



Federal Deposit Insurance Corporation
Division of Depositor and Consumer Protection

[XXX] Field Office
[Mailing Address]
[City, State Zip]

[Month Day, Year]

[Name]

[Title]

[Bank Name]

[Mailing Address]

[City, ST Zip]

Dear [Name]:

We are planning to conduct a [CHOOSE ONE: Compliance OR Compliance and Community Reinvestment Act (CRA)] examination of your institution in the upcoming quarter. The purpose of this letter is to provide you with information about the examination process and a list of available resources.

EXAMINATION PROCESS

Our upcoming examination will assess how your institution complies with various consumer protection laws and regulations. Examiners will evaluate your institution's compliance management system (CMS) using a risk-based approach that involves: developing a compliance risk profile of your institution's products, services, markets, organizational structure, operations, and past supervisory performance; identifying inherent risks associated with the level and complexity of your business operations; and testing selected transactions when an area has a high risk of consumer harm and CMS efforts appear weak.

Examiners will evaluate your institution using the Uniform Interagency Consumer Compliance Rating System, which is organized under three broad categories: board and management oversight, compliance program, and violations of law and consumer harm. The first two categories, board and management oversight and compliance program, are used to assess your institution's CMS. The third category, violations of law and consumer harm, includes assessment factors that evaluate the dimensions of any identified violation or consumer harm.

- Board and management oversight is assessed based on the level of oversight and commitment to your institution's CMS; effectiveness of your institution's change management processes; comprehension, identification, and management of risks arising from your institution's products, services, or activities; and self-identification of consumer compliance issues and corrective action undertaken as such issues are identified.
- The compliance program is assessed based on whether your institution's policies and procedures are appropriate to the risk in the products, services, and activities of your

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institution; the degree to which compliance training is current and tailored to risk and staff responsibilities; the sufficiency of the monitoring and audit, if applicable, to encompass compliance risks throughout your institution; and the responsiveness and effectiveness of the consumer complaint resolution process.

- The violations of law and consumer harm are assessed by analyzing the root cause(s) of any violations of law identified during the examination; the severity of any consumer harm resulting from violations; the duration of time over which the violations occurred; and the pervasiveness of the violations.

Examiners will also review your institution's ability to appropriately assess, measure, monitor, and control the risks associated with significant third-party relationships. Additionally, examiners will review and follow-up on violations, recommendations, and Matters Requiring Board Attention, as applicable, identified at your previous compliance examination. Information related to the examination process, including examination procedures and definitions of consumer harm, can be found in the FDIC Compliance Examination Manual, which is available at www.fdic.gov/regulations/compliance/manual.

[ONLY INCLUDED WHEN CRA EXAMINATION SCHEDULED: The CRA is intended to encourage depository institutions to help meet the credit needs of the communities in which they operate, including low- and moderate-income neighborhoods, consistent with safe and sound banking operations. The FDIC has adopted interagency examination procedures for the following types of institutions: Small Institutions, Intermediate Small Institutions, Large Retail Institutions, Limited Purpose and Wholesale Institutions, and Institutions under Strategic Plans. More information about the CRA examination procedures and the asset size thresholds can be found at www.ffiec.gov/cra.]

Pre-Examination Interview

The Examiner-in-Charge (EIC) will conduct a pre-examination interview prior to the on-site portion of your examination. The purpose of the interview is to ensure that we understand your institution's operations, as well as the products and services offered. It further allows us to tailor any information and document requests appropriately and plan for the examination efficiently.

Enclosed is a list of the questions the EIC will use to conduct the interview. We encourage you to review these questions in advance and invite appropriate institution personnel to participate in the interview. We are not requesting that you prepare written responses to these questions. After this interview, you will receive a Compliance Information and Document Request (CIDR) to complete and return to the FDIC. The EIC will use your responses to the CIDR to determine the scope of our on-site review. Once the EIC has determined the products and services to be reviewed on-site, a subsequent request for specific transactional level information may be provided.

FDICconnect

During the pre-examination interview, the EIC will discuss the method(s) available for exchanging examination information and will determine your willingness to provide electronic information via *FDICconnect*. *FDICconnect* is an FDIC web-based application located on a secure website designed to specifically accommodate the interchange of sensitive information between the FDIC and the financial institutions we supervise. *FDICconnect* is our preferred method for exchange of

all documents associated with the examination. You can upload documents to this site as separate files, or you can utilize any computer application that electronically groups or “zips” multiple files together and upload the zipped file in one step.

Representatives of your institution should already have access privileges for FDICconnect. Users may access the application and the instructions at www.fdicconnect.gov. If you need assistance accessing or using FDICconnect, please e-mail FDICconnect@fdic.gov or call 877-275-3342.

REFERENCE RESOURCES

Listed below are some of the resources available to assist bank management in understanding and managing the examination process.

FDIC Website

The FDIC’s website has several resources that you may find useful. In particular, www.fdic.gov/regulations contains the following links:

- *Bank Examinations* – includes information about Compliance and CRA examination processes and supervisory guidance.
- *Resources for Bank Officers & Directors* – includes the Community Banking Initiative and the Directors’ Resource Center, which focuses on guidance and other information that address current issues faced by the banking industry. Links to the Technical Assistance Video Program are also available.

Technical Assistance Brochure

FDIC examiners can provide you with certain types of technical assistance related to consumer compliance. A list of the types of technical assistance available from the FDIC is contained in the enclosed *Technical Assistance for Managing Consumer Compliance Responsibilities* brochure.

COMMUNICATION WITH FDIC

We strive to maintain open communication throughout the examination process. Ongoing communication between the examination staff and bank management is a critical element of effective bank supervision. All Board members are also encouraged to participate with bank management in the examination process, which can provide an opportunity to discuss compliance-related banking matters.

Your institution is supervised by the [XXX] Field Office, which is part of the FDIC’s [XXX] Region. The EIC is your primary point of contact; however, if you wish to provide feedback or have concerns during the examination, we encourage you to contact the Field Supervisor, Supervisory Examiner, or Regional Office. In the event these efforts are not successful, you may contact the Division Director at DirectorDCP@fdic.gov. The FDIC provided this communication channel to FDIC-supervised institutions in FIL-51-2016, a copy of which is enclosed.

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FDIC Post-Examination Survey

At the end of the examination, you will receive a Post-Examination Survey. We encourage financial institutions to provide feedback on the examination process, Report of Examination, and other supervisory processes by completing this survey. Your feedback is confidential and responses are not attributable to your institution unless you specifically request follow-up from FDIC senior leadership. Honest and candid feedback helps ensure that the FDIC's supervisory programs are fair, balanced, and objective.

FDIC Ombudsman

The FDIC Office of the Ombudsman is a confidential, neutral, and independent source of information and assistance to anyone affected by the FDIC in its regulatory, resolution, receivership, or asset disposition activities. If you have concerns about your interactions with the FDIC, you may contact them with questions. Refer to the enclosed *FDIC Office of the Ombudsman* brochure for more detailed information.

FDIC Appeals Process

If disagreements or other concerns arise, we encourage bank management to communicate their concerns with the EIC, field office management, or the appropriate regional office staff. If these efforts to resolve disagreements are not successful, you may pursue a formal request as explained in the enclosed *Supervision Appeals Review Committee (SARC)* brochure.

If you have questions regarding the information in this letter, please contact me at [phone number].

Sincerely,

[Name]

[Title]

Enclosures:

Pre-Examination Interview Questions

Technical Assistance for Managing Consumer Compliance Responsibilities Brochure

FIL-51-2016 - Reminder on FDIC Examination Findings

FDIC Office of the Ombudsman Brochure

Supervision Appeals Review Committee (SARC) Brochure