

Request for Records Disposition Authority

Records Schedule Number **DAA-0587-2013-0011**

Schedule Status **Approved**

Agency or Establishment **Consumer Financial Protection Bureau**

Record Group / Scheduling Group **Records of the Consumer Financial Protection Bureau**

Records Schedule applies to **Major Subdivision**

Major Subdivision **Division of Supervision, Enforcement, Fair Lending & Equal Opportunity**

Minor Subdivision **Office of Supervision (Examination)**

Schedule Subject **Supervision (Examination) and System Records**

Internal agency concurrences will be provided **Yes**

Background Information

Records created and received by this office relate to the mission-critical functions and the internal administration of the Bureau required for compliance with the governing principles of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010:

- 1) Consumers are protected from unfair, deceptive, or abusive acts and practices and from discrimination;
- 2) Federal consumer financial law is enforced consistently without regard to the status of a person as a depository institution; and
- 3) Markets for consumer financial products and services operate transparently and efficiently to facilitate access and innovation.

Federal Consumer Financial Law

Subject to the provisions of the Act, the CFPB has responsibility to implement, examine for compliance with, and enforce "Federal consumer financial law." Those laws include, among other things, Title X itself, which prohibits unfair, deceptive, or abusive acts and practices in connection with consumer financial products and services, the rules set forth by the Federal Trade Commission, and the "enumerated consumer laws" and the implementing regulations as listed in the Examination Manual.

General Description of Examinations

In accordance with the CFPB Examination Manual, as appropriate and in accordance with CFPB policy, examiners and Supervision managers will generally do the following in the course of an examination:

- Collect and review available information (from within the CFPB, from other Federal and state agencies, and from public sources), consistent with statutory requirements;
- Request and review supplementary documents and information from the entity to be examined;
- Develop and obtain internal approval for a preliminary risk focus and scope for the onsite portion of the examination;
- Go onsite to observe, conduct interviews, and review additional documents and information;
- Consult internally if the examination indicates potential unfair, deceptive, or abusive acts or practices; discrimination; or other violations of law;
- Draw preliminary conclusions about the regulated entity's compliance management and its statutory and regulatory compliance;
- Consult internally about follow-up corrective actions that the institution should take, whether through informal agreement or a formal enforcement action, if warranted by findings;
- Draft the examination report;
- Obtain appropriate internal review and approval for the examination work and draft examination report;
- Share the draft report with the prudential regulator and obtain and consider any comments they may offer, consistent with statutory requirements; and
- After final internal clearance, finalize and transmit the report to the supervised entity. During the examination, the Examiner in Charge will communicate with appropriate supervised entity personnel about preliminary findings and conclusions. CFPB will seek cooperation from the entity to correct any problems identified.

The records disposition instructions are media neutral, unless otherwise stated.

Item Count

| Number of Total Disposition Items | Number of Permanent Disposition Items | Number of Temporary Disposition Items | Number of Withdrawn Disposition Items |
|-----------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| 9 | 4 | 5 | 0 |

GAO Approval

Outline of Records Schedule Items for DAA-0587-2013-0011

| Sequence Number | |
|-----------------|---|
| 1 | Program Office Reports |
| 1.1 | Congressional and other External Periodic Reports Disposition Authority Number: DAA-0587-2013-0011-0001 |
| 1.2 | Internal Reports Disposition Authority Number: DAA-0587-2013-0011-0002 |
| 2 | Policies and Procedures Disposition Authority Number: DAA-0587-2013-0011-0003 |
| 3 | Examiner Training Records Disposition Authority Number: DAA-0587-2013-0011-0004 |
| 4 | Agreements with federal, state, and nonfederal entities Disposition Authority Number: DAA-0587-2013-0011-0005 |
| 5 | Supervision and Examination System Records |
| 5.1 | Master Files: Exams, Reviews, and Data Requests Disposition Authority Number: DAA-0587-2013-0011-0007 |
| 5.2 | Supervisory Document Depository (SDD) Disposition Authority Number: DAA-0587-2013-0011-0008 |
| 5.3 | Outputs: Final examination reports, and supervision and enforcement recommendations (Historic) Disposition Authority Number: DAA-0587-2013-0011-0009 |
| 5.4 | Outputs: Final examination reports, and supervision and enforcement recommendations Disposition Authority Number: DAA-0587-2013-0011-0010 |

Records Schedule Items

| Sequence Number | | | | | | | | | | |
|--------------------|--|---------------------|--------------------------|---------------------|--------------------|------|------|-------|--|--|
| 1 | Program Office Reports Internal and external reports, consisting of statistical analysis, trend analysis, and related information. | | | | | | | | | |
| 1.1 | Congressional and other External Periodic Reports Disposition Authority Number DAA-0587-2013-0011-0001 Reports on the work of the Office of Supervision. Final Disposition Permanent Item Status Active Is this item media neutral? Yes Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No Disposition Instruction Cutoff Instruction Cut off at the end of the calendar year in which final report has been issued. Transfer to Inactive Storage Transfer to the National Archives 15 years after cutoff. Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after cutoff Additional Information What will be the date span of the initial transfer of records to the National Archives? From 2011 To 2012 How frequently will your agency transfer these records to the National Archives? Every 1 Years | | | | | | | | | |
| | <table border="1"><thead><tr><th></th><th>Estimated Current Volume</th><th>Annual Accumulation</th></tr></thead><tbody><tr><td>Electronic/Digital</td><td>1 MB</td><td>1 MB</td></tr><tr><td>Paper</td><td></td><td></td></tr></tbody></table> | | Estimated Current Volume | Annual Accumulation | Electronic/Digital | 1 MB | 1 MB | Paper | | |
| | Estimated Current Volume | Annual Accumulation | | | | | | | | |
| Electronic/Digital | 1 MB | 1 MB | | | | | | | | |
| Paper | | | | | | | | | | |

| | | |
|----------------------------------|--|--|
| Microform | | |
| Hardcopy or Analog Special Media | | |

1.2

Internal Reports

Disposition Authority Number **DAA-0587-2013-0011-0002**

Weekly management reports; weekly examination reports; utilization reports.

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **No**

Disposition Instruction

Cutoff Instruction **Cut off at the end of the calendar year in which final report has been issued.**

Retention Period **Destroy 5 year(s) after cutoff**

Additional Information

GAO Approval **Not Required**

2

Policies and Procedures

Disposition Authority Number **DAA-0587-2013-0011-0003**

Final policies and procedures of the Office of Supervision, including but not limited to the Examination Manual and templates for requesting information from other regulatory agencies and for responding to Congressional inquiries. Records include periodic updates to the office's policies and procedures.

Final Disposition **Permanent**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **No**

Disposition Instruction

Cutoff Instruction Cut off at the end of the calendar year in which policy/procedure has been issued for official use.

Transfer to Inactive Storage Transfer to the National Archives 15 years after cutoff.

Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after cutoff

Additional Information

What will be the date span of the initial transfer of records to the National Archives? From 2011 To 2012

How frequently will your agency transfer these records to the National Archives? Every 1 Years

| | Estimated Current Volume | Annual Accumulation |
|----------------------------------|--------------------------|---------------------|
| Electronic/Digital | 1 MB | 1 MB |
| Paper | | |
| Microform | | |
| Hardcopy or Analog Special Media | | |

3

Examiner Training Records

Disposition Authority Number DAA-0587-2013-0011-0004

Course materials and related training records used to train employees in the examination processes.

Final Disposition Temporary

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

Disposition Instruction

4

Cutoff Instruction Cut off at the end of the calendar year in which the training materials have been finalized.

Retention Period Destroy 5 year(s) after cutoff

Additional Information

GAO Approval Not Required

Agreements with federal, state, and nonfederal entities

Disposition Authority Number DAA-0587-2013-0011-0005

In accordance with several major consumer financial laws, such as the S.A.F.E. Mortgage Licensing Act of 2008 and the Gramm-Leach-Bliley Act of 2009, and the rules issued by the Federal Trade Commission (FTC), records include but are not limited to memoranda of agreements concerning the State Compliance and Bureau Registration System, Federal Registration of Residential MLOs, and memoranda with related entities.

Final Disposition Permanent

Item Status Active

Is this item media neutral? Yes

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? No

Disposition Instruction

Cutoff Instruction Cut off at end of calendar year in which agreement has been signed.

Transfer to Inactive Storage Transfer to the National Archives 15 years after cutoff.

Transfer to the National Archives for Accessioning Transfer to the National Archives 15 year(s) after cutoff

Additional Information

What will be the date span of the initial transfer of records to the National Archives? From 2011 To 2012

How frequently will your agency transfer these records to the National Archives? Every 1 Years

| | Estimated Current Volume | Annual Accumulation |
|--------------------|--------------------------|---------------------|
| Electronic/Digital | 1 MB | 1 MB |

| | | |
|----------------------------------|--|--|
| Paper | | |
| Microform | | |
| Hardcopy or Analog Special Media | | |

- 5 Supervision and Examination System Records
- The Supervision and Examination System (SES), previously scheduled by the Office of Thrift Supervision (OTS) under NARA Job No. N1-483-93-26, is an electronic system used for tracking the Office of Supervision (Examination), and monitoring of entities supervised by the CFPB. The system provides the ability to create exam team schedules, capture examination information, document the exam process, create and store work papers and final exams, receive and create monitoring reports, and document related supervision and examination activities. The system consists of such components as:
- **Corporate Management:** The Corporate Management component allows for the creation of institution records in the SES system. Every institution in SES must be assigned a unique "Docket" number. Data is retrieved from the Federal Financial Institutions Examination Council (FFIEC) National Information Center (NIC), if available, or an institution can be entered manually if not in the NIC. The Corporate Management component tracks general information relating to institutions regulated by the CFPB such as institution name, address, phone numbers, web address, contacts and influential parties and follow-up activities. The Corporate Management component contains a document repository to store Supervisory documents related to the institution such as risk assessments, monitoring reports, supervision plans and entity profiles.
 - **Caseload:** The Caseload component assigns CFPB personnel to a specific role for managing an institution. Roles consist of Caseload Manager, Examiner in Charge, Supervision Analyst, Fair Lending, Enforcement Attorney, etc.
 - **Examination:** The Examination component collects and stores examination data such as dates, ratings, violations of law and matters requiring board attention. The examination component contains a document repository to store work papers used in the exam and the final examination report. Examinations conducted by CFPB as well as examination conducted by prudential regulators are stored.
 - **Exam Planning:** The Exam Planning component allows for the scheduling and assigning of resources (examination staff) to an exam.
 - **Exam Document Templates:** The Exam Document Template component provides template documents for documents uploaded in the SES system.
 - **Activity Update:** The Activity Update component allows the entry, tracking and reporting of hours spent on specific exam and non-exam activities. Examiners enter their time into the system.
 - **Supervisory Actions:** The Supervisory Action component allows for the entry, tracking and reporting of supervisory actions taken against an institution or other entity related to an institution. A document repository stores documents related

to the supervisory actions such as Business Plans, Corrective Action Term Sheets, Enforcement Actions, Enforcement Compliance, Legal Opinions and other enforcement correspondence. The system can store Supervisory and Enforcement Actions taken by CFBP and other agencies. • Supervisory Document Depository (SDD): The SDD is the central location for monitoring documentation related to the continuous supervision of an entity supervised by the CFPB. The SDD allows for the viewing of documents stored in Corporate Management and Supervisory Actions, and Exam Report documents stored in the examination component. The SDD also stores documents uploaded by Headquarters staff that are not institution related such as Consumer Complaint summary reports. • Reporting Systems: Data captured in the SES system is copied nightly to a reporting database. The docket selector provides the capability to request reports in HTML, WORD or EXCEL format. • Docket Selector Exam Planning - Exam Scheduling reports Exam Search- Examination reports Follow-up Search- Follow-up action reports from examinations, supervisory actions and corporate management Supervisory Action Search – Supervisory Action reports Institution Directory – Corporate management reports for entities regulated by CFPB • Employee Selector Activity Search – Examiner Activity reports by exam or person

5.1

Master Files: Exams, Reviews, and Data Requests

Disposition Authority Number DAA-0587-2013-0011-0007

Data elements in the SES system include but are not limited to: docket number, institution name, CFPB region with primary supervisory responsibility, financial institution tax identification number, National Mortgage Licensing System license number, Federal Reserve financial institution identifier numbers, federal agency with lead examination responsibility, type of institution, nonbank affiliation indicator, dates regulated or no longer regulated by the CFPB, business address of institutions, mailing addresses of institutions, institution contacts, areas of focus on an exam, date examination is scheduled to start, date examination is scheduled to be completed, actual start and completion dates, days budgeted for an examination, name of examiner in charge (EIC), type of examination, lead examination agency if not the CFPB, lead CFPB region, participating agencies, date EIC receives requested information from the institution, exam reports from federal and nonfederal sources, draft and final CFPB exam reports and related work papers, comments/edits to draft exam reports, date exam report is approved by CFPB headquarters, and dates exam report is sent to and returned from the prudential regulator. The system also includes data on supervisory action activities, such as type of action, Bureau staff assigned to each action, indication if action is against an institution, problems or deficiencies the action addresses, action close date, tracking of penalties assessed, penalty payment due dates, and amounts paid by each company and/or institution.

Final Disposition Temporary

Item Status Active

Is this item media neutral? No

5.2

| | |
|--|---|
| Explanation of limitation | The records are solely electronic. |
| Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? | No |
| Disposition Instruction | |
| Cutoff Instruction | Cut off data at the end of the calendar year in which examination, supervisory action activities, and follow-up activities have been completed. For examinations that result in penalty assessments, cut off data at the end of the calendar year in which all penalty payments have been received. |
| Retention Period | Destroy 15 year(s) after cutoff |
| Additional Information | |
| GAO Approval | Not Required |
| Supervisory Document Depository (SDD) | |
| Disposition Authority Number | DAA-0587-2013-0011-0008 |
| Within the SES system, the Supervisory Document Depository (SDD) is a centralized location of documents received from federal and non-federal sources, where the information is used for ongoing monitoring activities. Documents include but are not limited to reports received from supervised entities, copies of exam report documents, summary reports of consumer complaints, and other documents that may provide research or reference information in the course of current or future examinations. | |
| Final Disposition | Temporary |
| Item Status | Active |
| Is this item media neutral? | Yes |
| Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? | No |
| Disposition Instruction | |
| Cutoff Instruction | Cut off data at the end of each calendar year |
| Retention Period | Destroy 7 year(s) after cutoff |
| Additional Information | |
| GAO Approval | Not Required |

5.3

Outputs: Final examination reports, and supervision and enforcement recommendations (Historic)

Disposition Authority Number **DAA-0587-2013-0011-0009**

Historically significant examinations exhibiting the following criteria: • Established a primary source of information on an issue of far-reaching national or international importance; information on topics that are less far-reaching but significant to America's heritage or culture; • Had a significant impact on CFPB, pioneered CFPB entry into an issue of national or international importance, or laid the groundwork for applying new and/or advanced mission methodologies; • Resulted in extensive national or international media attention; or • Resulted in the approval of new legislation by Congress, or substantive changes to existing legislation.

Final Disposition **Permanent**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered
by this item currently exist in
electronic format(s) other than e-
mail and word processing? **No**

Disposition Instruction

Cutoff Instruction **Cut off at end of calendar year upon completion of final action.**

Transfer to Inactive Storage **Transfer to the National Archives 15 years after cutoff.**

Transfer to the National Archives
for Accessioning **Transfer to the National Archives 15 year(s) after cutoff**

Additional Information

What will be the date span of the
initial transfer of records to the
National Archives? **From 2011 To 2012**

How frequently will your agency
transfer these records to the
National Archives? **Every 1 Years**

| | Estimated Current Volume | Annual Accumulation |
|--------------------|--------------------------|---------------------|
| Electronic/Digital | 1 MB | 1 MB |
| Paper | | |
| Microform | | |

| | | |
|----------------------------------|--|--|
| Hardcopy or Analog Special Media | | |
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5.4

Outputs: Final examination reports, and supervision and enforcement recommendations

Disposition Authority Number **DAA-0587-2013-0011-0010**

All other cases/matters, not exhibiting the criteria specified in item (0010)

Final Disposition **Temporary**

Item Status **Active**

Is this item media neutral? **Yes**

Do any of the records covered by this item currently exist in electronic format(s) other than e-mail and word processing? **No**

Disposition Instruction

Cutoff Instruction **Cut off files at the end of each calendar year in which case is closed.**

Retention Period **Destroy 15 year(s) after cutoff**

Additional Information

GAO Approval **Not Required**

Agency Certification

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal in this schedule are not now needed for the business of the agency or will not be needed after the retention periods specified.

Signatory Information

| Date | Action | By | Title | Organization |
|------------|--------------------------|------------------|---|--|
| 05/02/2013 | Certify | Steven Coney | Records Officer | Operations Division - Administrative Office |
| 01/30/2015 | Return for Revision | Lauren Crisler | Appraiser | National Archives and Records Administration - Records Management Services |
| 02/02/2015 | Submit For Certification | Sylvia Lockley | Records Management Analyst III | Consumer Financial Protection Bureau - Chief Operating Officer |
| 02/02/2015 | Return to Submitter | Steven Coney | Records Officer | Operations Division - Administrative Office |
| 02/02/2015 | Submit For Certification | Sylvia Lockley | Records Management Analyst III | Consumer Financial Protection Bureau - Chief Operating Officer |
| 02/02/2015 | Certify | Steven Coney | Records Officer | Operations Division - Administrative Office |
| 08/05/2015 | Submit for Concurrence | Lauren Crisler | Appraiser | National Archives and Records Administration - Records Management Services |
| 08/05/2015 | Concur | Margaret Hawkins | Director of Records Management Services | National Records Management Program - ACNR Records Management Services |
| 08/05/2015 | Concur | Laurence Brewer | Director, National Records Management Program | National Archives and Records Administration - National Records Management Program |
| 08/06/2015 | Approve | David Ferriero | Archivist of the United States | Office of the Archivist - Office of the Archivist |