

## MEMORANDUM

**TO:** Executive Secretary

**RE:** Comments to Notice of Proposed Rulemaking and the Fair Hiring in Banking Act (RIN 3064-AF92)

**FROM:** Rachel Harrison, Honors Attorney, FDIC Legal Division

**DATE:** March 25, 2024

**SUBJECT:** Meeting with Representatives from the American Bankers Association and the Consumer Bankers Association

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On March 18, 2024, staff from the Federal Deposit Insurance Corporation (FDIC) held a virtual meeting with representatives from the American Bankers Association (ABA) and the Consumer Bankers Association (CBA). The ABA and CBA representatives shared their views on a notice of proposed rulemaking published in the *Federal Register* by the FDIC on November 14, 2023 (88 Fed. Reg. 77,906). The ABA and CBA representatives discussed the following aspects of the proposed rulemaking: (i) the definitions of “offense occurred” and “offense committed”; (ii) the scope of the FDIC’s interpretation of “offense involving the possession of controlled substances”; (iii) the practical implications of including foreign convictions within the scope of Section 19; and (iv) *de minimis* offenses.

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**FDIC** Nicholas Ties, Acting Section Chief, Division of Risk Management Supervision  
Timothy Schuett, Senior Review Examiner, Division of Risk Management Supervision  
Sam Ozeck, Supervisory Counsel, Legal Division  
Graham Rehrig, Counsel, Legal Division  
Andrew Lubash, Attorney, Legal Division  
Rachel Harrison, Honors Attorney, Legal Division

**American Bankers Association** Joey Connor, Vice President, Tax Policy

**Consumer Bankers Association** Rachel Ross, Vice President, Associate General Counsel