



Comptroller of the Currency  
Administrator of National Banks

US Department of the Treasury

## What Bankers Should Know

The OCC encourages bankers to discuss policies, decisions, or actions that may develop into appealable matters with assigned examiners, their management (Examiners-in-Charge, Assistant Deputy Comptrollers, or Deputy Comptrollers), or the OCC Ombudsman before they become subject to a formal appeal. The OCC Ombudsman can help bankers better understand existing standards and guidance before they file appeals.

Appeals are informal until an agency decision is delivered. Once an agency decision is issued on a matter, a bank may seek a formal appeal, without fear of reprisal, of any appealable agency decision or action, including examination ratings, adequacy of loan loss reserves, and loan classifications significant to the bank.

Bank presidents or chief executives must sign appeals and submit them directly to the OCC Ombudsman or to the Deputy Comptroller representing the OCC supervisory office overseeing that bank.

The OCC will determine if the matter is appealable generally within five calendar days and typically rules on appeals within 45 calendar days of accepting an appeal.

If a banker disagrees with an appeal decision made by supervisory channels, it may further appeal to the OCC Ombudsman within 30 calendar days of receiving the decision.

Bankers can submit questions about the process by calling (202) 874-1530.

## What Examiners Should Know

The OCC's Appeals Process reinforces existing standards and guidance that bank examiners use each day in supervising institutions.

Examiners can be assured that fair, impartial review of appeals will support reasonable decisions based on available facts according to existing standards and guidance.

Lessons learned through the Appeals Process identify opportunities to improve bank supervision.

Examiners should inform bank management of the Appeals Process and encourage bankers to discuss concerns early. Informal, early discussions with supervisory management (Examiners-in-Charge, Assistant Deputy Comptrollers, or Deputy Comptrollers) or the OCC Ombudsman eliminate miscommunication, promote understanding, and resolve disputes amicably before becoming formal appeals.

Examiners and OCC officials must submit written responses and relevant OCC documents to the Ombudsman, or responsible supervisory official, within 10 calendar days of the request during an appeal.

Office of the Ombudsman  
Office of the Comptroller of the Currency  
250 E St. SW • MS 9-3  
Washington, DC 20219  
Telephone: (202) 874-1530 • Fax: (202) 874-4950



## Appeals Process for National Banks and Federal Savings Associations

April 2012

*Ensuring a safe and sound  
national banking system  
for all Americans*

# Fair, Accessible, Reasonable

The Office of the Comptroller of the Currency (OCC) Appeals Process for national banks and federal savings associations (collectively, banks) provides an independent, fair, and binding means of resolving disputes arising during the supervisory process; helps ensure the most sound supervision decisions possible; and promotes open, continuous communication among banks and the OCC.

The OCC encourages early, informal resolution of concerns, but when disputes cannot be resolved informally, the OCC Ombudsman provides an independent and objective review to determine if supervisory decisions are reasonable based on available facts.

The OCC Ombudsman, who reports directly to the Comptroller of the Currency and operates outside of bank supervision, ensures that bankers have access to the appeal process and that appeals are reviewed fairly according to existing standards.

The OCC Ombudsman, with the consent of the Comptroller, may supersede any OCC decision or action during the resolution of an appealable matter.

The process works for community banks as well as large banks.

## About the Appeals Process

OCC Bulletin 2011-44 details the Appeals Process and is available at [www.occ.gov/news-issuances/bulletins/2011/bulletin-2011-44.html](http://www.occ.gov/news-issuances/bulletins/2011/bulletin-2011-44.html).

Answers to frequently asked questions about the Appeals Process are available at [www.occ.gov/topics/dispute-resolution/bank-appeals/bank-appeals-process.html](http://www.occ.gov/topics/dispute-resolution/bank-appeals/bank-appeals-process.html).

Summaries of appeals decisions are available at [www.occ.gov/topics/dispute-resolution/bank-appeals/summaries/index-summaries.html](http://www.occ.gov/topics/dispute-resolution/bank-appeals/summaries/index-summaries.html).

Matters that may not be appealed include appointments of receivers or conservators, preliminary examination conclusions, formal enforcement-related actions or decisions, formal or informal rulemaking, disclosures related to the Freedom of Information Act, decisions to disapprove directors or senior executives, or decisions subject to judicial review.

