Director’s Message

While the country continues to recover from the pandemic, economic stresses and other events of the previous two years and adjusts to a “new normal,” the Office of the Ombudsman has continued forward with fulfilling our mission, which includes active engagement with external stakeholders. A majority of the engagements were conducted through the use of technology and virtual platforms.

On behalf of Acting Chairman Martin J. Gruenberg and the entire FDIC Board of Directors, I am pleased to present a report capsulizing the work of our Office for 2021. The report shares common themes of stakeholder feedback while highlighting the types of assistance and consultation provided to the industry and the general public during the previous calendar year. In comparison to previous reports, this version employs a dashboard approach with reduced volumes of narrative. We hope you find the report valuable and reader-friendly, while continuing to provide a meaningful recap of the activities and areas of focus for the Office.

As always, your feedback and suggestions for enhancing future editions is welcome.

Thank you!

M. ANTHONY LOWE
Director

Contact Information

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Who Are We?

The Office of the Ombudsman is a team of highly qualified, tenured, and dedicated staff whose mission is to assist anyone affected by the FDIC’s regulatory, resolution, receivership, or asset disposition activities. When an FDIC stakeholder has questions or concerns about these activities, we act as a liaison to help resolve them in a confidential and informal manner. We listen, answer questions, provide options, and help external stakeholders connect with the right people and information. We do not advocate for either side; we advocate for fair processes, constructive communication, and timely results. We solicit and analyze feedback we receive from external stakeholders, identify opportunities for positive change, and share those opportunities with decision-makers at the FDIC.

The Office of the Ombudsman reports directly to the Office of the FDIC Chairman.
If you have been affected by the FDIC’s regulatory activities, and need assistance working with the FDIC, the Ombudsman can help. We support the rights of external stakeholders to raise concerns without the fear of retaliation. We cannot make determinations or overturn regulatory decisions; however, we can help to ensure the FDIC fully appreciates your perspectives and concerns while simultaneously assisting you in understanding regulatory expectations and conclusions. We can also connect you with other helpful resources, and explore multiple options to achieve a fair and equitable outcome.

### HAVING DIFFICULTIES?

- **You are uncomfortable discussing concerns or posing questions to your case manager or other FDIC management.**

  **Examples include:**
  - You disagree with examination findings or ratings.
  - You believe an examination was not performed in accordance with published standards.
  - You believe supervisory decisions did not appropriately consider your institution’s risk profile.

- **You cannot find FDIC regulatory information.**

- **You cannot find contact information for FDIC personnel.**

- **You believe your institution has been the subject of retaliation, abuse, or retribution after disputing supervisory findings, ratings, or determinations.**

### CALL AN OMBUDSMAN! FIND YOUR REGIONAL OMBUDSMAN’S CONTACT INFO

**Examples include:**
- You disagree with examination findings or ratings.
- You believe an examination was not performed in accordance with published standards.
- You believe supervisory decisions did not appropriately consider your institution’s risk profile.

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**NEW YORK REGION**

**Director**

M. ANTHONY LOWE

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What Did We Do?

How We Achieved Our Mission in 2021

Part 1

665
Number of Meetings with Stakeholders

Regional Ombudsmen met with 665 external stakeholders during 2021 to provide awareness of our services, initiate or strengthen relationships with the Office, and share direct contact information.

Customer Satisfaction Survey

Of the bankers that responded to our Customer Satisfaction Survey,

99.6% would utilize the Ombudsman’s services if needed

86% said the services they used were Mostly or Very Effective

150
Number of Requests for Information

The most frequent requests for information concerned:

Regulatory Information

Contact Information

Requests regarding signage, publication, and reporting requirements were the most common; however, we also received requests regarding a wide variety of prudential and consumer protection regulations.

36
Number of Confidential Consultation Requests

More than 60 percent of the bankers who requested confidential consultations expressed concerns with examination ratings or findings. We listened, explained regulations or requirements if necessary, and discussed options available for resolving the concern.

15
Number of Liaison Services Requests

Most requests for liaison services occurred when bankers disagreed with examiners’ conclusions or were uncertain why a Report of Examination was not yet issued. We clarified underlying issues and facilitated productive communication between the bankers and the FDIC to resolve those issues.
What Did We Do?

Senior Ombudsman Specialists achieve our Mission by assisting bank customers and the public who have been affected by the FDIC’s regulatory or resolution-related activities and are having a problem dealing with the Corporation.

In 2021, the Specialists responded to approximately 2,500 inquiries, including:

- Addressing concerns about FDIC processes
- Providing assistance from other FDIC Divisions or Offices
- Identifying information relative to deposit insurance coverage
- Identifying key points of contact for assistance with failed bank asset disposition and receivership issues
- Requesting information or follow-up discussion regarding FOIA filings

The Office also received nearly 100 reports of scams perpetrated by parties claiming to be employed by the FDIC or financial institutions making false claims about FDIC insurance. In addition to answering the immediate question of the legitimacy of the employment or insurance claim, we provided the parties with the ability to validate deposit insurance coverage for any United States financial institution through the use of the FDIC’s BankFind Suite.
What Did We Hear?

The confidential nature of our work limits our ability to provide specifics about feedback we received or individual case information. However, we can present information on trends and commonalities.

47%

POST-EXAMINATION SURVEY RESPONSE RATE

The Ombudsman administers a Post-Examination Survey (PES) designed to solicit candid feedback from bankers about a recent examination. We administer the survey process to protect respondents’ identities and ensure the highest levels of FDIC management receive accurate, anonymized survey results.

90%

FAVORABLE

Ninety percent of bankers responding to a PES indicated they had largely favorable experiences during the examination process.

544

NUMBER OF BANKER FEEDBACK SESSIONS

Regional Ombudsmen offer bankers private, confidential sessions to provide feedback and observations on FDIC operations, including the examination process. This candid feedback helps in identifying opportunities to improve FDIC processes. Each month, the Office analyzes feedback and reports anonymized common themes and trends to the Chairman’s Office, as well as leadership of the Risk Management and Consumer Compliance divisions.

NOTABLE BANKER REQUESTS IN 2021

The opportunity to address examiners’ preliminary assessment of undue risk or violations before a formal exit or directorate meeting.

Facilitation of more efficient examination processes and more timely distribution of reports of examinations.

Adoption of revisions to the Community Reinvestment Act that address contemporary consumer options, strategies, and preference for engaging with banks.

Elimination of overlapping or concurrent risk management and consumer compliance examinations.

Resumption of Director Colleges and other FDIC-sponsored training.
Bankers shared varied opinions about virtual examinations. While we received significantly more favorable comments, a considerable number of bankers expressed a desire for some level of on-site examiner presence for meetings and loan review. Many found the virtual process less disruptive for bank employees, while others commented that scanning and uploading the requested information was overly burdensome. Many bankers expressed frustration when examiners did not use video capabilities for meetings and conversations.

We heard concerns about the pre-examination planning process and information request list. Some bankers commented that the request list was excessive or the examiners did not review or use information provided in advance of the examination. Other bankers expressed frustration when examiners made multiple requests for the same information. Bankers also commented that some examiners did not consider the institution’s risk profile, criticized matters that had virtually no impact on the institution’s safety and soundness, and recommended changes in policies or practices that did not address specific risks.

We received four times as many favorable comments about the application process as unfavorable. Bankers stated communication during the process was effective and determinations were received in a reasonable timeframe.
Contact the Ombudsman when you need service that is:

- **Confidential**
- **Neutral**
- **Independent**
- **Informal**

Your thoughts and opinions about supervisory or resolution processes are important to FDIC leadership. Please contact your Regional Ombudsman to share your comments, suggestions, or observations.

**SHARE YOUR FEEDBACK ABOUT THIS REPORT**

ACCESS THE ANONYMOUS ONLINE FORM

**How Can You Respond?**

**Office of the Ombudsman**

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Online Form