



Federal Deposit Insurance Corporation  
550 17th Street, NW, Washington, D.C. 20429-9990

Financial Institution Letter  
FIL-52-2019  
September 24, 2019

## Listening Sessions on Supervisory Appeals and Dispute Resolution Processes

**Summary:** As part of the FDIC's "Trust through Transparency" initiative, the agency will host a series of listening sessions regarding its supervisory appeals and dispute resolution processes for FDIC-supervised financial institutions. The sessions will offer an opportunity for bankers and other interested parties to provide individual input and recommendations regarding these processes, as well as to provide individual suggestions regarding the role of the Office of the Ombudsman in assisting in resolving disagreements. Attendees will be requested to provide suggestions on information that the agency could publish on these topics. The sessions are being held as part of the FDIC's efforts to enhance the agency's transparency, efficiency, and accountability.

**Statement of Applicability to Institutions under \$1 Billion in Total Assets:** This Financial Institution Letter applies to all FDIC-supervised institutions.

### Distribution:

FDIC-Supervised Institutions

### Suggested Routing:

Board of Directors  
Chief Executive Officer  
Chief Financial Officer  
Compliance Officer

### Attachment:

[Listening Sessions Fact Sheet](#)

### Related Topics:

[Appeals of Material Supervisory Determinations: Guidelines & Decisions](#)

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### Note:

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### Highlights:

- The FDIC will host listening sessions for bankers and other interested parties beginning in the fourth quarter of 2019. Each session will be facilitated by representatives from the FDIC's Office of the Ombudsman and the Office of Communications.
- Attendees will be provided an opportunity to offer suggestions for advancing the FDIC's "Trust through Transparency" initiative to further build trust and confidence with bankers and other interested parties through openness and accountability.
- Attendees will be encouraged to comment on the supervisory appeals and dispute resolution processes, including: (i) opportunities to resolve disagreements at the examiner, Field Office, and Regional Office levels; (ii) perceived barriers to or concerns about resolving disagreements; (iii) timeframes and procedures for pursuing reviews and appeals under the FDIC's Appeals of Material Supervisory Determinations: Guidelines & Decisions; (iv) the role of the FDIC's Office of the Ombudsman in assisting in resolving disagreements; and (v) information publicly available on appeals and examination disagreements.
- Comments from each session will be summarized without specific attribution.
- The attached Listening Sessions Fact Sheet provides details on dates, locations, and instructions for registering for listening sessions.

# Why the FDIC Wants to Listen to Supervised Institutions and Other Interested Parties About Supervisory Determinations

## Background

Section 309(a) of the Riegle Community Development and Regulatory Improvement Act of 1994 required the Federal Deposit Insurance Corporation (FDIC), as well as the other federal banking agencies and the National Credit Union Administration Board, to establish an independent intra-agency appellate process to review material supervisory determinations. The statute requires the FDIC to ensure that appeals of material supervisory determinations by insured depository institutions are heard and decided expeditiously, and that appropriate safeguards exist for protecting appellants from retaliation by agency examiners.

Since 1995 the FDIC's Board of Directors has adopted guidelines for appeals of material supervisory determinations, most recently in July 2017.<sup>1</sup> The current version of [Guidelines for Appeals of Material Supervisory Determinations](#) is available on the FDIC's website.

The FDIC also has an informal process for institutions wanting to obtain a review by the relevant Division Director of matters that cannot be appealed under the Guidelines or under another existing FDIC appeals or administrative process. FIL-51-2016, [Reminder on FDIC Examination Findings](#) (July 29, 2016), addresses this process.

## Listening Sessions on Supervisory Appeals and Dispute Resolution Processes

The FDIC seeks comments from FDIC-supervised institutions and other interested parties on all aspects of its approach to appeals and dispute resolution related to material supervisory determinations. The FDIC will host listening sessions across the country in each of its regions. Participation in these sessions is voluntary and open to FDIC-supervised institutions and other interested parties.

## Agenda

Each listening session will include an overview of the FDIC's current appeals process and a request for comments and recommendations from participants on enhancing the supervisory appeals and dispute resolution processes. Additionally, feedback will be used to advance the FDIC's efforts in building trust and confidence through openness and accountability. Participants may register for any one of the eight sessions.

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<sup>1</sup> See 82 Fed. Reg. 34,522 (July 25, 2017). The July 2017 *Federal Register* notice provides additional background on the Guidelines adopted by the FDIC's Board of Directors in 1995, as well as subsequent amendments to the Guidelines in 2004, 2008, 2010, and 2012.

# Listening Sessions Fact Sheet

## Sessions Dates and Locations

Bankers and other parties interested in participating in a listening session may click on one of the links below to register.

At the registration page, please provide the participant's first and last name, and an e-mail address. After successfully submitting registration information, a confirmation listing the date, time, and location of the listening session will be sent to the e-mail address provided.

For technical questions regarding the registration process, please contact Ms. Verni James at [VeJames@FDIC.gov](mailto:VeJames@FDIC.gov) or (703) 576-5664. For specific questions relating to the listening sessions, please contact the [Regional Ombudsman](#).

## Kansas City Region

October 16, 2019, (Wednesday) – Kansas City, Missouri

Time: 8:30 a.m. – 12:00 p.m.

- Location: 1100 Walnut Street, Kansas City, Missouri 64106

Link to registration: [Kansas City – October 16, 2019](#)

## Memphis Area

October 22, 2019, (Tuesday) – Memphis, Tennessee

Time: 12:30 p.m. – 4:00 p.m.

- Location: 5795 Poplar Avenue, Memphis, Tennessee 38119

Link to registration: [Memphis – October 22, 2019](#)

## Boston Area

October 24, 2019, (Thursday) – Braintree, Massachusetts

Time: 8:30 a.m. – 12:00 p.m.

- Location: 15 Braintree Hill Office Park, Braintree, Massachusetts 02184

Link to registration: [Boston – October 24, 2019](#)

## Dallas Region

November 7, 2019, (Thursday) – Dallas, Texas

Time: 8:30 a.m. – 12:00 p.m.

- Location: 1601 Bryan Street, Dallas, Texas 75201

Link to registration: [Dallas – November 7, 2019](#)

## New York Region

November 13, 2019, (Wednesday) – New York, New York

Time: 8:30 a.m. – 12:00 p.m.

- Location: 350 Fifth Avenue, New York, New York 10118

Link to registration: [New York – November 13, 2019](#)

# Listening Sessions Fact Sheet

## San Francisco Region

November 21, 2019, (Thursday) – San Francisco, California

Time: 12:30 p.m. – 4:00 p.m.

- Location: 25 Jessie Street at Ecker Square, San Francisco, California 94105  
Link to registration: [San Francisco – November 21, 2019](#)

## Atlanta Region

December 2, 2019, (Monday) – Atlanta, Georgia

Time: 12:30 p.m. – 4:00 p.m.

- Location: 10 10th Street NE, Atlanta, Georgia 30309  
Link to registration: [Atlanta – December 2, 2019](#)

## Chicago Region

December 3, 2019, (Tuesday) – Chicago, Illinois

Time: 12:30pm – 4:00pm

- Location: 300 South Riverside Plaza, Chicago, Illinois 60606  
Link to registration: [Chicago – December 3, 2019](#)