

SEPTEMBER 11, 2014

Charter of the Consumer Advisory Board



Consumer Financial
Protection Bureau

Section Contents

- § 1 Official Title.....3
- § 2 Authority.....3
- § 3 Purpose, Objective and Scope.....3
- § 4 Duties.....3
- § 5 Reports.....4
- § 6 Support.....4
- § 7 Governance, Staffing and Budget.....4
- § 8 Designated Federal Officer.....5
- § 9 Meetings.....5
- § 10 Duration.....6
- § 11 Termination.....6
- § 12 Membership.....6
- § 13 Committees.....7
- § 14 Reports to the Bureau.....7
- § 15 Recordkeeping.....7
- § 16 Filing Date.....8

§ 1 Official Title.

Consumer Advisory Board (“the Board”)

§ 2 Authority.

Section 1014(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”) provides: “The Director shall establish a Consumer Advisory Board to advise and consult with the **Consumer Financial Protection Bureau (“the Bureau”)** in the exercise of its functions under the Federal consumer financial laws, and to provide information on emerging practices in the consumer financial products or services industry, including regional trends, concerns, and other relevant information.”

§ 3 Purpose, Objectives, and Scope.

- a) The purpose of the Board is outlined in Section 1014(a) of the Dodd-Frank Act, which states that the Board shall “advise and consult with the Bureau in the exercise of its functions under the Federal consumer financial laws” and “provide information on emerging practices in the consumer financial products or services industry, including regional trends, concerns, and other relevant information.”
- b) To carry out the Board’s purpose, the scope of its activities shall include providing information, analysis, and recommendations to the Bureau. The Board will generally serve as a vehicle for market intelligence and expertise for the Bureau. Its objectives will include identifying and assessing the impact on consumers and other market participants of new, emerging, and changing products, practices, or services.

§ 4 Duties.

The duties of the Board are solely advisory and shall extend only to the submission of advice and recommendations to the Bureau, which shall be non-binding on the Bureau. No determination of fact or policy will be made by the Board. The Board will also advise and consult with the Director and the Bureau on other matters related to the Bureau’s functions under the Dodd-Frank Act.

§ 5 Reports.

The Board reports to the Director.

§ 6 Support.

The Bureau will support the Board, in accordance with the Dodd-Frank Act. In addition, the Bureau will provide additional support required for the Board's activities to the extent permitted by law and subject to availability of resources.

§ 7 Governance, Staffing, and Budget.

a) Governance

- 1) Staff Director. The Director shall designate a Staff Director, who shall be an employee of the Bureau, and who shall have the following responsibilities:
 - a. Serve as principal advisor to the Board; exercise control and supervision over the establishment, procedures, and accomplishments of the Board; and provide Bureau staff to perform such other necessary functions in order for the Board to accomplish its purpose and objectives;
 - b. Attend all meetings of the Board and the committees of the Board;
 - c. Assemble and maintain the reports, records, and other papers of the Board and its committees;
 - d. Estimate cost of Bureau staff support;
 - e. Carry out, on behalf of the Bureau, the provisions of the Freedom of Information Act, 5 U.S.C. 552, as amended, with respect to such reports, records, and other papers of the Board; and
 - f. Other responsibilities as further delegated by the Director.

b) Staffing

- 1) Staff Secretary. The Staff Director shall designate a member of the Bureau's staff to act as secretary of Board (the "Staff Secretary").
 - a. The Staff Secretary shall record and maintain minutes of the meetings of the Board and shall certify to the accuracy of the minutes of the meetings.

c) Budget

To the extent permitted by law, the Bureau shall provide the funding and administrative support necessary, as determined by the Director, to operate the Board for the Charter Term (as defined in § 10 Duration and § 11 Termination). The annual operating costs are presently estimated to be \$500,000 for FY 2015 and \$500,000 for FY 2016. In addition, from time to time, the Board or its committees may submit requests to the Staff Director for research, data or other resources necessary to carry out the Board's purposes. The Staff Director shall timely review such requests based on staffing, budget, and other relevant factors and submit such requests for approval by the Director if appropriate.

§ 8 Designated Federal Officer.

The Designated Federal Officer ("DFO") is the Advisory Board and Councils Office Staff Director ("Staff Director"), who shall ensure that the Board operates in accordance with the requirements under the Dodd-Frank Act and the terms of the charter. The Staff Director, or his or her designee, will approve or call all of the advisory Board and Board committee meetings, if any, prepare and approve all meeting agendas, attend all Board and Board committee meetings, adjourn any meeting when determined to be in the public interest, and chair meetings when directed by the Bureau Director.

§ 9 Meetings.

- a) The Board shall meet in person from time to time at the call of the Director or the Director's designee, but at a minimum, shall meet at least two times in each year.
- b) Agenda. Each meeting of the Board shall be conducted in accordance with an agenda formulated or approved by the Staff Director.
- c) Bureau representation. Each meeting of the Board shall be attended by a representative of the Bureau as designated by the Director or Staff Director who shall have authority to approve or call all meetings, prepare all agendas, attend all meetings, adjourn any meeting when determined to be in the public interest, and chair meetings when directed by the Director.
- d) Public nature.
 - 1) Each meeting of the full Board shall be open to public observation, to the extent that a facility is available to accommodate the public, unless the Bureau, in accordance with paragraph 4 of this section, determines that the meeting shall be closed. The Bureau also will make reasonable efforts to make the meetings available to the public through live web streaming or other methods.
 - 2) Notice of the time, place and purpose of each meeting, as well as a summary of the

proposed agenda, shall be published in the Federal Register not more than 45 or less than 15 days prior to the scheduled meeting date. Shorter notice may be given when the Bureau determines that the Board's business so requires; in such event, the public will be given notice at the earliest practicable time.

- 3) Minutes of meetings, records, reports, studies, and agendas of the Board shall be posted on the Bureau's Web site (www.consumerfinance.gov).
- 4) The Bureau may close to the public a portion of any meeting, for confidential discussion. If the Bureau closes a meeting or any portion of a meeting, the Bureau will issue, at least annually, a summary of the Board's activities during such closed meetings or portions of meetings.

§ 10 Duration.

This is a continuing advisory board as stated under section 1014 of the Dodd-Frank Act. The board will operate in accordance with this charter, the term of which expires pursuant to section 11.

§ 11 Termination.

This Charter will terminate two years after the date that this Charter is filed unless renewed prior to termination (the "Charter Term").

§ 12 Membership.

- a) Qualifications and background. The Director shall appoint the members of the Board. Section 1014(b) of the Dodd-Frank Act provides: "In appointing the members of the Consumer Advisory Board, the Director shall seek to assemble experts in consumer protection, financial services, community development, fair lending and civil rights, and consumer financial products or services and representatives of depository institutions that primarily serve underserved communities, and representatives of communities that have been significantly impacted by higher-priced mortgage loans, and seek representation of the interests of covered persons and consumers, without regard to party affiliation."
- b) Number. The Board shall consist of no fewer than 16 members including the six members appointed upon the recommendation of the regional Federal Reserve Bank Presidents on a rotating basis. All members appointed by the Director shall serve at the pleasure of the Director.

- c) Resignation. Any member may resign at any time by giving notice to the Bureau. Any such resignation shall take effect upon its acceptance by the Director or the Staff Director. The Director shall have the authority to remove Board members and to appoint persons to fill vacancies on the Board as the vacancies occur.

§ 13 Committees.

The Board may establish and dissolve committees, in consultation with the Bureau. Any committees shall report back to the Board. Committees may include as participants individuals who are members of the Board and/or staff of the Bureau. Committees may, from time to time, call on individuals who are not members of the Board or staff of the Bureau, for the sole purpose of providing specific domain expertise and knowledge. The committees, if any, may not provide advice or work products directly to the Bureau.

§ 14 Reports to the Bureau.

- a) The Staff Director will provide the Director with an annual report that summarizes the activities and progress of the Board and any sub-committees during the prior period.
- b) The Board's report may also include, when available, recommendations to the Bureau relating to the purpose and objectives of the Board as set forth in sections 3 and 4, as well as recommendations for potential improvements in the structure and process of the Board.
- c) The report will not require a vote by the Board. All Board members will be given the opportunity to provide a separate written statement relating to the report.

§ 15 Recordkeeping.

The records of the Board and any sub-committees will be handled in accordance with General Records Schedule. The records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

§ 16 Filing Date.

The filing date of this Charter is _____

Submitted by:



Delicia Hand
Staff Director
Office of Boards and Councils
Consumer Financial Protection Bureau

Dated:

January, 2015

Approved by:



Richard Cordray
Director
Consumer Financial Protection Bureau

Dated:

January, 2015