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Best regards,
Ron

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[03187053206492&data=s7pvzuzQOfU3BCblxRrRHmMTtek%2F6AMCggTXiVJG6w8%3D&reserved=0](#)

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T +1 202 662 5489 | ksolomon@cov.com
www.cov.com

COVINGTON

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From: Vance, Frank
Sent: Thu, 19 Mar 2020 12:57:51 +0000
To: Robinson, Oliver
Subject: RE: FOIA position

I was hoping to advise that it had been posted before you asked! LOL



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Robinson, Oliver
Sent: Thursday, March 19, 2020 8:57 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: RE: FOIA position

Thanks for the update!

From: Vance, Frank
Sent: Thursday, March 19, 2020 8:55 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: FOIA position

It's on track to be posted shortly....Sandra and I have been working on the Job analysis. I caught two typos and no mention of one of the key elements of the job yesterday.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Robinson, Oliver
Sent: Thursday, March 19, 2020 8:53 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: FOIA position

What's the status of the FOIA position vacancy?

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Vance, Frank
Sent: Thu, 19 Mar 2020 12:55:12 +0000
To: Robinson, Oliver
Subject: RE: FOIA position

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Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
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From: Robinson, Oliver
Sent: Thursday, March 19, 2020 8:53 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: FOIA position

What's the status of the FOIA position vacancy?

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Vance, Frank
Sent: Mon, 3 Feb 2020 22:13:11 +0000
To: Belton, Felicia;England, Jacqueline;Hogan, Gail;Howard, Rhonda A;Satterfield, Kevin;Settles, Rosalye A
Cc: Robinson, Oliver;Small, David
Subject: RE: I am out tomorrow. TUESDAY

They say it will last for 2 hours. So I should be back by 12.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Vance, Frank
Sent: Monday, February 03, 2020 5:00 PM
To: Belton, Felicia <Felicia.Belton@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>; Hogan, Gail <Gail.Hogan@occ.treas.gov>; Howard, Rhonda A <Rhonda.Howard@occ.treas.gov>; Satterfield, Kevin <Kevin.Satterfield@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Small, David <David.Small@occ.treas.gov>
Subject: I am out tomorrow. TUESDAY
Importance: High

Tuesday I will be out of the office attending FOIA Training at the FDIC in Virginia. If you need me, call me on my cellphone (703) 577-6806. Leave a message. I will call you back as soon as I am able to.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Vance, Frank
Sent: Mon, 3 Feb 2020 21:59:52 +0000
To: Belton, Felicia;England, Jacqueline;Hogan, Gail;Howard, Rhonda A;Satterfield, Kevin;Settles, Rosalye A
Cc: Robinson, Oliver;Small, David
Subject: I am out tomorrow. TUESDAY
Importance: High

Tuesday I will be out of the office attending FOIA Training at the FDIC in Virginia. If you need me, call me on my cellphone (b)(6) Leave a message. I will call you back as soon as I am able to.



**Office of the
Comptroller of the Currency**

Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

Sent: Mon, 15 Jun 2020 18:01:31 +0000
To: Spencer, Millie; Vance, Frank
Subject: RE: Requesting Updates to OPA Organization Charts

Hi Millie – all is well. I hope the same for you and your family.

On the FOIA front, the points of contacts listed for each business line identifies their POC for our staff to contact when we're requesting information as a result of a FOIA. It also helps members of a business unit know who is their FOIA POC. Frank will have to update the POC names.

As for Communications, there are changes:

Replace Cheryle Robison with David Small in Design and Print Services (make sure to change the phone number to David's).

Delete Morey Rothberg in Editorial Services

Delete Kim Ware in Disclosure Services

From: Spencer, Millie <Millie.Spencer@occ.treas.gov>
Sent: Monday, June 15, 2020 1:25 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: Requesting Updates to OPA Organization Charts

Hello Mr. Oliver & Mr. Vance. I hope you and your families are doing well. I'm tasked with reaching out to all OPA groups to ensure that your org charts/Directory pages are up to date. That way, the new Acting Comptroller can get familiarized with our teams. You can attach it this email if you like.

Can you provide a POC from each group or should I forward only to WTTA submitters within each group?

- <http://occnet/workplace-services/public-affairs-services/disclosure-services/foia-bu-pocs.html>
- <http://occnet/districts-and-divisions/departments-and-divisions/office-of-public-affairs/communications/communications-phone-directory.html>

To facilitate the changes, I'll create the ticket for you. I will then transfer the ticket review back to you once it's on staging.

Thank you!

Millie Spencer

Office of Public Affairs | Public Affairs Operations
Web & Electronic Publishing (WEP) Team
Office (202) 649-8641 | Mobile (202) 345-5281

From: Rajae, Babak
Sent: Thu, 25 Jun 2020 20:46:19 +0000
To: Robinson, Oliver
Subject: FOIA

Join Skype Meeting

[Trouble Joining? Try Skype Web App](#)

Join by phone

(b)(2); (b)(6)

English (United States)
English (United States)

[Find a local number](#)

Conference ID:

(b)(2);
(b)(6)

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Need Help? Click the Help link above for the Skype for Business 2015 User Guide.

Skype is a powerful way to instantly communicate with colleagues, and other people within or outside of your organization. With just a click of a button you can open an Instant Messaging (IM), make a video call, or, even start an online meeting using the Audio future. SfB makes online communication more collaborative and engaging. You can use SfB from nearly any computer device, as long as you have internet access.

From: England, Jacqueline
Sent: Wed, 10 Jun 2020 12:18:30 +0000
To: Robinson, Oliver
Subject: RE: Staff meeting

sure

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Wednesday, June 10, 2020 8:06 AM
To: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Cc: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: Staff meeting

Good morning Jackie – hope all is well with you and your family. I understand Frank won't be on the conference call this morning. Can I call on you to cover FOIA? You can let everyone know any items the unit is working on noteworthy. Also, Babak tells me he's still working with the Law Department on enforcement action, etc. Any updates on Law Department interactions (including Licensing) ? Thank you.

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Robinson, Oliver
Sent: Wed, 5 Aug 2020 17:39:43 +0000
To: Vance, Frank
Subject: RE: Robinson, Oliver sent you a message in Skype for Business

Thanks Frank!

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Wednesday, August 5, 2020 1:39 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Robinson, Oliver sent you a message in Skype for Business

Jesse Hamilton is with BLOOMBERG, btw.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Robinson, Oliver <oliver.robinson@occ.treas.gov>
Sent: Wednesday, August 5, 2020 12:21 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: Robinson, Oliver sent you a message in Skype for Business

Robinson, Oliver 12:19 PM:

Frank, I am meeting with Bryan today at 2:00. I'd like to mention the most significant FOIA issues, like the most significant request about FOIA. What are the most visible requests you're working on currently?

From: Robinson, Oliver
Sent: Tue, 28 Jul 2020 12:23:54 +0000
To: Gittleman, Louis
Cc: Lybarger, Stephen; Vance, Frank (Frank.Vance@occ.treas.gov); England, Jacqueline
Subject: RE: Varo Charter Certificate

Thanks. Do keep us in the loop!

From: Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Sent: Tuesday, July 28, 2020 8:15 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Yes, I have asked them to resubmit the Articles. They have a Board meeting planned for later this week and can ratify the amendment at that time. I will make sure an original is sent to the folks in Communications/Record Management.

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Tuesday, July 28, 2020 6:02 AM
To: Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Subject: FW: Varo Charter Certificate

Hi Louis – this question came from our FOIA staff. See below. Do the articles and the bank certificate match?

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Tuesday, July 28, 2020 7:48 AM
To: Small, David <David.Small@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Do you know if the bank is resubmitting the articles? The name in the certificate should agree with the bank's articles otherwise that is a problem for us when it comes to certifying.

From: Robinson, Oliver
Sent: Tue, 28 Jul 2020 12:23:20 +0000
To: England, Jacqueline; Vance, Frank (Frank.Vance@occ.treas.gov)
Cc: Small, David
Subject: FW: Varo Charter Certificate

FYI

From: Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Sent: Tuesday, July 28, 2020 8:15 AM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Yes, I have asked them to resubmit the Articles. They have a Board meeting planned for later this week and can ratify the amendment at that time. I will make sure an original is sent to the folks in Communications/Record Management.

From: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Sent: Tuesday, July 28, 2020 6:02 AM
To: Gittleman, Louis <Louis.Gittleman@occ.treas.gov>
Cc: Lybarger, Stephen <Stephen.Lybarger@occ.treas.gov>
Subject: FW: Varo Charter Certificate

Hi Louis – this question came from our FOIA staff. See below. Do the articles and the bank certificate match?

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Tuesday, July 28, 2020 7:48 AM
To: Small, David <David.Small@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Do you know if the bank is resubmitting the articles? The name in the certificate should agree with the bank's articles otherwise that is a problem for us when it comes to certifying.

From: Robinson, Oliver
Sent: Tue, 28 Jul 2020 12:01:43 +0000
To: Gittleman, Louis
Cc: Lybarger, Stephen
Subject: FW: Varo Charter Certificate

Hi Louis – this question came from our FOIA staff. See below. Do the articles and the bank certificate match?

From: England, Jacqueline <Jacqueline.England@occ.treas.gov>
Sent: Tuesday, July 28, 2020 7:48 AM
To: Small, David <David.Small@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Varo Charter Certificate

Do you know if the bank is resubmitting the articles? The name in the certificate should agree with the bank's articles otherwise that is a problem for us when it comes to certifying.

From: Robinson, Oliver
Sent: Fri, 24 Jul 2020 14:49:35 +0000
To: Vance, Frank
Subject: Re: 9048278_v10_DRAFT - Statement of Work - HIPC Project

(b)(5)

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Date: July 24, 2020 at 9:16:46 AM EDT
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>, Hubbard, Bryan
<Bryan.Hubbard@occ.treas.gov>
Subject: FW: 9048278_v10_DRAFT - Statement of Work - HIPC Project
Importance: High

(b)(5)

See below. I will keep you posted.

Frank



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Vance, Frank
Sent: Friday, July 24, 2020 8:54 AM
To: Sagri, Alissa <Alissa.Sagri@occ.treas.gov>; Hindin, Gabriel <Gabriel.Hindin@occ.treas.gov>
Cc: Merritt, Kristin <Kristin.Merritt@occ.treas.gov>
Subject: RE: 9048278_v10_DRAFT - Statement of Work - HIPC Project
Importance: High

Hi Alissa:

(b)(5)

Thanks

FRANK



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Sagri, Alissa <Alissa.Sagri@occ.treas.gov>
Sent: Friday, July 24, 2020 7:18 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; Hindin, Gabriel <Gabriel.Hindin@occ.treas.gov>
Cc: Merritt, Kristin <Kristin.Merritt@occ.treas.gov>
Subject: RE: 9048278_v10_DRAFT - Statement of Work - HIPC Project

Frank,

(b)(5)

Alissa Sagri, Counsel
Litigation Group
Office of the Comptroller of the Currency
400 7th Street, SW 9E-1
Washington, DC 20219
Phone: (202) 649-6261
E-Fax: (703) 857-4017
Mobile: (240) 554-7138

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If you have received this message in error, please delete
the original and all copies and notify the sender immediately.*
Federal law prohibits the disclosure or other use of this information.*

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Thursday, July 23, 2020 4:39 PM

To: Hindin, Gabriel <Gabriel.Hindin@occ.treas.gov>
Cc: Sagri, Alissa <Alissa.Sagri@occ.treas.gov>; Merritt, Kristin <Kristin.Merritt@occ.treas.gov>
Subject: RE: 9048278_v10_DRAFT - Statement of Work - HIPC Project

(b)(5)



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hindin, Gabriel <Gabriel.Hindin@occ.treas.gov>
Sent: Thursday, July 23, 2020 1:56 PM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Sagri, Alissa <Alissa.Sagri@occ.treas.gov>
Subject: RE: 9048278_v10_DRAFT - Statement of Work - HIPC Project

Hi Frank,

(b)(5)

Gabriel

Gabriel A. Hindin
Counsel, Litigation Group
Office of the Comptroller of the Currency
400 7th Street SW
Washington, DC 20219
Work: (202) 649-7228
Mobile: (202) 705-8319

E-Fax: (571) 465-4555
Gabriel.Hindin@occ.treas.gov

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Thursday, July 23, 2020 11:09 AM
To: Hindin, Gabriel <Gabriel.Hindin@occ.treas.gov>
Subject: RE: 9048278_v10_DRAFT - Statement of Work - HIPC Project

Thank you. I apologize for the inordinate time it took for me to review this, but I wanted to be as thorough and as thoughtful as I could be.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hindin, Gabriel <Gabriel.Hindin@occ.treas.gov>
Sent: Thursday, July 23, 2020 11:02 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: RE: 9048278_v10_DRAFT - Statement of Work - HIPC Project

Frank,

Thanks for your feedback and for bringing these issues to my attention. I will forward your comments to the working group so that we can discuss what next steps we may need to take.

Thanks,

Gabriel

Gabriel A. Hindin
Counsel, Litigation Group
Office of the Comptroller of the Currency
400 7th Street SW
Washington, DC 20219
Work: (202) 649-7228
Mobile: (202) 705-8319
E-Fax: (571) 465-4555
Gabriel.Hindin@occ.treas.gov

From: Vance, Frank <Frank.Vance@occ.treas.gov>

Sent: Thursday, July 23, 2020 10:03 AM

To: Hindin, Gabriel <Gabriel.Hindin@occ.treas.gov>

Subject: 9048278_v10_DRAFT - Statement of Work - HIPC Project

Importance: High

Hi!

I've looked over this and have made some comments in the document.

(b)(5)

You may want to consult with Kristin Merritt in AIL.

Hope this helps in some small way. Please keep me posted.

From: Robinson, Oliver
Sent: Thu, 25 Jun 2020 20:50:30 +0000
To: Rajaei, Babak
Subject: Tentative: FOIA

(b)(6) If I am not back, I'll send you a message. Otherwise, I'll talk with you then.

From: Robinson, Oliver
Sent: Wed, 17 Jun 2020 15:08:54 +0000
To: Small, David;Smith, Erin
Subject: FOIA's high school presentation

FYI - I spoke with Frank about FOIA's high school presentation. He said they only need about 15 minutes because they adjusted their presentation from last year. Also, it does not matter if they present before or after your team.

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Robinson, Oliver
Sent: Mon, 15 Jun 2020 18:11:46 +0000
To: Spencer, Millie; Vance, Frank
Subject: RE: Requesting Updates to OPA Organization Charts

Hi Millie – all is well. I hope the same for you and your family.

On the FOIA front, the points of contacts listed for each business line identifies their POC for our staff to contact when we're requesting information because of a FOIA. It also helps members of a business unit know who is their FOIA POC. Frank will have to update the POC names.

As for Communications, there are changes:

Replace Cheryle Robison with David Small in Design and Print Services (make sure to change the phone number to David's).

Delete Morey Rothberg in Editorial Services

Delete Kim Ware in Disclosure Services

Let me know if you need more from me.

Thanks,
 Oliver

From: Spencer, Millie <Millie.Spencer@occ.treas.gov>
Sent: Monday, June 15, 2020 1:25 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>
Subject: Requesting Updates to OPA Organization Charts

Hello Mr. Oliver & Mr. Vance. I hope you and your families are doing well. I'm tasked with reaching out to all OPA groups to ensure that your org charts/Directory pages are up to date. That way, the new Acting Comptroller can get familiarized with our teams. You can attach it this email if you like.

Can you provide a POC from each group or should I forward only to WTTA submitters within each group?

- <http://occnet/workplace-services/public-affairs-services/disclosure-services/foia-bu-pocs.html>
- <http://occnet/districts-and-divisions/departments-and-divisions/office-of-public-affairs/communications/communications-phone-directory.html>

To facilitate the changes, I'll create the ticket for you. I will then transfer the ticket review back to you once it's on staging.

Thank you!

Millie Spencer

Office of Public Affairs | Public Affairs Operations

Web & Electronic Publishing (WEP) Team

Office (202) 649-8641 | Mobile (202) 345-5281

From: Robinson, Oliver
Sent: Wed, 6 May 2020 13:41:36 +0000
To: Hubbard, Bryan; Vance, Frank; England, Jacqueline
Subject: RE: FOIA Requests

Did you hear from us?

From: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Sent: Wednesday, May 6, 2020 9:02 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: FOIA Requests

Can one of you please give me a call?

I can be available at 9:30.

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Hubbard, Bryan
Sent: Tuesday, May 5, 2020 10:12 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: FOIA Requests

Can you share a log of what FOIA requests are in the hopper and which ones may be going out before May 12?

Frank can you give me a call later today for quick chat?

Bryan Hubbard
Deputy Comptroller for Public Affairs
Office of the Comptroller of the Currency
bryan.hubbard@occ.treas.gov
Constitution Center (10W-403)
Washington DC 20219
(202) 649-6870

From: Robinson, Oliver
Sent: Thu, 23 Apr 2020 14:10:36 +0000
To: Vance, Frank
Subject: RE: ON THE FOIA FRONT

Sounds good for your staff. You know what's best!

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Date: April 23, 2020 at 10:09:46 AM EDT
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Cc: Small, David <David.Small@occ.treas.gov>
Subject: RE: ON THE FOIA FRONT

This is my second one...and my goal is to do this every week.



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Robinson, Oliver
Sent: Thursday, April 23, 2020 9:51 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Small, David <David.Small@occ.treas.gov>
Subject: RE: ON THE FOIA FRONT

Nice overview and update!

From: Vance, Frank
Sent: Thursday, April 23, 2020 9:38 AM
To: Belton, Felicia <Felicia.Belton@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>; Hogan, Gail <Gail.Hogan@occ.treas.gov>; Howard, Rhonda A <Rhonda.Howard@occ.treas.gov>; Satterfield, Kevin <Kevin.Satterfield@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>

Page 325

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From: Robinson, Oliver
Sent: Thu, 23 Apr 2020 13:50:57 +0000
To: Vance, Frank
Cc: Small, David
Subject: RE: ON THE FOIA FRONT

Nice overview and update!

From: Vance, Frank
Sent: Thursday, April 23, 2020 9:38 AM
To: Belton, Felicia <Felicia.Belton@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>; Hogan, Gail <Gail.Hogan@occ.treas.gov>; Howard, Rhonda A <Rhonda.Howard@occ.treas.gov>; Satterfield, Kevin <Kevin.Satterfield@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: ON THE FOIA FRONT
Importance: High

Good morning!

(b)(5)

(b)(5)

Please take care all and be safe.

If you need to talk to me, I can always be reached at (b)(6)



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Robinson, Oliver
Sent: Tue, 7 Apr 2020 20:22:32 +0000
To: Small, David;Vance, Frank
Subject: RE: Tomorrow's Comm staff meeting

David and Frank – for our staff meeting tomorrow, be prepared to provide highlights from your areas. You can add to the list or correct it.

Here's what I am thinking:

Opening - Oliver

Updates - Oliver

Design and FOIA hiring

Parking fees – going up

COVID updates

How to inform OCC and others about COVID - refer to memo from Kathy Murphy

Mandatory Training - Oliver

FOIA Updates - Frank

Certification Process

Working with WEPs on database

Enforcement Action – Wells

(b)(6)

Design & Editing Updates - David

(b)(6)

Other Design related issues/ announcements

Reminders - Oliver

PA all-hands meeting 4/8/20 at 3:00

OCC town hall meeting 4/9/20 at 12:30-1:30

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Small, David

Sent: Tuesday, April 7, 2020 12:00 PM

To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>

Subject: RE: Tomorrow's Comm staff meeting

(b)(6)

I think others would be genuinely interested to hear about the advancements in CRA process and the Comptroller's support for electronic certifications

Might want to go through recent all-OCC emails to remind folks of stuff

- PMR training (get somebody who took it to give overview)
- Parking fee increase
- COVID procedures for notification

Give some props to the editorial team for the myriad bulletins we've been putting out and provide some strategic perspective to link their job with the larger national effort/financial industry = critical infrastructure during COVID

New Designer and FOIA positions updates

(b)(6)

From: Robinson, Oliver

Sent: Tuesday, April 7, 2020 11:54 AM

To: Small, David <David.Small@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>

Subject: Tomorrow's Comm staff meeting

Good morning – anything you'd like covered at our division meeting tomorrow morning?

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Robinson, Oliver
Sent: Thu, 2 Apr 2020 11:41:33 +0000
To: Vance, Frank;Hubbard, Bryan
Subject: RE: Wellls Fargo Dox

Thanks Frank.

From: Vance, Frank
Sent: Thursday, April 2, 2020 7:34 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Wellls Fargo Dox
Importance: High

<https://foia-pal.occ.gov/app/ReadingRoom.aspx>

The folder should be at the bottom of the screen. When they hit the page, all the drawers will be checked. They should uncheck all by clicking on the box at the top of the list by the label of the column listed as READING ROOM FILE CABINET. Then, they should scroll down and check the **Wells Fargo IAP Enforcement Proceeding Filings** folder. Then click the search button. They will then get the list of over 100 filings thus far.

Frank



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

From: Hubbard, Bryan
Sent: Thursday, April 02, 2020 7:19 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: Wellls Fargo Dox

Can you send me the link please? And or instructions so I can provide to press who ask.

Bryan Hubbard

OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Vance, Frank <Frank.Vance@occ.treas.gov>
Sent: Thursday, April 2, 2020 7:15 AM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: Wellls Fargo Dox
Importance: High

FYI -- The first batch of Wells IAP Enforcement Dox were posted in the FOIA Reading Room yesterday.

Frank



Frank D. Vance, Jr.
Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758
DESKTOP FAX: (703) 857-3595

Page 332

Withheld pursuant to exemption

(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

Page 333

Withheld pursuant to exemption

(b)(5); (b)(6)

of the Freedom of Information and Privacy Act

Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile

From: Robinson, Oliver
Sent: Tue, 24 Mar 2020 20:45:30 +0000
To: Vance, Frank (Frank.Vance@occ.treas.gov)
Cc: England, Jacqueline
Subject: FW: Telework for FOIA staff

(b)(5); (b)(6)

From: Vance, Frank
Sent: Tuesday, March 24, 2020 12:00 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>
Subject: RE: Telework for FOIA staff
Importance: High

Oliver:

(b)(5); (b)(6)

(b)(5); (b)(6)

FRANK



**Office of the
Comptroller of the Currency**

Frank D. Vance, Jr.

Manager, Disclosure Services
& Freedom of Information Act Officer
Communications Division
Office of the Comptroller of the Currency

DESK: (202) 649-6758

DESKTOP FAX: (703) 857-3595

From: Robinson, Oliver

Sent: Tuesday, March 24, 2020 11:23 AM

To: Vance, Frank <Frank.Vance@occ.treas.gov>; England, Jacqueline
<Jacqueline.England@occ.treas.gov>

Subject: Telework for FOIA staff

(b)(5); (b)(6)

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Robinson, Oliver
Sent: Tue, 24 Mar 2020 15:22:55 +0000
To: Vance, Frank (Frank.Vance@occ.treas.gov); England, Jacqueline
Subject: Telework for FOIA staff

(b)(5); (b)(6)

*Oliver A. Robinson
Comptroller of the Currency
Director, Communications
Public Affairs
202.649.6757 office
202.821.5760 mobile*

From: Robinson, Oliver
Sent: Tue, 24 Mar 2020 14:18:21 +0000
To: England, Jacqueline
Cc: Hubbard, Bryan; Vance, Frank (Frank.Vance@occ.treas.gov)
Subject: RE: Closure of Federal Record Centers

Jackie – what does this mean for the FOIA staff?

From: England, Jacqueline
Sent: Tuesday, March 24, 2020 10:12 AM
To: Belton, Felicia <Felicia.Belton@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>; Hogan, Gail <Gail.Hogan@occ.treas.gov>; Howard, Rhonda A <Rhonda.Howard@occ.treas.gov>; Satterfield, Kevin <Kevin.Satterfield@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Vance, Frank <Frank.Vance@occ.treas.gov>; Ware, Kimberly <Kimberly.Ware@occ.treas.gov>
Cc: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: FW: Closure of Federal Record Centers

Note the FRC is closed

From: OBrien, Susan B
Sent: Tuesday, March 24, 2020 9:46 AM
To: Vance, Frank <Frank.Vance@occ.treas.gov>; England, Jacqueline <Jacqueline.England@occ.treas.gov>; Merritt, Kristin <Kristin.Merritt@occ.treas.gov>; Marcotte, Karen <Karen.Marcotte@occ.treas.gov>; Friedman, Jason E <Jason.Friedman@occ.treas.gov>; Proctor, Karen <Karen.Proctor@occ.treas.gov>
Cc: RIM <RIM@occ.treas.gov>; RIM Team <RIMTeam@occ.treas.gov>; Baumgardner, Rusty <Charles.Baumgardner@occ.treas.gov>
Subject: Closure of Federal Record Centers

Hello,

We wanted to share with our “highest” user groups regarding **closure of all Federal Records Centers during this pandemic.**

Please pass this onto your teams as appropriate.

I am informing each district, and will also be informing our broader RIM Workgroup tomorrow. Since recalling records does not impact most OCC employees, I was not planning to send a broad message agency-wide.

Originally FRCs were planning to remain open and we were going to be able to provide “scan on demand” services as needed on a case-by-case basis. However, NARA has changes their decision for safety of their staff which we all agree is the most important.

Therefore, we cannot provide assistance for any paper records stored at any FRC, including all the Corporate History Files and licensing files that used to be stored at HQ.

The Bank Director Oaths are still currently in the RM File Room, however we are in process of scanning these and have some already available – so please let us know and we can see if we have already digitized it.

Finally, if you are still working onsite at OCC HQ (unless policy changes and this is not allowed), and if you have already recalled boxes that are currently in our RM File Room at HQ (room 8E-119), please contact me and we can grant limited access for the day(s) you will be onsite and can work in the file room. We will still require all records to remain in the file room and that you sign in when entering. We have the multipurpose scanner available for your use, and we also have high quality Canon scanners in the room (you need software and specific driver installed on your machine) if that would help with your needs.

The FOIA team already has access to the room, and we ask that you continue to sign the log detailing information you were using whenever you enter the room.

Thank you for understanding this current situation.

Please call me at (b)(6) if you have any questions or concerns.

Best wishes,
Susan

Susan O'Brien, Agency Records Office, CUI & IT Accessibility Programs Manager
Office of the Comptroller of the Currency
400 7th Street, SW Room 3W-401
Washington, DC 20219

(b)(6)

From: Robinson, Oliver
Sent: Wed, 15 Jan 2020 19:51:54 +0000
To: Hubbard, Bryan
Subject: RE: quick question

I spoke with Frank and he's happy to be on the workgroup.

From: Hubbard, Bryan
Sent: Wednesday, January 15, 2020 12:47 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: RE: quick question

Please let Frank know

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: Robinson, Oliver
Sent: Wednesday, January 15, 2020 12:47 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: RE: quick question

Let's include Frank on the workgroup. He can reassign to someone if he chooses but it's a good idea to have someone from FOIA on the group.

From: Hubbard, Bryan
Sent: Wednesday, January 15, 2020 12:05 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: FW: quick question

Should you or someone from your team continue to represent us? Frank? Jackie?

Bryan Hubbard
OCC Public Affairs
bryan.hubbard@occ.treas.gov
(202) 649-6747

From: D'Costa, Russell
Sent: Wednesday, January 15, 2020 12:04 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FW: quick question

Would you like someone from Communications to be on the Records Management workgroup? I think it may be helpful.

From: OBrien, Susan B
Sent: Wednesday, January 15, 2020 10:11 AM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: quick question

Hi Russell, thanks again for your involvement and commitment with our RIM-CUI efforts!
After the quick discussion about Brian Hubbard's group's lead – where do they fall regarding EC Lite rep – under you? Should we ask Communications to have a workgroup member or is this something you can just pass along any necessary info/reach out to them as necessary?

Best wishes,
Susan

Susan O'Brien, Agency Records Office, CUI & IT Accessibility Programs Manager
Office of the Comptroller of the Currency
400 7th Street, SW Room 3W-401
Washington, DC 20219
202-649-7029

From: Robinson, Oliver
Sent: Wed, 15 Jan 2020 17:48:17 +0000
To: Vance, Frank (Frank.Vance@occ.treas.gov)
Subject: FW: quick question

Hi Frank – I recommended you for this workgroup. However, you can designate someone else from FOIA for the workgroup should you choose.

From: Robinson, Oliver
Sent: Wednesday, January 15, 2020 12:47 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: RE: quick question

Let's include Frank on the workgroup. He can reassign to someone if he chooses but it's a good idea to have someone from FOIA on the group.

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Sent: Wednesday, January 15, 2020 12:05 PM
To: Robinson, Oliver <Oliver.Robinson@occ.treas.gov>
Subject: FW: quick question

Should you or someone from your team continue to represent us? Frank? Jackie?

Bryan Hubbard
 OCC Public Affairs
bryan.hubbard@occ.treas.gov
 (202) 649-6747

From: D'Costa, Russell
Sent: Wednesday, January 15, 2020 12:04 PM
To: Hubbard, Bryan <Bryan.Hubbard@occ.treas.gov>
Subject: FW: quick question

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From: OBrien, Susan B
Sent: Wednesday, January 15, 2020 10:11 AM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: quick question

Hi Russell, thanks again for your involvement and commitment with our RIM-CUI efforts!
 After the quick discussion about Brian Hubbard's group's lead – where do they fall regarding EC Lite rep – under you? Should we ask Communications to have a workgroup member or is this something you can just pass along any necessary info/reach out to them as necessary?

Best wishes,
Susan

Susan O'Brien, Agency Records Office, CUI & IT Accessibility Programs Manager
Office of the Comptroller of the Currency
400 7th Street, SW Room 3W-401
Washington, DC 20219
202-649-7029

Sent: Fri, 24 Jan 2020 13:47:35 +0000
To: Settles, Rosalye A
Cc: Moore, Carrie;D'Costa, Russell
Subject: RE: [EXTERNAL]Request for Documents for #2020-00090-F
Attachments: CONGR-2019-0054 Request - McHenry, et al (Madden - Valid When Made).pdf, CONGR-2019-0054 Response - McHenry, et al (Madden fix).pdf

From: D'Costa, Russell
Sent: Tuesday, January 14, 2020 10:56 AM
To: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Iñiguez, Diane <Diane.Iniguez@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: Fwd: [EXTERNAL]Request for Documents for #2020-00090-F

Good morning Carrie,

Please see the below FOIA request.

For written correspondence, I believe your team should be able to produce all letters, etc.

For the electronic correspondence between your team and the respective staffs, I think a list of emails addresses of the respective staff members and congressmen would be needed so that our IT team could pull and search. Can you please have a list of those email addresses put together? I will then send that list to Diane and her team to have an e-discovery search ran when I submit the e-discovery request.

Please let me know if there is anything further I can do on my end to assist.

Russell

From: Rosalye.Settles@occ.treas.gov <Rosalye.Settles@occ.treas.gov>
Date: January 14, 2020 at 10:00:30 AM EST
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL]Request for Documents for #2020-00090-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request for Documents for Request # '2020-00090-F'. Your response due date is: 1/29/2020 12:00:00 AM Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Allied Progress, a project of Accountable.US**) for access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and January 13, 2020 for the following Congress persons:

Sen. Mitch McConnell; Sen. Rand Paul; Sen. Mike Lee; Sen. Mitt Romney; Rep. Rob Bishop; Rep. John Curtis; Rep. Ben McAdams; Rep. Chris Stewart; Rep. James Comer; Rep. Brett Guthrie; Rep. John Yarmuth; Rep. Thomas Massie; Rep. Hal Rogers; Rep. Andy Barr; Specifically, correspondence that contain any of the following keywords or phrases: "Republic Bank" "Elastic" "FinWise" "All West" "Rent-A-Bank" "Rent A Bank" "Valid-When-Made" "12 CFR Part 7" "12 CFR Part 160" "RIN 1557-AE73" Please see the attached [see attached letter].

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. Please do not refer this request yourself.

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to Rosalye Settles by close of business on January 29, 2020. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to

Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6768**.

Thank you for your assistance.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Congress of the United States
Washington, DC 20515

September 19, 2019

The Honorable Joseph Otting
Comptroller of the Currency
Office of the Comptroller of the Currency
400 7th Street, NW
Washington, D.C. 20219

Dear Comptroller Otting,

We write regarding the legal doctrine of “valid when made” and the ability of financial institutions to partner with non-bank financial technology (fintech) firms to provide credit to consumers and businesses throughout our nation.

As you know, in 2015, the Second Circuit Court of Appeals held in *Madden v. Midland Funding* (*Madden*) that the National Bank Act allows federally chartered banks to charge interest according to the laws of their home state on loans that they make nationwide. However, the court also ruled that when non-banks purchase loans from federally chartered banks on the secondary market, the usury laws of other states can apply.

The *Madden* decision deviated from the legal precedent of “valid when made,” which provides that if a loan’s interest rate is valid in the state where it is originated, the loan continues to be valid when transferred to a third party in another state. The “valid when made” doctrine has been central to U.S. banking law for more than a century, and by abandoning that principle, *Madden* has caused significant uncertainty and disruption in many types of lending programs.

The *Madden* decision has resulted in a fragmented interpretation of banking law in our country, which threatens bank-fintech partnerships that can often provide small businesses and consumers with better access to capital and financing alternatives. This outcome has the potential to affect all types of securitized debt, which impacts access to credit and lenders’ risk and liquidity management activities.

Some evidence shows that credit availability has declined in states directly impacted by the *Madden* decision, with a particularly severe reduction in credit to borrowers with lower credit scores who may lack access to traditional lending sources.¹ Additionally, bank-fintech partnerships have since been challenged in courts in other jurisdictions, which presents the possibility that other federal circuits could adopt a similar ruling.

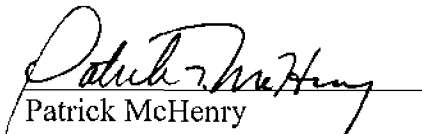
¹ Colleen Honigsberg, Robert Jackson, and Richard Squire, *How Does Legal Enforceability Affect Consumer Lending? Evidence from a Natural Experiment*, THE JOURNAL OF LAW AND ECONOMICS, October 2017, available at https://ccl.yale.edu/sites/default/files/files/LEO18_Honigsberg.pdf.

This uncertainty hinders the efficient and effective operation of credit markets and impedes fintech innovation, because non-bank third parties, such as marketplace lenders, may be discouraged from purchasing, servicing, or securitizing loans originated by banks and credit unions because of the risk of litigation. At a time when policymakers are working to sustain economic growth and prosperity over the long term, we believe it is unwise to artificially limit access to credit in this manner.

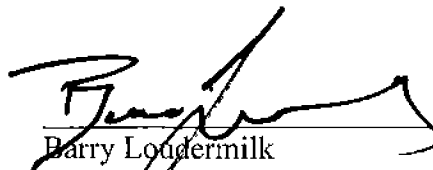
Fortunately, we believe administrative solutions to mitigate the consequences of the *Madden* decision are available and achievable. Specifically, the OCC has the authority to update its interpretation of the definition of “interest” under the National Bank Act to ensure that our nation’s policies governing usury laws are applied on a clear, consistent basis nationwide. We appreciate the OCC’s and the FDIC’s expression of support for the “valid when made” doctrine in the agencies’ recent amicus brief filed to the U.S. District Court for the District of Colorado in *Rent-Rite Super Kegs Ltd. v. World Business Lenders, LLC*. We also note that the Treasury Department’s July 2018 report on fintech recommended that the federal banking regulators use their available authorities to address the impacts of the *Madden* decision. We request that this issue be made a priority on the OCC’s rulemaking agenda.

We appreciate your attention to this matter and look forward to finding a workable solution that will benefit American consumers and small businesses. Please do not hesitate to reach out if we can be of assistance.

Sincerely,



Patrick McHenry
Member of Congress



Barry Loudermilk
Member of Congress



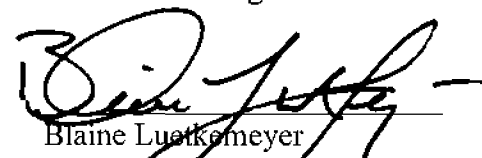
French Hill
Member of Congress



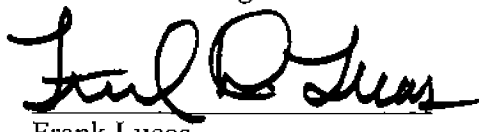
Ted Budd
Member of Congress



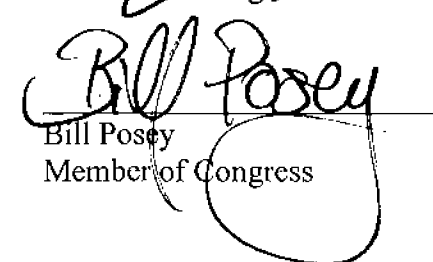
Ann Wagner
Member of Congress



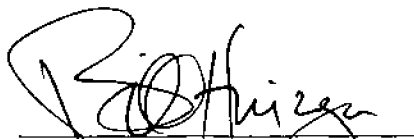


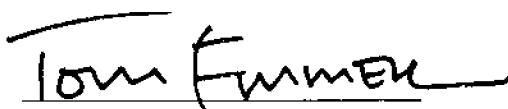

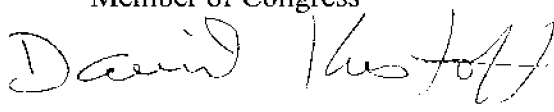
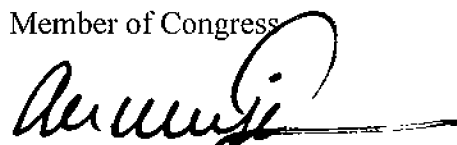

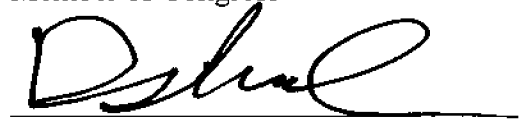
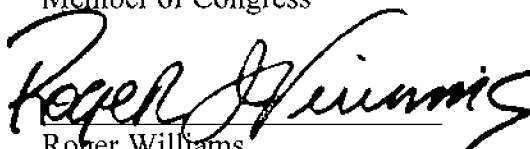
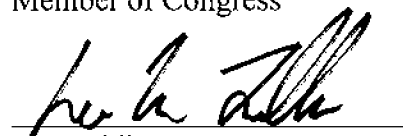
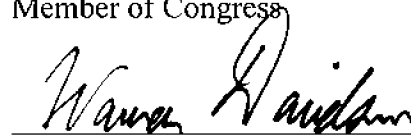
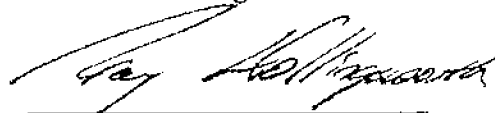
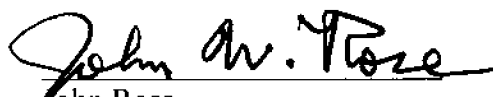
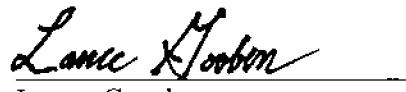
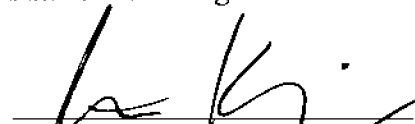
Blaine Luetkemeyer
Member of Congress



Frank Lucas
Member of Congress



Bill Posey
Member of Congress


Bill Huizenga
Member of Congress
Steve Stivers
Member of Congress
Scott Tipton
Member of Congress
Tom Emmer
Member of Congress
Alex Mooney
Member of Congress
David Kustoff
Member of Congress
Anthony Gonzalez
Member of Congress
Bryan Steil
Member of Congress
Denver Lee Riggleman III
Member of Congress
Sean Duffy
Member of Congress
Andy Barr
Member of Congress
Roger Williams
Member of Congress
Lee Zeldin
Member of Congress
Warren Davidson
Member of Congress
Trey Hollingsworth
Member of Congress
John Rose
Member of Congress
Lance Gooden
Member of Congress
Peter King
Member of Congress



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Blaine Luetkemeyer
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Luetkemeyer:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

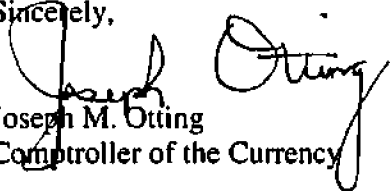
In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

As you noted, the *Madden* decision deviated from the long-established valid-when-made doctrine, which provides that, if the interest-rate term in a bank’s original loan agreement was non-usurious, the loan does not become usurious upon assignment, and so the assignee may lawfully charge interest at the original rate. The valid-when-made doctrine supports commercial needs and fundamental fairness and is consistent with general principles of contract law.

We agree that administrative solutions to mitigate the consequences of the *Madden* decision may be available. As we have stated before, the Office of the Comptroller of the Currency (OCC) believes that the *Madden* case was wrongly decided. We first took this position in a 2016 *amicus* brief filed in the U.S. Supreme Court, in which the OCC and the U.S. Solicitor General stated that the *Madden* decision was incorrect. Just a few weeks ago, we reiterated this view in an *amicus* brief we filed jointly with the FDIC in the U.S. District Court for the District of Colorado in *Rent-Rite Super Kegs West Ltd. v. World Business Lenders, LLC*. We continue to consider all options, including providing regulatory clarity, to provide more certainty to the banks we regulate.

We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Alexander Mooney
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Mooney:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

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We agree that administrative solutions to mitigate the consequences of the *Madden* decision may be available. As we have stated before, the Office of the Comptroller of the Currency (OCC) believes that the *Madden* case was wrongly decided. We first took this position in a 2016 *amicus* brief filed in the U.S. Supreme Court, in which the OCC and the U.S. Solicitor General stated that the *Madden* decision was incorrect. Just a few weeks ago, we reiterated this view in an *amicus* brief we filed jointly with the FDIC in the U.S. District Court for the District of Colorado in *Rent-Rite Super Kegs West Ltd. v. World Business Lenders, LLC*. We continue to consider all options, including providing regulatory clarity, to provide more certainty to the banks we regulate.

We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph M. Otting', written over the printed name and title.

Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Peter King
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative King:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

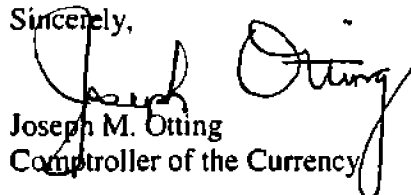
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We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Lance Gooden
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Gooden:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

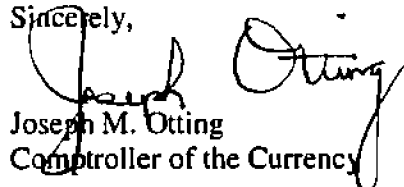
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Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable John Rose
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Rose:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

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Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph M. Otting', written over the printed name and title.
Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Trey Hollingsworth
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Hollingsworth:

Thank you for your letter dated September 19, 2019, regarding the "valid-when-made" doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

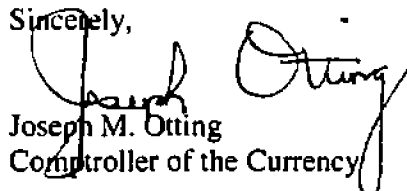
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Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Warren Davidson
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Davidson:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

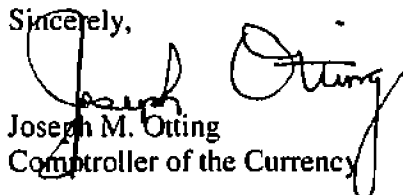
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Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Lee Zeldin
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Zeldin:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

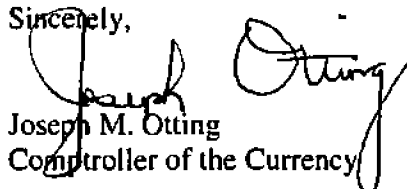
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We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Roger Williams
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Williams:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

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A handwritten signature in black ink, appearing to read 'Joe Otting', written over the printed name and title.
Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Andy Barr
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Barr:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

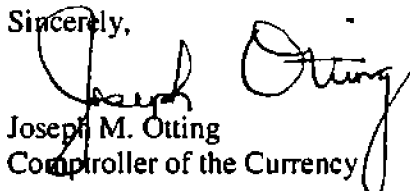
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Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Denver Lee Riggleman III
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Riggleman:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

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Joseph M. Otting
Comptroller of the Currency

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Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Bryan Steil
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Steil:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

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Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Anthony Gonzalez
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Gonzalez:

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Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable David Kustoff
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Kustoff:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

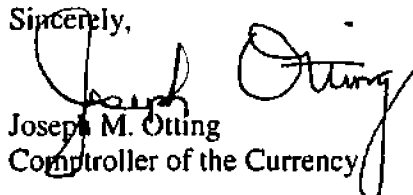
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Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Tom Emmer
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Emmer:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

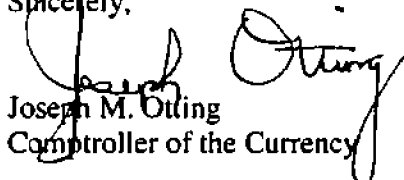
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Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Scott Tipton
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Tipton:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

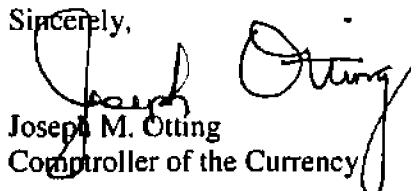
In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

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We agree that administrative solutions to mitigate the consequences of the *Madden* decision may be available. As we have stated before, the Office of the Comptroller of the Currency (OCC) believes that the *Madden* case was wrongly decided. We first took this position in a 2016 *amicus* brief filed in the U.S. Supreme Court, in which the OCC and the U.S. Solicitor General stated that the *Madden* decision was incorrect. Just a few weeks ago, we reiterated this view in an *amicus* brief we filed jointly with the FDIC in the U.S. District Court for the District of Colorado in *Rent-Rite Super Kegs West Ltd. v. World Business Lenders, LLC*. We continue to consider all options, including providing regulatory clarity, to provide more certainty to the banks we regulate.

We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Steve Stivers
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Stivers:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

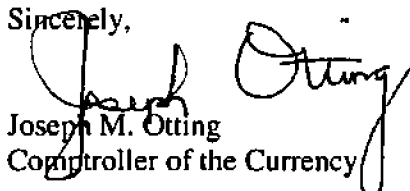
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We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Bill Huizenga
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Huizenga:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

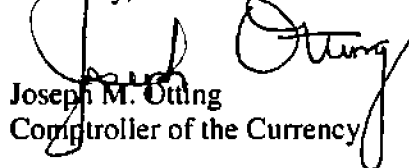
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We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Bill Posey
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Posey:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

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We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph M. Otting', written over the printed name and title.

Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Ted Budd
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Budd:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

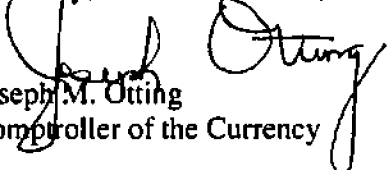
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We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Barry Loudermilk
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Loudermilk:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

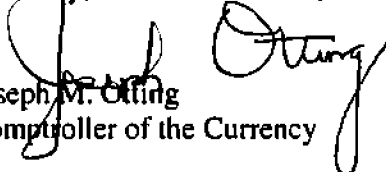
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We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Frank Lucas
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Lucas:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

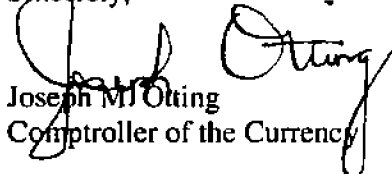
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Sincerely,


Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Ann Wagner
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Wagner:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

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We thank you for your letter on this important issue. If you have any questions, please do not hesitate to contact me or Carrie Moore, Director, Congressional Relations, at (202) 649-6737.

Sincerely,

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Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable French Hill
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Hill:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

In *Madden*, the U.S. Court of Appeals for the Second Circuit recognized that 12 U.S.C. § 85 allows a national bank to charge interest according to the laws of the state where it is located, regardless of where the borrower resides. However, the court also held that a third-party purchaser of a defaulted loan originated by a national bank could not charge interest at the rate permitted for the national bank if that rate was higher than the usury limit that would otherwise be applicable to the third party.

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Joseph M. Otting
Comptroller of the Currency



Office of the Comptroller of the Currency

Washington, DC 20219

October 9, 2019

The Honorable Patrick McHenry
Ranking Member
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Ranking Member McHenry:

Thank you for your letter dated September 19, 2019, regarding the “valid-when-made” doctrine and the *Madden v. Midland Funding, LLC* case (*Madden*).

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Sincerely,

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Joseph M. Otting
Comptroller of the Currency

From: Spellacy, Patti
Sent: Wed, 22 Jan 2020 19:09:55 +0000
To: D'Costa, Russell
Subject: RE: [EXTERNAL]Request for Documents for #2020-00090-F

Hi Russell – I haven't had a chance to check our system yet but I'm sure we'll have a few responsive documents. I will definitely get this done by the end of the week. Thanks.

From: D'Costa, Russell
Sent: Wednesday, January 22, 2020 12:41 PM
To: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: RE: [EXTERNAL]Request for Documents for #2020-00090-F

Hi Patti,

Just checking in to see if there was any responsive correspondence on your end? I have sent the discovery request to ITS and I'll get those results over to the FOIA team once they're ready.

Thanks,
Russell

From: Spellacy, Patti
Sent: Wednesday, January 15, 2020 1:24 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Subject: FW: [EXTERNAL]Request for Documents for #2020-00090-F

Hi Russell – Please see list below for the electronic search. I will provide copies of responsive correspondence. If you have any questions or need anything further, please let me know.

@mcconnell.senate.gov
@paul.senate.gov
@lee.senate.gov
@romney.senate.gov

Rep. Rob Bishop paul.johnson@mail.house.gov

Rep. John Curtis troy.dougall@mail.house.gov

Rep. Ben McAdams cric.may@mail.house.gov

Rep. Chris Stewart cam.madsen@mail.house.gov

Rep. James Comer sarah.coffman@mail.house.gov

Rep. Brett Guthrie katherine.fleming@mail.house.gov

Rep. John Yarmuth katy.rowley@mail.house.gov

Rep. Thomas Massie scana.cranston@mail.house.gov

Rep. Hal Rogers rebekah.smith@mail.house.gov

Rep. Andy Barr dan.taylor1@mail.house.gov

From: D'Costa, Russell

Sent: Tuesday, January 14, 2020 10:56 AM

To: Moore, Carrie <Carrie.Moore@occ.treas.gov>

Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Iñiguez, Diane <Diane.Iniguez@occ.treas.gov>;
Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>

Subject: Fwd: [EXTERNAL]Request for Documents for #2020-00090-F

Good morning Carrie,

Please see the below FOIA request.

For written correspondence, I believe your team should be able to produce all letters, etc.

For the electronic correspondence between your team and the respective staffs, I think a list of emails addresses of the respective staff members and congressmen would be needed so that our IT team could pull and search. Can you please have a list of those email addresses put together? I will then send that list to Diane and her team to have an e-discovery search ran when I submit the e-discovery request.

Please let me know if there is anything further I can do on my end to assist.

Russell

From: Rosalye.Settles@occ.treas.gov <Rosalye.Settles@occ.treas.gov>

Date: January 14, 2020 at 10:00:30 AM EST

To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>

Cc: Rowe, William <William.Rowe@occ.treas.gov>

Subject: [EXTERNAL]Request for Documents for #2020-00090-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request for Documents for Request # '2020-00090-F'. Your response due date is: 1/29/2020 12:00:00 AM Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Allied Progress, a project of Accountable.US**) for access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and January 13, 2020 for the following Congress persons:

Sen. Mitch McConnell; Sen. Rand Paul; Sen. Mike Lee; Sen. Mitt Romney; Rep. Rob Bishop; Rep. John Curtis; Rep. Ben McAdams; Rep. Chris Stewart; Rep. James Comer; Rep. Brett Guthrie; Rep. John Yarmuth; Rep. Thomas Massie; Rep. Hal Rogers; Rep. Andy Barr; Specifically, correspondence that contain any of the following keywords or phrases: "Republic Bank" "Elastic" "FinWise" "All West" "Rent-A-Bank" "Rent A Bank" "Valid-When-Made" "12 CFR Part 7" "12 CFR Part 160" "RIN 1557-AE73" Please see the attached [see attached letter].

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. Please do not refer this request yourself.

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to Rosalye Settles by close of business on January 29, 2020. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to

agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **202-649-6768**.

Thank you for your assistance.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: D'Costa, Russell
Sent: Wed, 22 Jan 2020 17:41:14 +0000
To: Spellacy, Patti
Subject: RE: [EXTERNAL]Request for Documents for #2020-00090-F

Hi Patti,

Just checking in to see if there was any responsive correspondence on your end? I have sent the discovery request to ITS and I'll get those results over to the FOIA team once they're ready.

Thanks,
Russell

From: Spellacy, Patti
Sent: Wednesday, January 15, 2020 1:24 PM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Subject: FW: [EXTERNAL]Request for Documents for #2020-00090-F

Hi Russell – Please see list below for the electronic search. I will provide copies of responsive correspondence. If you have any questions or need anything further, please let me know.

@mcconnell.senate.gov
@paul.senate.gov
@lee.senate.gov
@romney.senate.gov

Rep. Rob Bishop paul.johnson@mail.house.gov

Rep. John Curtis troy.dougall@mail.house.gov

Rep. Ben McAdams eric.may@mail.house.gov

Rep. Chris Stewart cam.madsen@mail.house.gov

Rep. James Comer sarah.coffman@mail.house.gov

Rep. Brett Guthrie kathcrinc.fleming@mail.house.gov

Rep. John Yarmuth katy.rowley@mail.house.gov

Rep. Thomas Massie scana.cranston@mail.house.gov

Rep. Hal Rogers rcbeckah.smith@mail.house.gov

Rep. Andy Barr dan.taylor1@mail.house.gov

From: D'Costa, Russell

Sent: Tuesday, January 14, 2020 10:56 AM

To: Moore, Carrie <Carrie.Moore@occ.treas.gov>

Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Iniguez, Diane <Diane.Iniguez@occ.treas.gov>;
Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>

Subject: Fwd: [EXTERNAL]Request for Documents for #2020-00090-F

Good morning Carrie,

Please see the below FOIA request.

For written correspondence, I believe your team should be able to produce all letters, etc.

For the electronic correspondence between your team and the respective staffs, I think a list of emails addresses of the respective staff members and congressmen would be needed so that our IT team could pull and search. Can you please have a list of those email addresses put together? I will then send that list to Diane and her team to have an e-discovery search ran when I submit the e-discovery request.

Please let me know if there is anything further I can do on my end to assist.

Russell

From: Rosalye.Settles@occ.treas.gov <Rosalye.Settles@occ.treas.gov>

Date: January 14, 2020 at 10:00:30 AM EST

To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>

Cc: Rowe, William <William.Rowe@occ.treas.gov>

Subject: [EXTERNAL]Request for Documents for #2020-00090-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request for Documents for Request # '2020-00090-F'. Your response due date is: 1/29/2020 12:00:00 AM Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Allied Progress, a project of Accountable.US**) for access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and January 13, 2020 for the following Congress persons:

Sen. Mitch McConnell; Sen. Rand Paul; Sen. Mike Lee; Sen. Mitt Romney; Rep. Rob Bishop; Rep. John Curtis; Rep. Ben McAdams; Rep. Chris Stewart; Rep. James Comer; Rep. Brett Guthrie; Rep. John Yarmuth; Rep. Thomas Massie; Rep. Hal Rogers; Rep. Andy Barr; Specifically, correspondence that contain any of the following keywords or phrases: "Republic Bank" "Elastic" "FinWise" "All West" "Rent-A-Bank" "Rent A Bank" "Valid-When-Made" "12 CFR Part 7" "12 CFR Part 160" "RIN 1557-AE73" Please see the attached [see attached letter].

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. Please do not refer this request yourself.

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to Rosalye Settles by close of business on January 29, 2020. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. Do not create any responsive records.

Helpful information is located at the [Disclosure Services Web Site](#). Also consult with [FOIA PPM 2100-15 \(REV\)](#). Guidelines for conducting searches can be found by consulting our [FOIA Processing Quick Tips](#).

Feel free to direct any questions to me at **202-649-6768**.

Thank you for your assistance.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sent: Wed, 15 Jan 2020 16:25:18 +0000
To: D'Costa, Russell
Cc: Moore, Carrie
Subject: FW: [EXTERNAL]Request for Documents for #2020-00090-F
Attachments: AP FOIA OCC-20200109 (Utah & Kentucky Comms re Rent-A-Bank).pdf, PAL Request Form.pdf

Russell – Please see list below. If you have any questions or need anything further, please let me know.

@mcconnell.senate.gov
 @paul.senate.gov
 @lee.senate.gov
 @romney.senate.gov

Rep. Rob Bishop paul.johnson@mail.house.gov

Rep. John Curtis troy.dougall@mail.house.gov

Rep. Ben McAdams eric.may@mail.house.gov

Rep. Chris Stewart cam.madsen@mail.house.gov

Rep. James Comer sarah.coffman@mail.house.gov

Rep. Brett Guthrie katherinc.fleming@mail.house.gov

Rep. John Yarmuth katy.rowley@mail.house.gov

Rep. Thomas Massie scana.cranston@mail.house.gov

Rep. Hal Rogers rebekah.smith@mail.house.gov

Rep. Andy Barr dan.taylor1@mail.house.gov

From: Spellacy, Patti
Sent: Wednesday, January 15, 2020 10:46 AM
To: Zaman, Nida <Nida.Zaman@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>
Cc: Moore, Carrie <Carrie.Moore@occ.treas.gov>
Subject: FW: [EXTERNAL]Request for Documents for #2020-00090-F

Sorry folks, I didn't read this FOIA request thoroughly. IT will now conduct the search for us if we provide the email addresses. Arnie, can you please prepare a list of emails for staffers of the House

members identified below? For the Senate, we will only need to provide the domain extension i.e., @mcconnell.senate.gov Thanks!

From: Spellacy, Patti

Sent: Tuesday, January 14, 2020 4:58 PM

To: Moore, Carrie <Carrie.Moore@occ.treas.gov>; Zaman, Nida <Nida.Zaman@occ.treas.gov>; Cohen, Arnie <Arnie.Cohen@occ.treas.gov>

Subject: FW: [EXTERNAL]Request for Documents for #2020-00090-F

Please see FOIA request below for “access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and January 13, 2020 for the following Congress persons:

Sen. Mitch McConnell; Sen. Rand Paul; Sen. Mike Lee; Sen. Mitt Romney; Rep. Rob Bishop; Rep. John Curtis; Rep. Ben McAdams; Rep. Chris Stewart; Rep. James Comer; Rep. Brett Guthrie; Rep. John Yarmuth; Rep. Thomas Massie; Rep. Hal Rogers; Rep. Andy Barr; Specifically, correspondence that contain any of the following keywords or phrases: "Republic Bank" "Elastic" "FinWise" "All West" "Rent-A-Bank" "Rent A Bank" "Valid-When-Made" "12 CFR Part 7" "12 CFR Part 160" "RIN 1557-AE73" Please see the attached [see attached letter].”

Please let me know if you have any responsive emails or other electronic communications. Thanks.

From: D'Costa, Russell

Sent: Tuesday, January 14, 2020 10:56 AM

To: Moore, Carrie <Carrie.Moore@occ.treas.gov>

Cc: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>; Iñiguez, Diane <Diane.Iniguez@occ.treas.gov>; Settles, Rosalye A <Rosalye.Settles@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>

Subject: Fwd: [EXTERNAL]Request for Documents for #2020-00090-F

Good morning Carrie,

Please see the below FOIA request.

For written correspondence, I believe your team should be able to produce all letters, etc.

For the electronic correspondence between your team and the respective staffs, I think a list of emails addresses of the respective staff members and congressmen would be needed so that our IT team could pull and search. Can you please have a list of those email addresses put together? I will then send that list to Diane and her team to have an e-discovery search ran when I submit the e-discovery request.

Please let me know if there is anything further I can do on my end to assist.

Russell

From: Rosalye.Settles@occ.treas.gov <Rosalye.Settles@occ.treas.gov>

Date: January 14, 2020 at 10:00:30 AM EST

To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>

Cc: Rowe, William <William.Rowe@occ.treas.gov>

Subject: [EXTERNAL]Request for Documents for #2020-00090-F

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request for Documents for Request # '2020-00090-F'. Your response due date is: 1/29/2020 12:00:00 AM
Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Allied Progress, a project of Accountable.US** for access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and January 13, 2020 for the following Congress persons:

Sen. Mitch McConnell; Sen. Rand Paul; Sen. Mike Lee; Sen. Mitt Romney; Rep. Rob Bishop; Rep. John Curtis; Rep. Ben McAdams; Rep. Chris Stewart; Rep. James Comer; Rep. Brett Guthrie; Rep. John Yarmuth; Rep. Thomas Massie; Rep. Hal Rogers; Rep. Andy Barr; Specifically, correspondence that contain any of the following keywords or phrases: "Republic Bank" "Elastic" "FinWise" "All West" "Rent-A-Bank" "Rent A Bank" "Valid-When-Made" "12 CFR Part 7" "12 CFR Part 160" "RIN 1557-AE73" Please see the attached [see attached letter].

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. Please do not refer this request yourself.

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to Rosalye Settles by close of business on January 29, 2020. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. Do not create any responsive records.

Helpful information is located at the Disclosure Services Web Site. Also consult with FOIA PPM 2100-15 (REV). Guidelines for conducting searches can be found by consulting our FOIA Processing Quick Tips.

Feel free to direct any questions to me at **202-649-6768**.

Thank you for your assistance.

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ACCOUNTABLE^{US}

January 9, 2020

FOIA Officer
Office of the Comptroller of the Currency
Submitted via WebForm

Re: Freedom of Information Act Request

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and the implementing regulations of your agency,¹ Accountable.US requests access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and the date this request is processed:

- Sen. Mitch McConnell
- Sen. Rand Paul
- Sen. Mike Lee
- Sen. Mitt Romney
- Rep. Rob Bishop
- Rep. John Curtis
- Rep. Ben McAdams
- Rep. Chris Stewart
- Rep. James Comer
- Rep. Brett Guthrie
- Rep. John Yarmuth
- Rep. Thomas Massie
- Rep. Hal Rogers
- Rep. Andy Barr

Specifically, we request all correspondence with the individuals listed above between September 1, 2019 and the date this request is processed that contain any of the following keywords or phrases:

- “Republic Bank”
- “Elastic”
- “FinWise”
- “All West”
- “Rent-A-Bank”
- “Rent A Bank”
- “Valid-When-Made”
- “12 CFR Part 7”
- “12 CFR Part 160”
- “RIN 1557-AE73”

¹ 12 CFR 4

ACCOUNTABLE^{US}

“Correspondence” should include but not be limited to: emails, email attachments, text messages, telephone call logs, calendar invitations/entries, meeting notices, meeting agendas, informational material, talking points, any handwritten or electronic notes taken during any responsive communications, summaries of any responsive communications, or other materials reflecting communications sent to, from, carbon copying (CC), or blind carbon copying (BCC) all relevant individuals.

If possible, we would prefer to receive this information electronically via e-mail at APIFOIAS@accountable.us. Alternatively, we prefer PDF files on a USB drive or CD/DVD sent by mail to Accountable.US, 1919 M St. NW, Suite 450, Washington, DC 20036. If you have questions or need additional information, please feel free to call me at (202) 644-8526 ext. 308.

Fee Waiver Request

Accountable.US requests a waiver of fees because it qualifies for classification as a “news media” requester, responsible only for duplication fees under FOIA's fee assessment provisions.²

So-called media status is consistent with how Accountable.US components, including Allied Progress, have been treated by multiple agencies. The U.S. Department of the Treasury, Consumer Financial Protection Bureau (CFPB), and Federal Communications Commission (FCC) have all recognized this status in light of the regular publication and dissemination activities in which Accountable.US and its component, Allied Progress, engages. Accountable.US will also make materials it gathers available on its public website.³

The disclosure of the requested information is also “in the public interest because it is likely to contribute significantly to public understanding” of government operations and is not “primarily in the commercial interest of the requester.” The disclosure of the information sought under this request will document and reveal the operations of the federal government, including how public funds are spent and how officials conduct the public's business. There is significant public interest in learning members of Congress representing FinWise Bank, based in Utah,⁴ and Republic Bank, based in Kentucky,⁵ have contacted the OCC to advocate for its “Rent-A-Bank” policy, which six U.S. senators have argued would “allow unregulated predatory lending across the nation.”⁶

This request is primarily and fundamentally for non-commercial purposes.⁷ On March 26, 2019, Accountable.US applied to be recognized as a not for profit, 501(c)(3) organization, with the Internal Revenue Service. Accordingly, Accountable.US does not have a commercial purpose and the release of the information requested is not in Accountable.US's financial interest. Accountable.US's mission is to ensure public officials are advancing policies in the public's interest not for special interests.

Accordingly, Accountable.US qualifies for a fee waiver.

Conclusion

² 5 U.S.C. § 552(a)(4)(A)(iii).

³ Accountable.US and its components have demonstrated a commitment to public disclosure and public education through its website. For example, their websites contain multiple substantive analyses, document repositories, and other educational resources: AlliedProgress.org/research; AlliedProgress.org/campaigns; RestorePublicTrust.org/news; RestorePublicTrust.org/BigPharmasBestFriends; WesternValuesProject.org/DepartmentofInfluence

⁴ “Contact Us,” FinWise Bank, accessed 01/09/20

⁵ “About Us,” Elastic, accessed 01/09/20

⁶ Press Release, Sen. Sherrod Brown, 11/22/19

⁷ 5 U.S.C. § 552(a)(4)(A)(iii).

ACCOUNTABLE^{US}

If you have any questions regarding this request, including how to construe the records sought or appropriate searches to locate them, please contact Accountable.US.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. Additionally, if any documents are withheld based on the Agency's interpretation of any exemption, Accountable.US requests that you provide an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973), cert. denied, 415 U.S. 977 (1974). Specifically, this Vaughn index should describe withheld documents with enough specificity to determine whether the material is exempt under the act and must describe each document or portion withheld.

Thank you for your assistance.

Sincerely,

Derek Martin
Director
Allied Progress, A Project of Accountable.US

Submit New Request

To modify request details please update your requester profile or contact the our office for assistance.

Mr. Derek Martin

Director

Allied Progress, a project of Accountable.US

1919 M St. NW, Suite 450

Washington, DC 20036

Phone 202-644-8526

FOIA@alliedprogress.org

Requester Default Category: Media/Education

Request Type
Requester Category
Delivery Mode

FOIA
Media/Education
E-mail

Description Document
Description

AP FOIA OCC-20200109 (Utah & Kentucky Comms re Rent-A-Bank).pdf
Pursuant to the Freedom of Information Act, 5. U.S.C. § 552, and the implementing regulations of your agency, Accountable.US requests access to and copies of any correspondence, electronic or otherwise, between any employee of the Office of the Comptroller of the Currency (OCC) and the following congressional offices between and including September 1, 2019 and the date this request is processed:

- Sen. Mitch McConnell
- Sen. Rand Paul
- Sen. Mike Lee
- Sen. Mitt Romney
- Rep. Rob Bishop
- Rep. John Curtis
- Rep. Ben McAdams
- Rep. Chris Stewart
- Rep. James Comer
- Rep. Brett Guthrie
- Rep. John Yarmuth
- Rep. Thomas Massie
- Rep. Hal Rogers
- Rep. Andy Barr

Specifically, we request all correspondence with the individuals listed above between September 1, 2019 and the date this request is processed that contain any of the following keywords or phrases:

- "Republic Bank"
- "Elastic"
- "FinWise"
- "All West"
- "Rent-A-Bank"
- "Rent A Bank"
- "Valid-When-Made"
- "12 CFR Part 7"
- "12 CFR Part 160"
- "RIN 1557-AE73"

Date Range for Record
Search:From
Date Range for Record
Search:To
Consent
Proof of Identity

Please see the attached Description Document for more information.
09/01/2019

01/10/2020

Willing Amount	\$30
Fee Waiver Requested	No
Fee Waiver Justification	
Willing to Pay All Fees	No

Street1	1919 M St. NW, Suite 450
Street2	
City	Washington
State	District of Columbia
State (Other)	
Country	United States
Zip Code	20036

Expedite Requested	No
Expedite Justification	

From: Spellacy, Patti
Sent: Thu, 9 Jan 2020 15:29:26 +0000
To: Cohen, Arnie
Subject: FW: [EXTERNAL]Request for Documents for #2019-00186-F
Attachments: call with Comptroller Otting, [EXTERNAL] RE: [Received VIA OCC TLS]Request from the Mortgage Bankers Association, [EXTERNAL] RE: [Received VIA OCC TLS]Request from the Mortgage Bankers Association

Arnie – If you scroll down, the FOIA is highlighted in red.

From: Hogan, Gail
Sent: Friday, January 3, 2020 11:15 AM
To: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Subject: FW: [EXTERNAL]Request for Documents for #2019-00186-F

Hi Patti,

Did Arnie Cohen have any responsive records to this case?

Thanks
Gail

From: Spellacy, Patti
Sent: Thursday, September 5, 2019 8:09 AM
To: Hogan, Gail <Gail.Hogan@occ.treas.gov>
Subject: FW: [EXTERNAL]Request for Documents for #2019-00186-F

Hi Gail – Please find responsive emails from Carrie Moore for this FOIA. As I mentioned last week, Arnie Cohen will likely have responsive emails but he is on extended medical leave. Please let me know if you have any questions.

From: Gail.Hogan@occ.treas.gov [<mailto:Gail.Hogan@occ.treas.gov>]
Sent: Thursday, August 29, 2019 10:42 AM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>; D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Cc: Rowe, William <William.Rowe@occ.treas.gov>; Rowe, William <William.Rowe@occ.treas.gov>
Subject: [EXTERNAL]Request for Documents for #2019-00186-F

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Request for Documents for Request # '2019-00186-F'. Your response due date is: 9/13/2019 12:00:00 AM Message from SENDER:

Disclosure Services has received a Freedom of Information Act request from **Michelle Price (Reuters)** for any direct correspondence between Rep. Blaine Luetkemeyer, or staff of Rep. Blaine Luetkemeyer, and staff of the Office of the Comptroller of the Currency, Rep. Blaine Luetkemeyer's capacity as a federal legislator and as a private citizen. The search should include but not be restricted to emails, memoranda and letters (both PDF form and hard copies), over the past two years. (Date Range for Record Search: From 11/01/2017 To 03/20/2019) or [see attached letter].

I believe that your office is the business unit that has responsibility for the requested records. Therefore, I am forwarding this request to your office to gather any responsive information or documents. Contact me immediately if you believe this request is unusually burdensome or further clarification is needed. If I have contacted you in error, please direct me to the appropriate person or office as quickly as possible. **Please do not refer this request yourself.**

To ensure a timely response to this request, please forward all responsive information or documents to my attention in Disclosure Services, Communications Division, Mail Stop 6W-11, or by email to **Gail Hogan** by close of business on **September 13, 2019**. Be sure to include the quantity of records you are forwarding. Please note that responsive records that, due to agreement between Disclosure Services and the business unit, are not turned over to Disclosure Services must be maintained by the business unit for six years following the year of the initial determination of the request. This applies to all responsive records, whether disclosed or withheld.

If the requested records do not exist, you should notify me as soon as possible. **Do not create any responsive records.**

Helpful information is located at the **Disclosure Services Web Site**. Also consult with **FOIA PPM 2100-15 (REV)**. Guidelines for conducting searches can be found by consulting our **FOIA Processing Quick Tips**.

Feel free to direct any questions to me at **(202) 649-6765**.

Thank you for your assistance.

CAUTION: This email originated from outside of the organization. Do not open attachments or click links unless you recognize the sender and know the content is safe.

From: D'Costa, Russell
Sent: Wed, 8 Jul 2020 11:40:28 +0000
To: Spellacy, Patti
Subject: RE: Question

(b)(6)

Yes, we've sent several versions of his calendar to the FOIA team spanning different time periods. Let me know the time period needed, or if the entire calendar during his tenure is needed, and we can send to you.

From: Spellacy, Patti <Patti.Spellacy@occ.treas.gov>
Sent: Wednesday, July 8, 2020 7:26 AM
To: D'Costa, Russell <Russell.DCosta@occ.treas.gov>
Subject: Question

Hi Russell – I hope you're doing well. I have a question. In response to a QFR from the 5/12/2020 hearing, Bryan has suggested that we include a copy of Mr. Otting's calendar which has already been FOIA'd and released. DO you have a copy that you can send me? Please let me know. Thanks.