

Appendix K

Equal Employment Opportunity  
Commission



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Washington, D.C. 20507**

Office of  
Communications and  
Legislative  
Affairs

January 5, 2018

The Honorable Trey Gowdy  
Chairman  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Gowdy:

This is in response to your letter dated December 8, 2017 to Equal Employment Opportunity Commission (EEOC or Commission) Acting Chair Victoria A. Lipnic, requesting a list of all guidance documents issued by the Commission since January 1, 2008, as part of the Committee's effort to better understand how and when federal agencies issue guidance documents. As you know, the Commission enforces the federal equal employment opportunity (EEO) laws, including Title VII of the Civil Rights Act of 1964 (Title VII), Titles I and V of the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), and other EEO laws.<sup>1</sup> The EEOC is committed to working with the Committee.

Your letter of December 8, 2017 (12/8/17 letter) accurately observes that federal agencies use a variety of names for guidance documents, for example, memoranda, policy statements, manuals, circulars, bulletins, advisories, or guidance. To identify a definition of the term "guidance document," your letter references the definition used by the Office of Management and Budget, Office of Information and Regulatory Affairs (OMB) that a "guidance document" is "an agency statement of general applicability and future effect that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue."<sup>2</sup>

The EEOC has a dedicated page on its website for "Subregulatory Guidance," <https://www.eeoc.gov/laws/guidance/index.cfm>, which defines this term consistent with OMB's definition of a "guidance document." The EEOC states that its guidance "communicates policy positions of the Commission on important EEO legal issues . . ." and "express[es] official agency policy [that is] used to explain how the laws and regulations apply to specific workplace

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<sup>1</sup> For a complete list of EEOC-enforced laws, see <https://www.eeoc.gov/laws/statutes/index.cfm>.

<sup>2</sup> Letter of 12/8/17 at note 2. OMB's definition in its Good Guidance Practices states in that a "guidance document" is "an agency statement of general applicability and future effect, other than a regulatory action (as defined in Executive Order 12866, as further amended), that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue." OMB Bulletin for Agency Good Guidance Practices §I (3), 72 FR 3439 (January 25, 2007).

situations.” Subregulatory guidance documents are subject to a Commission vote because they establish official agency positions; each guidance document listed below was approved by a majority of the EEOC’s Commissioners.<sup>3</sup> As noted on our “Subregulatory Guidance” web page, the EEOC uses the terms Compliance Manual, Enforcement Guidance, Policy Guidance, or Policy Statement to refer to “guidance documents.” Consistent with OMB’s 2007 definition of “guidance document” in the Bulletin on Good Guidance Practices, *see* note 2, the EEOC understands regulations and their accompanying preambles as distinct from subregulatory guidance.<sup>4</sup>

The following guidance has been issued by the Commission since January 1, 2008:

- *Compliance Manual: Religious Discrimination* (approved by unanimous vote and released online July 22, 2008)  
<https://www.eeoc.gov/policy/docs/religion.html>

This Compliance Manual section updated a 1984 Compliance Manual section by the same title to reflect new case law and consolidate in one document a series of policy statements that the Commission had issued between 1984 and 2008. In 2003, the agency held a series of meetings with more than 60 religious groups, employer groups, unions, and secular civil liberties groups to receive public input on contemplated guidance updates, and again in 2008 with more than such 35 such groups. The Commissioners held a public Commission meeting to deliberate and vote on the guidance. The meeting was announced and publicized in advance by both a notice in the *Federal Register* pursuant to the Sunshine Act<sup>5</sup> and by press release.<sup>6</sup> Among other subjects, this Compliance Manual section addresses disparate treatment based on religion, the requirement of reasonable accommodation for religious beliefs and practices, religion-based harassment, and retaliation.

[https://www.eeoc.gov/laws/guidance/arrest\\_conviction.cfm](https://www.eeoc.gov/laws/guidance/arrest_conviction.cfm)

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<sup>3</sup> The EEOC Chair may approve specific resource documents that speak to current events or different audiences if those resource documents are fully consistent with established EEOC policy positions that have been approved by a majority of the EEOC Commissioners. For example, each of the guidance documents identified in this letter was accompanied by a short question-and-answer publication that summarized the guidance and/or a short small business fact sheet that condensed in non-legal language the major points of the guidance document. The EEOC Chair approved these resource documents without another Commission vote. Resource documents that do not create new policy have also been issued in other formats, such as Best Practices and “What-You-Should-Know” fact sheets.

<sup>4</sup> For new, proposed, and existing EEOC regulations, see <https://www.eeoc.gov/laws/regulations/index.cfm>.

<sup>5</sup> See <https://www.gpo.gov/fdsys/pkg/FR-2008-07-16/pdf/08-1441.pdf>.

<sup>6</sup> See <https://www.eeoc.gov/eeoc/newsroom/release/archive/7-17-08.html>.

- *Enforcement Guidance on Employer Use of Arrest and Conviction Records in Employment Decisions under Title VII of the Civil Rights Act of 1964* (approved by majority vote and released online April 25, 2012)

This guidance consolidates prior policy guidance about Title VII and conviction records approved by the Commission in 1987 under Chair Clarence Thomas, and about Title VII and arrest records approved by the Commission in 1990 under Chair Evan Kemp. The 2012 guidance updates relevant data, consolidates the 1987 and 1990 EEOC policy statements on this issue, and addresses court decisions that called on the Commission to provide a more detailed legal rationale for its positions than it did in the 1987 and 1990 guidance documents. The 2012 guidance illustrates how Title VII applies to various scenarios that an employer may encounter when considering the arrest or conviction history of a current or prospective employee. During the development of this guidance, the Commission held public meetings on this topic in 2008 and 2011 that were announced in advance in the *Federal Register*<sup>7</sup> as well as by press release.<sup>8</sup> Following the 2011 Commission meeting, the EEOC issued a press release summarizing the testimony received, and publicizing that the record would be kept open for public comments afterwards.<sup>9</sup> The Commission also posted on its website the full meeting transcript and written witness statements. Approximately 300 comments were received.<sup>10</sup> Following consideration of all this input, the guidance was considered and approved at an additional Commission meeting that was publicized in advance by *Federal Register* notice<sup>11</sup> and press release.<sup>12</sup>

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<sup>7</sup> See <https://www.gpo.gov/fdsys/pkg/FR-2008-11-12/pdf/E8-26968.pdf> and <https://www.gpo.gov/fdsys/pkg/FR-2011-07-19/pdf/2011-18308.pdf>.

<sup>8</sup> See <https://www.eeoc.gov/eeoc/newsroom/release/archive/11-18-08.html> and <https://www.eeoc.gov/eeoc/newsroom/release/7-20-11.cfm>.

<sup>9</sup> See <https://www.eeoc.gov/eeoc/newsroom/release/7-26-11.cfm>.

<sup>10</sup> The Commission uses a variety of methods to solicit and receive input from the public on proposed enforcement guidance to ensure it is developed through a well-informed process. The Commission may hold a public meeting to hear testimony from witnesses, including experts in the issue being examined. The EEOC publicly announces these meetings at least a week in advance in the *Federal Register*, pursuant to the Sunshine Act. Since June 2011, the Commission also has, as a matter of routine practice, left the meeting record open for the 15 days afterwards for written input from the general public. Where obtaining additional public input will aid the Commission's development of a proposed guidance document, the Commission has, since January 2016, published draft guidance on [www.regulations.gov](http://www.regulations.gov) for public input before it is finalized.

<sup>11</sup> See <https://www.gpo.gov/fdsys/pkg/FR-2012-04-23/pdf/2012-9796.pdf>.

<sup>12</sup> See <https://www.eeoc.gov/eeoc/newsroom/release/4-19-12.cfm>.

- *Enforcement Guidance: Pregnancy Discrimination and Related Issues* (originally approved by majority vote and released online July 14, 2014; revised guidance approved by majority vote and released online June 25, 2015)  
[https://www.eeoc.gov/laws/guidance/pregnancy\\_guidance.cfm](https://www.eeoc.gov/laws/guidance/pregnancy_guidance.cfm)

This guidance addresses: application of the Pregnancy Discrimination Act (PDA) to current, past, and potential pregnancy; termination or refusal to hire someone because she is pregnant and other prohibited employment actions based on pregnancy; application of the PDA to lactation and breastfeeding; prohibition of forced leave policies; the obligation to treat women and men the same with respect to parental leave policies; and access to health insurance. The guidance also addresses application of Title I of the Americans with Disabilities Act (ADA) to pregnancy-related disabilities. During the development of this guidance, the Commission held a public meeting that was publicized in advance by *Federal Register* notice<sup>13</sup> and press release.<sup>14</sup> Following the meeting, the Commission issued a press release summarizing the testimony received, and publicizing that the record would be kept open following the meeting to facilitate public comment.<sup>15</sup> The Commission also posted on its website the full meeting transcript and written witness statements. Following the meeting, approximately 15 organizations and individuals provided additional input. Following consideration of all public input, the guidance was originally issued in 2014, and then was subsequently revised and approved for re-issuance following the Supreme Court decision in *Young v. United Parcel Serv., Inc.*, 575 U.S. \_\_\_, 135 S. Ct. 1338 (2015).

- *Enforcement Guidance on Retaliation and Related Issues* (approved by majority vote Aug. 25, 2016, and released online August 29, 2016)  
<https://www.eeoc.gov/laws/guidance/retaliation-guidance.cfm>

This guidance updates the Compliance Manual section on retaliation issued in 1998, reflecting seven U.S. Supreme Court decisions issued since 1998 relating to retaliation under EEOC-enforced laws. The guidance also addresses the separate “interference” provision under section 503(b) of the ADA, which prohibits coercion, threats, or other acts that interfere with the exercise of ADA rights. In preparing the guidance, the agency considered the stakeholder views expressed at the June 17, 2015 Commission Meeting held on this topic, which were summarized in a subsequently issued press release along with posting on the Commission’s website of the full meeting transcript and written witness statements.<sup>16</sup> In addition, the Commission published a proposed version of the

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<sup>13</sup> See <https://www.gpo.gov/fdsys/pkg/FR-2012-02-09/pdf/2012-3175.pdf>.

<sup>14</sup> See <https://www.eeoc.gov/eeoc/newsroom/release/2-8-12.cfm>.

<sup>15</sup> See <https://www.eeoc.gov/eeoc/newsroom/release/2-15-12.cfm>.

<sup>16</sup> See <https://www.eeoc.gov/eeoc/newsroom/release/6-17-15.cfm>.

guidance (without finality or legal effect) for public input through [www.regulations.gov](http://www.regulations.gov), as well as inter-agency review. After considering all input received, including feedback from approximately 60 organizations and individuals, the Commission approved the final guidance. The EEOC gave prior notice to the Office of Management and Budget of both the proposed and final guidance, but OMB did not ask to review the document.

- *Enforcement Guidance on National Origin Discrimination* (approved by majority vote Nov. 18, 2016, and released online Nov. 21, 2016)

<https://www.eeoc.gov/laws/guidance/retaliation-guidance.cfm>

This guidance updated the Compliance Manual section on this topic issued in 2002. The 2016 guidance discusses Title VII's prohibition on national origin discrimination as applied to a wide variety of employment situations and highlights promising practices for employers to prevent discrimination. The guidance also addresses developments in the courts since 2002, and topics such as job segregation, human trafficking, and intersectional discrimination. In preparing the guidance, the agency considered the stakeholder views expressed at the November 13, 2013 Commission Meeting held on this topic, which were summarized in a subsequently issued press release along with posting on the Commission's website of the full meeting transcript and written witness statements.<sup>17</sup> In addition, the Commission published a proposed version of the guidance (without finality or legal effect) for public input through [www.regulations.gov](http://www.regulations.gov), as well as inter-agency review. After considering all input received, including feedback from more than 20 organizations and individuals, the Commission approved the final guidance. The EEOC gave prior notice to the Office of Management and Budget of both the proposed and final guidance, but OMB did not ask to review the document.

In response to the other inquiries you posed, the Commission did not deem the foregoing guidance as "significant" under OMB's Good Guidance Practices because it updated existing, published guidance and did not involve "novel legal or policy issues."<sup>18</sup> Beginning in January 2016, the EEOC began an informal practice of obtaining public input on guidance by publishing a proposal on [www.regulations.gov](http://www.regulations.gov), following a process similar to that used for regulations, even though not required by the Administrative Procedure Act. As noted above, for both of the 2016 guidance documents (Retaliation and National Origin), the EEOC gave OMB notice prior to issuing both the proposed and final versions. OMB did not request to review any of these documents before issuance. The EEOC's Regulatory Reform Task Force is in the process of reviewing all EEOC guidance, including the above.

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<sup>17</sup> See <https://www.eeoc.gov/eeoc/newsroom/release/11-13-13.cfm>.

<sup>18</sup>OMB's "Final Bulletin for Agency Good Guidance Practices, 72 Fed. Reg. 3432, 3439 (Jan. 25, 2007), provides that the term "significant guidance document," as defined in E.O. 12866, as further amended, section 3(h), encompasses documents that may be reasonably anticipated to have a specified threshold economic effect, create inconsistency with actions by another agency, materially alter various budget impacts, or "[r]aise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866, as further amended."

The Honorable Trey Gowdy  
Page Five

We hope this information is helpful and responsive to your request.

Sincerely,

/S/

Brett A. Brenner  
Acting Director  
Office of Communications  
and Legislative Affairs

cc: The Honorable Mark Meadows  
The Honorable Jim Jordan  
The Honorable Gary J. Palmer  
The Honorable Blake Farenthold  
The Honorable Elijah E. Cummings  
The Honorable Gerald E. Connolly  
The Honorable Raja Krishnamoorthi  
The Honorable Val Butler Demings  
The Honorable Stacey E. Plaskett

# Appendix L

## Department of Energy



## Holmes, Lauren (Intern)

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**From:** Jewell, Matthew <Matthew.Jewell@hq.doe.gov>  
**Sent:** Thursday, December 21, 2017 4:59 PM  
**To:** Vance, Sarah  
**Cc:** Lesinski, James  
**Subject:** RE: OGR Dec 8 request re Guidance Documents

Sarah,

We are still working on gathering information for our formal response. In the meantime, I have provided a link to all the guidance documents for our Appliance Standards which falls under the Office of Energy Efficiency and Renewable Energy. Please let me know if you have any questions.

<https://www1.eere.energy.gov/guidance/default.aspx?pid=2&spid=1>

Thanks,

Matthew L. Jewell  
Legislative Affairs Advisor  
U.S. Department of Energy  
Work: 202-586-5220  
[Matthew.Jewell@hq.doe.gov](mailto:Matthew.Jewell@hq.doe.gov)

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**From:** Vance, Sarah [mailto:Sarah.Vance@mail.house.gov]  
**Sent:** Thursday, December 21, 2017 2:22 PM  
**To:** shari.davenport@hq.doe.gov'; 'Matthew.Jewell@hq.doe.gov'  
**Cc:** Lesinski, James <James.Lesinski@mail.house.gov>  
**Subject:** OGR Dec 8 request re Guidance Documents

Good afternoon – Attached is a letter we sent your office on Friday, December 8. Forgive me if you’ve been in contact with any of my coworkers on this, but I want to check-in since the deadline is tomorrow and we’re aiming for staff to start reviewing productions from the agencies – even if the production isn’t complete. We understand it’s a big lift! Is your team working on a response by tomorrow? Let me know when you can. 226-2397. Thank you.

### Sarah Vance

Staff Director | Subcommittee on Healthcare, Benefits, and Administrative Rules  
Oversight and Government Reform Committee | Chairman Trey Gowdy  
U.S. House of Representatives  
(202) 226-2397 (direct) | O’Neill House Office Building

# Appendix M

## Environmental Protection Agency



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JAN 05 2018

OFFICE OF  
CONGRESSIONAL AND  
INTERGOVERNMENTAL  
RELATIONS

The Honorable Trey Gowdy  
Chairman  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman:

Thank you for your letter of December 8, 2017, regarding guidance documents. The Administrator asked that I respond on his behalf.

Information about EPA guidance documents can be found here: <https://www.epa.gov/laws-regulations/policy-guidance>. We have been working with our Office of Policy and various program offices to compile the information requested in your letter, initially focusing on significant guidance documents. We will be in touch with your staff with a status update and to discuss any prioritization preferences you may have by January 12, 2018.

Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Kyle Aarons in my office at (202) 564-7351 or [Aarons.Kyle@epa.gov](mailto:Aarons.Kyle@epa.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Troy Lyons", is written over the typed name.

Troy M. Lyons  
Associate Administrator

cc: The Honorable Elijah E. Cummings  
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JAN 05 2018

OFFICE OF  
CONGRESSIONAL AND  
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RELATIONS

The Honorable Blake Farenthold  
Chairman  
Subcommittee on Interior, Energy,  
and Environment  
Committee on Oversight and Government Reform  
U.S. House of Representatives  
Washington, D.C. 20515

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Again, thank you for your letter. If you have further questions, please contact me, or your staff may contact Kyle Aarons in my office at (202) 564-7351 or [Aarons.Kyle@epa.gov](mailto:Aarons.Kyle@epa.gov).

Sincerely,

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Troy M. Lyons  
Associate Administrator

cc: The Honorable Stacey E. Plaskett  
Ranking Member



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JAN 05 2018

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The Honorable Jim Jordan  
Chairman  
Subcommittee on Healthcare, Benefits,  
and Administrative Rules  
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JAN 05 2018

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The Honorable Gary J. Palmer  
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MAR 13 2018

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Dear Mr. Chairman:

I am writing to supplement the U.S. Environmental Protection Agency's response of January 5, 2018, to your letter of December 8, 2017, regarding guidance documents.

Enclosed with this letter is a table of requested information related to significant guidance documents issued by the EPA between 2008 and the date of your letter. As discussed with your staff, we are continuing to collect information related to guidance documents that were not deemed significant and will deliver it to you on a rolling basis.

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Ranking Member



Document ID	Title	Form	Description	Issuance Date	Agency	Program	Significant?	Did OIRA Review?	Title for OIRA Review	Date Submitted to OIRA	Was it submitted to Congress and GAO?	Title Submitted to Congress and GAO	Date Submitted to Congress and GAO	Does the Reg Reform Task Force Plan to	Document Link	Federal Register Citation	Regulatory Identification Number
EPA-453-B-16-001	Control Technique Guidelines (CTGs) for the Oil and Natural Gas Industry	Guidance	Technology Controls for Existing Oil and Gas Sources in Ozone Nonattainment Areas	10/20/2016	EPA	Office of Air and Radiation: Office of Air Quality Planning and Standards	Yes	Yes	Control Techniques Guideline for the Oil and Natural Gas Sector	6/28/2016	No	N/A	N/A	No	CTGs for Oil and Gas	81 FR 74798	2060-ZA22
EPA-420-B-10-008	Guidance for Implementing Section 141 of the Energy Independence and Security Act of 2007	Guidance	Federal Vehicle Fleets and Low GHG Vehicles	2/22/2010	EPA	Office of Air and Radiation: Office of Transportation and Air Quality	Yes	Yes	2007 Energy Independence and Security Act, Section 141, Federal Vehicle Fleets, Guidance For Federal Agencies	9/08/2009	No	N/A	N/A	No	<a href="https://nepis.epa.gov/ExecZyPDF.cgi?DocId=95P100QNDAD.pdf">https://nepis.epa.gov/ExecZyPDF.cgi?DocId=95P100QNDAD.pdf</a>	N/A	N/A
EPA-HQ-OAR-2016-02	Guidance on the Preparation of Exceptional Events Demonstrations for Wildfire Events that May Influence Ozone Concentrations	Guidance	Guidance to assist air agencies preparing for exceptional events demonstrations for wildfire influences on ozone concentrations that meet Clean Air Act section 319(b) and the Exceptional Events rule.	9/16/2016	EPA	Office of Air and Radiation: Office of Air Quality Planning and Standards	Yes	Yes	Guidance on the Preparation of Exceptional Events Demonstrations for Wildfire Events that May Influence Ozone Concentrations	6/22/2016	No	N/A	N/A	No	Exceptional Events Guidance	81 FR 68216	2060-ZA21
EPA-HQ-OAR-2010-08	PSD and Title V Permitting Guidance for Greenhouse Gases	Guidance	Guidance for permit writers and permit applicants in addressing PSD and Title V program requirements for GHG emissions, which began in January 2011.	11/10/2010	EPA	Office of Air and Radiation: Office of Air Quality Planning and Standards	Yes	Yes	PSD and Title V Permitting Guidance for GHG	9/15/2010	No	N/A	N/A	No	PSD and Title V Permitting Guidance for GHGs	75 FR 70254	2060-ZA18
EPA-HQ-OPPT-2017-0341-0002	Guidance to Assist Interested Persons in Developing and Submitting Draft Risk Evaluations Under the Toxic Substances Control Act	Guidance	TSCA Risk Evaluation Guidance	7/20/2017	EPA	Office of Chemical Safety and Pollution Prevention: Office of Pollution Prevention and Toxics	Yes	Yes	3rd Party TSCA RA Guidance (6039)	6/13/2017	No	N/A	N/A	No	TSCA Risk Evaluation Docket	82 FR 33764	2070-ZA18
N/A	Working in Partnership with States to Address Phosphorus and Nitrogen Pollution through Use of a Framework for State Nutrient Reductions	Memorandum	Reaffirms EPA's commitment to partnering with states and collaborating with stakeholders to make greater progress in accelerating the reduction of nitrogen and phosphorus loadings to our nation's waters.	3/16/2011	EPA	Office of Water	Yes							No	<a href="http://www.ascel.org/files.axd?file=2011%2f9%2fEPA+nitrogen_framework.pdf">http://www.ascel.org/files.axd?file=2011%2f9%2fEPA+nitrogen_framework.pdf</a>		
N/A	A New Long-Term Vision for Assessment, Restoration, and Protection under the Clean Water Act Section 303(d) Program	Memorandum	To improve implementation of the CW A 303(d) Program, State and the EPA program managers began a collaborative process in August 2011 to develop a new framework for managing program responsibilities, which is now articulated in this Vision	12/5/2013	EPA	Office of Water: Office of Wetlands, Oceans, and Watersheds	Yes							No	<a href="http://www.ascel.org/files.axd?file=2011%2f9%2fEPA+nitrogen_framework.pdf">http://www.ascel.org/files.axd?file=2011%2f9%2fEPA+nitrogen_framework.pdf</a>		
N/A	Renewed Call to Action to Reduce Nutrient Pollution and Support for Incremental	Memorandum	The continued need for action to address impacts to public health from nitrate in sources of drinking water and from nitrogen and phosphorus pollution contributing to harmful algal blooms.	9/22/2016	EPA	Office of Water	Yes							No	<a href="http://www.ascel.org/files.axd?file=2011%2f9%2fEPA+nitrogen_framework.pdf">http://www.ascel.org/files.axd?file=2011%2f9%2fEPA+nitrogen_framework.pdf</a>		
EPA-816-R-14-001	Permitting Guidance for Oil and Gas Hydraulic Fracturing Activities Using Diesel Fuels: Underground Injection Control Program Guidance #84	Guidance	This guidance provides technical recommendations for protecting underground sources of drinking water (USDWs) from potential endangerment posed by hydraulic fracturing (HF) activities where diesel fuels are used.	2/1/2014	EPA	Office of Water	Yes	Yes	Permitting Guidance for Oil and Gas Hydraulic Fracturing Activities Using Diesel Fuels: Underground Injection Control Program Guidance #84	10/21/2013	No, but EPA notified Congress of the guidance in a Cabinet Report in September 2013 (prior to release).	N/A	N/A	No	<a href="https://www.epa.gov/sites/production/files/2015-05/documents/revise_dfr_guid_816r14001.pdf">https://www.epa.gov/sites/production/files/2015-05/documents/revise_dfr_guid_816r14001.pdf</a>	N/A	2040-ZA15
CD-14-18 (LDV/LDT/C/LIMO)	E85 Flexible Fuel Vehicle Weighting Factor for Model Year 2016-2018 Vehicles	Guidance	Provides the weighting factor that auto manufacturers may use in calculating flex fuel vehicle emission credits under the light-duty greenhouse gas program for model year 2016-2018 vehicles	11/12/2014	EPA	Office of Air and Radiation: Office of Transportation and Air Quality	Yes	No	N/A	N/A	No	N/A	N/A	No	<a href="https://aspub.epa.gov/ota/pub/display_file.asp?docid=33581&amp;flag=1">https://aspub.epa.gov/ota/pub/display_file.asp?docid=33581&amp;flag=1</a>	FR Notice of Availability, 78 FR 17560 (March 22, 2013)	N/A
OSWER-9200.2-154	OSWER Technical Guide for Assessing and Mitigating the Vapor Intrusion Pathway from Subsurface Vapor Sources to Indoor Air	Guidance	Technical guidance for evaluating vapor intrusion	6/2/2015	EPA	Office of Land and Emergency Management	Yes	Yes	Vapor Intrusion Guidance	8/13/2014	No	N/A	N/A	No	<a href="https://www.epa.gov/sites/production/files/2015-05/documents/oswer-vapor-intrusion-technical-guide-final.pdf">https://www.epa.gov/sites/production/files/2015-05/documents/oswer-vapor-intrusion-technical-guide-final.pdf</a> , <a href="https://www.epa.gov/sites/production/files/2016-10/documents/errata.pdf">https://www.epa.gov/sites/production/files/2016-10/documents/errata.pdf</a> , <a href="https://www.epa.gov/sites/production/files/2016-10/documents/factsheet.pdf">https://www.epa.gov/sites/production/files/2016-10/documents/factsheet.pdf</a>		2050-ZA08
EPA-530-K-08-001	Planning for Natural Disaster Debris	Guidance	Guidance for Local Communities who are encouraged to create disaster debris management plans.	3/25/2008	EPA	Office of Land and Emergency Management: Office of Resource Conservation and Recovery	Yes	Yes	Planning for Natural Disaster Debris	1/11/2008	No	N/A	N/A	No	<a href="https://www.epa.gov/sites/production/files/2015-08/documents/npd.pdf">https://www.epa.gov/sites/production/files/2015-08/documents/npd.pdf</a>	N/A	2050-ZA03
	Guidelines for Evaluating the Post-Closure Care Period for Hazardous Waste Disposal Facilities under Subtitle C of RCRA	Guidance	Guidance to assist regulators in evaluating the length of the post-closure care period for hazardous waste disposal facilities subject to Subtitle C of the Resource Conservation and Recovery Act (RCRA)	12/15/2016	EPA	Office of Land and Emergency Management: Office of Resource Conservation and Recovery	Yes	Yes	Guidelines for Evaluating and Adjusting the Post-Closure Care Period for Hazardous Waste Disposal Facilities under Subtitle C of RCRA	9/9/2016	No	N/A	N/A	No	<a href="https://www.epa.gov/sites/production/files/2017-01/documents/pcc_guidance_508_withdatcandlethead.pdf">https://www.epa.gov/sites/production/files/2017-01/documents/pcc_guidance_508_withdatcandlethead.pdf</a>	N/A	2050-ZA09
	Revisions to the Nov. 22, 2002 Memorandum "Establishing TMDL Wasteload Allocations for Stormwater Sources and NPDES Permit Requirements Based on those WLA's"	Memorandum	Guidance to update previous memo on the subject of establishing TMDL Wasteload Allocations (WLAs) for storm water sources and NPDES permit requirements based on those WLAs.	11/26/2014	EPA	Office of Water	Yes	Yes	Revisions to the Nov. 22, 2002 Memorandum "Establishing TMDL Wasteload Allocations for Stormwater Sources and NPDES Permit Requirements Based on those WLA's"	3/13/2012		N/A	N/A	No	<a href="https://www.epa.gov/sites/production/files/2015-10/documents/epa_sw_tmdl_memo.pdf">https://www.epa.gov/sites/production/files/2015-10/documents/epa_sw_tmdl_memo.pdf</a>	N/A	2040-ZA17
EPA-402-R-10003	Federal Guidance Report No. 14: Radiation Protection Guidance for Diagnostic and Interventional X-Ray Procedures	Guidance	This guidance consists of recommendations to federal facilities that use diagnostic and interventional x-ray equipment for keeping patient doses as low as reasonably achievable without compromising the quality of patient care. This document updates a 1976 X-ray guidance to better reflect the use of modern digital imaging technology and procedures such as computed tomography (CT Scans).	10/22/2014	EPA	Office of Air and Radiation	Yes	Yes	Notice of Availability for Federal Guidance Report No. 14: Radiation Protection Guidance for Diagnostic and Interventional X-Ray Procedures	7/31/2014	No	N/A	N/A	No	<a href="https://www.epa.gov/radiation/federal-guidance-report-no-14-radiation-protection-guidance-diagnostic-and-interventional">https://www.epa.gov/radiation/federal-guidance-report-no-14-radiation-protection-guidance-diagnostic-and-interventional</a>	N/A	2060-ZA20

Document ID	Title	Form	Description	Issuance Date	Agency	Program	Significant?	Did OIRA Review?	Title for OIRA Review	Date Submitted to OIRA	Was it submitted to Congress and GAO?	Title Submitted to Congress and GAO	Date Submitted to Congress and GAO	Does the Reg Reform Task Force Plan to	Document Link	Federal Register Citation	Regulatory Identification Number
EPA-400/R-17/001	Protection Action Guidance for Radiological Incidents	Guidance	EPA published the <i>Protective Action Guides and Planning Guidance for Radiological Incidents</i> (PAG Manual) as guidance for federal, state and local emergency response authorities for use in their plans to protect the public after a significant radiological or nuclear emergency. This guidance includes PAG trigger levels for making decisions on evacuation, sheltering-in-place, drinking water considerations etc., and it is purposely reflective of other federal agency guides including those used by the Nuclear Regulatory Commission, the Dept. of Health and Human Services, the Food and Drug Administration, the Dept. of Energy, the Department of Homeland Security and others. This published document is an update to an existing EPA 1992 guidance.	10/20/2016	EPA	Office of Air and Radiation	Yes	Yes	Protective Action Guidance for Radiological Incidents	10/21/2016	No	N/A	N/A	No	<a href="https://www.epa.gov/radiation/pag-manuals-and-resources">https://www.epa.gov/radiation/pag-manuals-and-resources</a>	<u>82 FR 6498</u>	2060-ZA19

# Appendix N

## Export-Import Bank



*Reducing Risk. Unleashing Opportunity.*

December 21, 2017

The Honorable Trey Gowdy  
Chairman  
Committee on Oversight and  
Government Reform  
United States House of Representatives  
2157 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Mark Meadows  
Chairman  
Subcommittee on Government  
Operations  
United States House of Representatives  
2157 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Gary Palmer  
Chairman  
Subcommittee on Intergovernmental  
Affairs  
United States House of Representatives  
2157 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Jim Jordan  
Chairman  
Subcommittee on Healthcare, Benefits,  
and Administrative Rules  
United States House of Representatives  
2157 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Blake Farenthold  
Chairman  
Subcommittee on the Interior, Energy,  
and Environment  
United States House of Representatives  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Dear Chairman Gowdy, and Subcommittee Chairmen Meadows, Jordan, Palmer, and Farenthold:

This letter is in response to your December 8, 2017 letter requesting information on the Export-Import Bank of the United States' (EXIM) issuance of "statements of policy, interpretive rules, and other guidance documents." EXIM appreciates the Committee's interest in better understanding how federal agencies issue such guidance documents and is pleased to provide this response.

Section 4 of Executive Order 13771 defines a "regulation" or "rule" as an "agency statement of general or particular applicability and future effect designed to implement, interpret, or



prescribe law or policy or to describe the procedure or practice requirements of an agency," but does not include, among other things, "regulations related to agency organization, management, or personnel." EXIM, with a mission of supporting U.S. jobs through exports, is not a regulatory agency and does not issue guidance documents as we understand your request; that is, guidance documents that have a regulatory effect.<sup>1</sup> Like all agencies, EXIM has developed a number of other procedures and policies that guide internal operations and support the implementation of EXIM programs.

In the interest of transparency, however, the Bank does have a limited number of policy and procedural documents designed to implement requirements imposed to assist EXIM staff, U.S. exporters, and foreign buyers in understanding the laws and legislative requirements that apply to EXIM Bank, but we do not understand these to be "guidance documents" as described in your letter. In that regard, none of these documents have been submitted for review by the Office of Information and Regulatory Affairs as "significant guidance documents."

In the interest of assisting the Committee, EXIM would like to provide the following information regarding several policies and procedures that it has adopted in relation to its Charter provisions, which are described in greater detail below.

### **Economic Impact Procedures and Methodological Guidelines**

The Export-Import Bank Act of 1945, as amended (12 U.S.C. 635 et seq.), requires EXIM to perform economic impact analyses.<sup>2</sup> Since 1978, economic impact language relating to EXIM financing has also been included in annual appropriations bills.<sup>3</sup> All transactions received by the Bank are reviewed for potential adverse economic impact, and if EXIM determines that a transaction meets the legislatively specified standards, then economic impact can be the basis for EXIM to deny that transaction.

EXIM's Economic Impact Procedures and Methodological Guidelines are updated periodically by EXIM's Board of Directors. The current procedures and guidelines were approved by the Bank's Board of Directors and implemented in April 2013. EXIM's Office of Policy Analysis and International Relations is responsible for implementing the procedures and guidelines and, where appropriate, proposing updates for consideration by the EXIM Board of Directors.

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<sup>1</sup> Office of Management and Budget Bulletin M-07-07 on Agency Good Guidance Practices defines "guidance document" to be "an agency statement of general applicability and future effect, other than a regulatory action (as defined in Executive Order 12866, as further amended, § 3(g)), that sets forth a policy on a statutory, regulatory or technical issue or an interpretation of a statutory or regulatory issue."

<sup>2</sup> See Sections 2(b)(1)(B) and 2(e) of the EXIM Charter (<http://www.exim.gov/exim-bank-charter>).

<sup>3</sup> For example, Sec. 7025 of P.L. 115-31, the Consolidated Appropriations Act of 2017.

Additional information regarding EXIM's Economic Impact Procedures, including a current copy of the guidelines, can be found on EXIM's website at <http://www.exim.gov/policies/economic-impact>.

### **Environmental and Social Due Diligence Procedures and Guidelines**

In accordance with its Charter,<sup>4</sup> EXIM established procedures to assess the potential environmental impacts of transactions for which EXIM financing is requested. As outlined in the Bank's Environmental and Social Due Diligence Procedures and Guidelines, transactions received by the Bank are reviewed for potential environmental impacts, and the Board of Directors is authorized to approve, condition, or withhold financing after taking into account the environmental effects of a proposed project.

EXIM's Environmental and Social Due Diligence Procedures and Guidelines are updated periodically, and EXIM's Board of Directors approved the current guidelines on December 12, 2013. The guidelines are developed under the direction of EXIM's Engineering and Environment Division and other relevant divisions, and reflect input from stakeholders, including U.S. exporters, other U.S. government agencies, and non-governmental organizations. Annex A-2, the Supplemental Guidelines for High Carbon Intensity Projects of the Environmental and Social Procedures and Guidelines, has been partially suspended by Congress through provisions in annual appropriations legislation.<sup>5</sup>

Additional information regarding EXIM's Environmental and Social Due Diligence Procedures and Guidelines, including a current copy of the guidelines, can be found at <http://www.exim.gov/policies/ex-im-bank-and-the-environment/environmental-and-social-due-diligence-procedures-and-guidelines>.

### **Iran Sanctions**

In accordance with its Charter<sup>6</sup> and in keeping with the United States' comprehensive Iran sanctions provisions, EXIM performs due diligence on the transaction parties in all transactions, including corporate affiliates, and requires certain certifications for transactions that are subject to approval by the Bank's Board of Directors.

These certifications were established in response to provisions included in the Export-Import Bank Reauthorization Act of 2012 (P.L. 112-122) and were finalized in March 2013. The certifications were developed by the Office of the General Counsel.

Additional information regarding EXIM's adherence to U.S. government-wide Iran sanctions, as well as copies of the Activities Certification and the Sanctioned Persons

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<sup>4</sup> See Section 11 of the EXIM Charter.

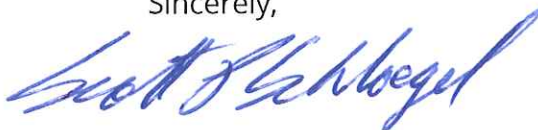
<sup>5</sup> For example, Sec. 7079 of P.L. 115-31, the Consolidated Appropriations Act of 2017.

<sup>6</sup> See Section 18 of the EXIM Charter.

Certification, can be found on EXIM's website at <http://www.exim.gov/policies/iran-sanctions>.

I trust this information is helpful to the Committee's efforts. If you need any further assistance, please do not hesitate to contact me at 202-565-3500 or Natalie McGarry, Acting Senior Vice President of Congressional and Intergovernmental Affairs, at 202-565-3230.

Sincerely,



Scott P. Schloegel  
Vice-Chairman and First Vice President (Acting)

# Appendix O

## Federal Depository Insurance Corporation



**Federal Deposit Insurance Corporation**

550 17th Street NW, Washington, DC 20429

Office of Legislative Affairs

December 21, 2017

Honorable Trey Gowdy  
Chairman  
Committee on Oversight and Government Reform  
House of Representatives  
Washington, D.C. 20515

Dear Chairman Gowdy:

This responds to your letter dated December 8, 2017, requesting information related to agency guidance documents.

A list containing information responsive to your request is enclosed. A description of how the list was compiled is also enclosed with this response. As requested by your staff, the agency has made it a priority to make an initial partial production of responsive information by the requested due date and will update this list on a rolling basis as additional potentially responsive documents are reviewed and identified.

If you or Committee staff have any questions, please contact me at (202) 898-6761 or Steve Primrose at (202) 898-7112.

Sincerely,

A handwritten signature in black ink, reading "M. Andy Jiminez", is positioned above the printed name.

M. Andy Jiminez  
Director  
Office of Legislative Affairs

Enclosures: (2)

cc: Honorable Elijah E. Cummings, Ranking Member



## Identification of Relevant FDIC Guidance Documents

The enclosed document contains a partial listing of FDIC guidance documents that have been identified as potentially responsive to the Committee's letter dated December 8, 2017. These documents were identified by a manual search of documents, including, but not limited to, Financial Institution Letters (FILs), that were issued by the FDIC since January 1, 2008 and intended to communicate guidance to FDIC supervised institutions and that also met the guidelines outlined by majority staff of the House Committee on Oversight and Government Reform in telephone discussions on December 12, 2017. As discussed with your staff, FILs or other guidance documents that contained the terms "guidance," "guideline(s)," "FAQs," "Q&As," or "Questions and Answers" in their titles have been included on the enclosed list. Only documents issued since January 1, 2008 and that currently remain in effect are included on the enclosed list. As discussed with staff, where FDIC guidance was preceded by interim or advisory issuances, including Notices of Proposed Rulemakings (NPRs) or surveys issued pursuant to the Paperwork Reduction Act, only the final and effective guidance document is being included on the enclosed list. Additionally, as discussed with staff, notifications of conference calls or webinars have not been included on the enclosed list.

As also discussed with your staff, it is not the standard practice of the FDIC to submit all FILs or agency issuances to Congress or the Government Accountability Office (GAO) unless the document was subject to a rulemaking under the Administrative Procedure Act. In cases where documents listed were submitted to the Federal Register, the final Federal Register notice is listed.

As your staff is aware, Section 9 of Executive Order 12866 (as amended by Executive Orders 13258 and 13422), which defines "significant guidance documents" and specifies agency treatment of such documents, does not apply to independent regulatory agencies (as defined in 44 U.S.C. § 3502(5)) like the FDIC, though the FDIC does work closely with the Office of Management and Budget on other matters, such as information collections under the Paperwork Reduction Act. Similarly, the FDIC and other independent agencies are exempt from the requirements of Executive Order 13777, requiring agencies to establish Regulatory Task Forces to review their existing regulations (See April 28, 2017, Memorandum entitled Guidance on Regulatory Reform Accountability under Executive Order 13777, titled "Enforcing the Regulatory Reform Agenda"). However, under the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (EGRPRA), the FDIC reviews all of its regulations and considers how to reduce regulatory burden on insured depository institutions. In the March 2017 EGRPRA report to Congress, the FDIC stated that it will review its guidance documents to identify further opportunities for streamlining guidance and reducing regulatory burden.<sup>1</sup>

As requested by your staff, the agency has made it a priority to make an initial partial production of responsive information by the requested due date in the Committee's letter and will update this list on a rolling basis as additional potentially responsive documents are reviewed and identified.

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<sup>1</sup> See EGRPRA Report to Congress, page 7, March 2017. [https://www.ffiec.gov/pdf/2017\\_FFIEC\\_EGRPRA\\_Joint-Report\\_to\\_Congress.pdf](https://www.ffiec.gov/pdf/2017_FFIEC_EGRPRA_Joint-Report_to_Congress.pdf)

**Federal Deposit Insurance Corporation**  
**Response to the House Committee on Oversight and Government Reform**

December 22, 2017

Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
Part 360.9 Detailed Self Assessment Test Plan	Test Plan Guidance	Provide guidance to covered institutions on how to conduct self-assessment test to be compliant of Part 360.9. Does not establish new standard.	9/9/2009	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/large_bank_faq_update_2009_09_15_self_assessment_test_plan.pdf">https://www.fdic.gov/regulations/resources/largebankdim/large_bank_faq_update_2009_09_15_self_assessment_test_plan.pdf</a>	N/A	N/A
Part 360.9 Attestation Letter Template	Template	For covered institutions to submit attestation letter. Does not establish new standard.	9/1/2009	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/attestation_letter_template.pdf">https://www.fdic.gov/regulations/resources/largebankdim/attestation_letter_template.pdf</a>	N/A	N/A
Part 360.9 Reconciliation Template	Template	For covered institutions to reconciliation information. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/Reconciliation_Template.xlsx">https://www.fdic.gov/regulations/resources/largebankdim/Reconciliation_Template.xlsx</a>	N/A	N/A
Part 360.9 Annual Recertification questionnaire	Template	Template for annual recertification questionnaire. Does not establish new standard.	last updated 1/1/2017	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/annual_recertification_questionnaire_for_2017.pdf">https://www.fdic.gov/regulations/resources/largebankdim/annual_recertification_questionnaire_for_2017.pdf</a>	N/A	N/A
Part 360.9 General Questions	FAQs	Provide answers to frequently asked questions for compliance of Part 360.9. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/general_questions.html">https://www.fdic.gov/regulations/resources/largebankdim/general_questions.html</a>	N/A	N/A
Part 360.9 On-site review information	FAQs	Provide information for covered instructions to prepare for on-site compliance review. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/onsite_testing.html">https://www.fdic.gov/regulations/resources/largebankdim/onsite_testing.html</a>	N/A	N/A
Part 360.9 Standard data file structure and format	FAQs	Provide answers to questions regarding standard data file structure and format. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/standard_data_structure.html">https://www.fdic.gov/regulations/resources/largebankdim/standard_data_structure.html</a>	N/A	N/A
Part 360.9 File transmission	FAQs	Provide answers to questions regarding secure file transmission between covered instructions and the FDIC. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/file_transmission.html">https://www.fdic.gov/regulations/resources/largebankdim/file_transmission.html</a>	N/A	N/A
Part 360.9 General Resolution Information	FAQs	Describe the timing of events that would occur in the event of failure, including the posting and removal of provisional holds and the generation of standard data files. Does not establish new standard	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/resolution_info.html">https://www.fdic.gov/regulations/resources/largebankdim/resolution_info.html</a>	N/A	N/A
Part 360.9 Deposit Accounts	FAQs	Provide clarification on deposit accounts, omnibus account, foreign branch deposits, IBFs. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/deposit_accounts.html">https://www.fdic.gov/regulations/resources/largebankdim/deposit_accounts.html</a>	N/A	N/A
Part 360.9 Sweep accounts	FAQs	Provide clarification on sweep investment vehicle products and their implication under Part 360.9. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/sweep_accounts.html">https://www.fdic.gov/regulations/resources/largebankdim/sweep_accounts.html</a>	N/A	N/A
Part 360.9 Provisional Holds	FAQs	Provide clarification on provisional holds, thresholds and percentages, calculation and placement. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/provisional_holds.html">https://www.fdic.gov/regulations/resources/largebankdim/provisional_holds.html</a>	N/A	N/A
Part 360.9 Removal of Provisional holds	FAQs	provide clarification on when and how will provisional hold be removed. Does not establish new standard.	last updated 9/30/2015	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/largebankdim/removal_provisional_holds.html">https://www.fdic.gov/regulations/resources/largebankdim/removal_provisional_holds.html</a>	N/A	N/A
Part 370 Information Technology Functional Guide	Guide	Provide guidance to covered institutions regarding expected functionalities of systems developed by the covered institutions. Does not establish new standard.	3/30/2017	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/resources/recordkeeping/documents/info-tech-func-guide-for-implement-part370.pdf">https://www.fdic.gov/regulations/resources/recordkeeping/documents/info-tech-func-guide-for-implement-part370.pdf</a>	N/A	N/A
FDIC Guidance of Certain Terms in the Single Family Shared-Loss Agreements	Letter to Assuming Institutions	FDIC Guidance of Accrued Interest and OREO Prior to Bank Closing, Loan Modification Effective Date and Restructuring Loss Calculation, & Mortgage Insurance Proceeds.	6/11/2010	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/rsam-policy-on-ore-accrued-interest-06-10-10.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/rsam-policy-on-ore-accrued-interest-06-10-10.pdf</a>	N/A	N/A
Guidance RSAM-2010-002 SF terms in Loss Share Agreements	Guidance to Assuming Institutions	FDIC Guidance to provide guidance to Acquiring Institutions (AIs) and DRR Risk Sharing Asset Management Oversight Staff. Policy clarification pertains to respective Single Family Shared-Loss Agreements - Accrued interest and OREO Prior to Bank Closing, Loan Modification Effective Date and Restructuring Loss calculation, and Mortgage Insurance Proceeds.	9/7/2010	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2010-002-sf-terms-in-loss-share-agreements.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2010-002-sf-terms-in-loss-share-agreements.pdf</a>	N/A	N/A
Guidance RSAM-2010-006 Loan Mod Guide SFR	Guidance to Assuming Institutions	FDIC Loan Modification Guidance Single Family Residential (SFR) Loans.	10/25/2010	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2010-006-loan-mod-guide-sfr.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2010-006-loan-mod-guide-sfr.pdf</a>	N/A	N/A

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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
Guidance RSAM-2010-008 Shared-Loss Agreement – Accrued Interest	Guidance to Assuming Institutions	The FDIC is issuing this guidance to Assuming Institutions (AIs) to provide clarification on the amount of earned and unpaid interest ("Accrued Interest") that the AIs can include in the calculation of 1) the Losses under the Single Family Shared-Loss Agreement ("SFSLA") and 2) Charge-Offs under the Commercial Shared-Loss Agreement ("CSLA").	12/17/2010	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2010-008-shared-loss-agreement-accrued-interest.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2010-008-shared-loss-agreement-accrued-interest.pdf</a>	N/A	N/A
Guidance RSAM-2010-009 Commercial Loss Mitigation Guidance	Guidance to Assuming Institutions	Guidance to Assuming Institutions (AIs) regarding the administration of Shared-Loss Loans that are secured by commercial real estate ("Shared-Loss CRE Loans") under the terms of the Commercial Shared-Loss Agreement ("CSLA") when considering Short Sales and Discounted Pay-Offs if loan modifications do not present the best net present value (NPV) alternative or are not otherwise feasible.	12/17/2010	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2010-009-commercial-loss-mitigation-guidance.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2010-009-commercial-loss-mitigation-guidance.pdf</a>	N/A	N/A
Single Point of Contact Protocol	Letter to Assuming Institutions	FDIC Guidance that Assuming Institutions establish an acceptable single point of contact protocol to foster communication with borrowers under consideration for loan modifications or other loss mitigation alternatives.	3/9/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/single-point-of-contact-letter-to-ais.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/single-point-of-contact-letter-to-ais.pdf</a>	N/A	N/A
Guidance RSAM-2011-012 Government and Institutional Guaranteed Loans	Guidance to Assuming Institutions	FDIC Guidance for Assuming Institutions (AIs) regarding assets which have a governmental and/or private institutional guaranty, as well as shared-loss coverage.	4/20/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2011-012-government-insitutional-guaranteed-loans.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2011-012-government-insitutional-guaranteed-loans.pdf</a>	N/A	N/A
FDIC's Unique Asset Level Identification Number Required as of 3/31/2011	Letter to Assuming Institutions	FDIC Guidance that Assuming Institutions' Certificates must reference a valid and unique FDIC Asset Identification Number (Asset ID) for all loan level detail included in the Certificate and Data Download submissions.	4/21/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/single-point-of-contact-letter-to-ais.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/single-point-of-contact-letter-to-ais.pdf</a>	N/A	N/A
Guidance RSAM-2011-013 Facilitating Short Sales	Guidance to Assuming Institutions	FDIC Guidance provides Assuming Institutions with clarification regarding covered credits and/or cash incentive payments to elicit short sales as an alternative to foreclosure.	5/13/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2011-013-facilitating-short-sales.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2011-013-facilitating-short-sales.pdf</a>	N/A	N/A
Guidance RSAM 2013-G006 ORE Sales and Marketing	Guidance to Assuming Institutions	FDIC Guidance for owned real estate (ORE) sales and marketing guidelines.	6/3/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g006-ore-sales-and-marketing.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g006-ore-sales-and-marketing.pdf</a>	N/A	N/A
Guidance RSAM-2011-015 Loan Participations	Guidance to Assuming Institutions	FDIC Guidance to Assuming Institutions (AIs) regarding the administration of Shared-Loss Loans under the terms of the Commercial Shared-Loss Agreement ("CSLA") that are not wholly owned by the AI such as Syndicated Loans, Shared National Credits and Loan Participations ("Participations").	6/24/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2011-015-loan-participations.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2011-015-loan-participations.pdf</a>	N/A	N/A
Guidance RSAM-2011-016 SF Loans – Subordinate Liens – Balloon Payments	Guidance to Assuming Institutions	FDIC Guidance to Assuming Institutions and Servicers, subject to a Single Family Shared-Loss Agreement ("Agreement"), with portfolios of subordinate liens and/or loans with balloon payments on Schedule 4.15a.	6/27/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2011-016-sf-loans-subordinate-liens-balloon-payments.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2011-016-sf-loans-subordinate-liens-balloon-payments.pdf</a>	N/A	N/A
Environmental Issues and Expenses under Shared-Loss Agreements	Letter to Assuming Institutions	FDIC Guidance issued clarifying expense claims allowed relating to environmental issues.	10/7/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/communication-for-acquiring-institutions-environmental-issues-and-expen.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/communication-for-acquiring-institutions-environmental-issues-and-expen.pdf</a>	N/A	N/A
Single Family Shared-Loss Agreement Abandonment of Mortgage Lien	Letter to Assuming Institutions	FDIC Guidance for procedures around abandonment of mortgage liens.	12/2/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/single-family-sla-abandonment-of-mortgage-lien.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/single-family-sla-abandonment-of-mortgage-lien.pdf</a>	N/A	N/A
Assuming Institutions with Non-Single Family/ Commercial and Other Asset/ Commercial Shared-Loss Agreements	Letter to Assuming Institutions	FDIC Guidance toward sustainable loan restructurings by Assuming Institutions, modifying the definition of "Permitted Amendments".	12/14/2011	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/assuming-institutions-with-non-single-family-commercial-and-other-assets-commercial-sla.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/assuming-institutions-with-non-single-family-commercial-and-other-assets-commercial-sla.pdf</a>	N/A	N/A



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Assuming Institutions with Shared-Loss Agreements	Letter to Assuming Institutions	Clarification of the Commercial Shared Loss Agreement Article III as relates to Portfolio Sales proposed by the AI during the last few Shared Loss Quarters pursuant to Section 4.1 of the SLA.	10/9/2012	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/assuming-institutions-with-shared-loss-agreements.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/assuming-institutions-with-shared-loss-agreements.pdf</a>	N/A	N/A
Guidance RSAM-2013-001 Cash for Keys	Guidance to Assuming Institutions	FDIC Guidance for Assuming Institutions participating in “Cash for Keys” programs.	1/7/2013	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g001-cash-for-keys.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g001-cash-for-keys.pdf</a>	N/A	N/A
Guidance RSAM 2013-002 Submitting Charge-Offs of Performing CRE Shared-Loss Loans	Guidance to Assuming Institutions	FDIC Guidance for submitting charge-offs of performing commercial real estate shared-loss loans for reimbursement.	4/2/2013	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g002-performing-loan-charge-offs-04082013.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g002-performing-loan-charge-offs-04082013.pdf</a>	N/A	N/A
Guidance RSAM 2013-G005 Workouts for Acquired Commercial Real Estate Shared-Loss Loans	Guidance to Assuming Institutions	FDIC Guidance of workouts for acquired commercial real estate shared-loss loans.	5/28/2013	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g005-commercial-real-estate.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g005-commercial-real-estate.pdf</a>	N/A	N/A
Guidance RSAM 2013-G008 Valuations Supporting Reimbursement of Charged-Off Commercial Real Estate Shared-Loss Assets	Guidance to Assuming Institutions	FDIC Guidance for valuations supporting reimbursement of charged-off commercial real estate (CRE) shared-loss assets.	6/30/2013	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g008-valuations-supporting-reimbursement-of-charged-off-cre-assets.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/rsam-guidance-2013-g008-valuations-supporting-reimbursement-of-charged-off-cre-assets.pdf</a>	N/A	N/A
Guidance RSAM 2014-G002 Notice to AIS -2013 Risk Sharing Conference Q and As	FDIC Shared-Loss Program 2013 Risk Sharing Conference Questions & Answers	FDIC Shared-Loss Program 2013 Risk Sharing Conference Questions & Answers.	10/24/2013	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2014-g002-notice-to-ais-2013-risk-sharing-conference-gandas.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2014-g002-notice-to-ais-2013-risk-sharing-conference-gandas.pdf</a>	N/A	N/A
Shared-Loss Recovery Period / Year 5	Letter to Assuming Institutions	Clarification and reminders as AIs are approaching the end of the five year loss sharing period of the Commercial Shared Loss Agreement (CSLA). Those AIs are required to follow usual and prudent business and banking practices, and pursue the course of action that maximizes collections, throughout the entire term of the CSLA.	5/2/2014	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/shared-loss-recovery-period-year-5-memo-to-ais-5-2-14.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/shared-loss-recovery-period-year-5-memo-to-ais-5-2-14.pdf</a>	N/A	N/A
Guidance RSAM 2016-G001 Recovery Reporting for Commercial Shared-Loss Agreements	Guidance to Assuming Institutions	FDIC Guidance for recovery reporting of commercial shared-loss agreements.	3/29/2016	FDIC-DRR	N/A	<a href="https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2016-g001-recovery-reporting-for-comm-l-shared-loss-agmts.pdf">https://www.fdic.gov/bank/individual/failed/lossshare/guidance-rsam-2016-g001-recovery-reporting-for-comm-l-shared-loss-agmts.pdf</a>	N/A	N/A
Guidance for 2013 165d Annual Resolution Plans Submissions by Domestic Covered Companies that Submitted Initial Resolution Plans in 2012	Guidance	Guidance for 2013 165d Annual Resolution Plans Submissions for domestics	4/13/2013	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/reform/domesticguidance.pdf">https://www.fdic.gov/regulations/reform/domesticguidance.pdf</a>	N/A	N/A
Guidance for 2013 165d Annual Resolution Plans Submissions by Foreign-Based Covered Companies that Submitted Initial Resolution Plans in 2012	Guidance	Guidance for 2013 165d annual resolution plans submissions by foreign-based covered companies	4/13/2017	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/regulations/reform/foreignguidance.pdf">https://www.fdic.gov/regulations/reform/foreignguidance.pdf</a>	N/A	N/A
Guidance for Covered Insured Depository Institution Resolution Plan Submissions	Guidance	Guidance for covered insured depository Institutions	12/17/2014	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/news/news/press/2014/pr14109a.pdf">https://www.fdic.gov/news/news/press/2014/pr14109a.pdf</a>	N/A	N/A
Guidance for 2017 165d Annual Resolution Plans Submissions by Domestic Covered Companies that Submitted Resolution Plans in July 2015	Guidance	Guidance for 165d annual resolution plans submissions by domestic firms	4/13/2016	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/news/news/press/2016/pr16031b.pdf">https://www.fdic.gov/news/news/press/2016/pr16031b.pdf</a>	N/A	N/A

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Guidance for 2018 165d Annual Resolution Plans Submissions by Foreign-Based Covered Companies that Submitted Resolution Plans in July 2015	Guidance	Guidance for 2018 165d annual resolution plans submissions by foreign-based covered companies	3/2017	FDIC-DRR CFI	N/A	<a href="https://www.fdic.gov/resauthority/2018subguidance.pdf">https://www.fdic.gov/resauthority/2018subguidance.pdf</a>	N/A	N/A
Assessments Assessment Rate Adjustment Guidelines	Financial Institution Letter (FIL)	Final guidelines on large bank assessment rate adjustments	9/14/2011	FDIC-DIR	N/A	<a href="https://www.fdic.gov/news/news/financial/2011/fil11064.html">https://www.fdic.gov/news/news/financial/2011/fil11064.html</a>	N/A	FIL-64-2011
Q&As Pertaining to the Final Rule on Assessments, Large Bank Pricing Changes to Definitions of Higher-Risk Assets	Q&A	Merges Q&As related to 2011 Final Rule on Assessments and 2012 Final Rule (LBP); describes assessment rate adjustments, process for submitting request for review of assessment rate, determination of higher-risk assets, and definitions for counterparty exposure	1/20/2015	FDIC-DIR	N/A	<a href="https://www.fdic.gov/deposit/insurance/qas-assessments-dividends-assessment-base-and-large-bank-pricing-updated-1-20-15.pdf">https://www.fdic.gov/deposit/insurance/qas-assessments-dividends-assessment-base-and-large-bank-pricing-updated-1-20-15.pdf</a>	N/A	N/A
Caution Regarding Passing Deposit Insurance Assessment Fees on to Customers	Financial Institution Letter (FIL)	Discourages institutions from specifically designating that a customer fee is for deposit insurance or from stating or implying that the FDIC is charging such a fee	7/9/2012	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12033.html">https://www.fdic.gov/news/news/financial/2012/fil12033.html</a>	N/A	FIL-33-2012
Guidelines for Appeals of Deposit Insurance Assessment Determinations	Guidelines	Guidelines for request for deposit insurance assessment appeal	3/22/2012	FDIC-DOF	77 FR 17055	<a href="https://www.fdic.gov/regulations/laws/aac/aacguidelines.html">https://www.fdic.gov/regulations/laws/aac/aacguidelines.html</a> <a href="https://www.fdic.gov/regulations/laws/federal/2012/2012-03-23_notice.pdf">https://www.fdic.gov/regulations/laws/federal/2012/2012-03-23_notice.pdf</a>	N/A	N/A
Statement of Policy on the Development and Review of Regulations and Policies	Statement of Policy	Updates FDIC Statement of Policy "Development and Review of FDIC Regulations and Policies"	4/17/2013	FDIC-Legal	78 FR 22771	<a href="https://www.fdic.gov/regulations/laws/federal/2013/2013-04-17_policy.pdf">https://www.fdic.gov/regulations/laws/federal/2013/2013-04-17_policy.pdf</a>	N/A	12 CFR Chapter III
FIL-40-2008 Interagency Illustrations of Consumer Information for Hybrid Adjustable Rate Mortgage Products	Guidance	Illustrations intended to assist institutions as they implement the Consumer Protection Principles portion of the interagency Statement on Subprime Mortgage Lending.	5/29/2008	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08040.html">https://www.fdic.gov/news/news/financial/2008/fil08040.html</a>	N/A	FIL-40-2008
FIL-42-2009 Flood Insurance Revised Interagency Questions and Answers Regarding Flood Insurance	Q&A	Updated Interagency Questions and Answers Regarding Flood Insurance	7/21/2009	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09042.html">https://www.fdic.gov/news/news/financial/2009/fil09042.html</a>	N/A	FIL-42-2009
FIL-66-2009 Electronic Fund Transfer Act (Regulation E) Disclosures at Automated Teller Machines	Guidance	Reminds banks to ensure ATM fee disclosures fully comply with Regulation E	11/27/2009	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09066.html">https://www.fdic.gov/news/news/financial/2009/fil09066.html</a>	N/A	FIL-66-2009
FIL-74-2009 Regulation Z - Open-End Consumer Credit Changes Notice of Statutory Amendment; Additional Guidance	Guidance	Notifies bankers of statutory change and provides additional guidance on how to provide the required advance notice of change(s) in interest rates or other significant terms	12/23/2009	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09074.html">https://www.fdic.gov/news/news/financial/2009/fil09074.html</a>	N/A	FIL-74-2009
FIL-23-2010 Lapse of FEMA Authority to Issue Flood Insurance Policies	Guidance	The authority of the Federal Emergency Management Agency (FEMA) to issue flood insurance policies under the National Flood Insurance Program (NFIP) lapsed between March 28 and April 16, 2010. The attached guidance provides information for institutions about their continuing responsibilities during such lapse periods.	5/7/2010	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10023.html">https://www.fdic.gov/news/news/financial/2010/fil10023.html</a>	N/A	FIL-23-2010
FIL-60-2010 Model Privacy Notice Form Compliance Guidance	Guidance	Compliance guide for state nonmember banks wishing to use the model form to comply with amendments to Part 332 of the FDIC's Rules and Regulations which implement the privacy provisions of GLBA	9/27/2010	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10060.html">https://www.fdic.gov/news/news/financial/2010/fil10060.html</a>	N/A	FIL-60-2010
FIL-80-2010 Financial Institutions Encouraged to Work With Schools to Promote Youth Financial Education	Guidance	On November 15, 2010, FDIC Chairman Sheila C. Bair signed a partnership agreement with U.S. Department of Education Secretary Arne Duncan and National Credit Union Administration (NCUA) Chairman Debbie Matz to promote and enhance financial education and access for low- to moderate-income students and families.	11/17/2010	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10080.html">https://www.fdic.gov/news/news/financial/2010/fil10080.html</a>	N/A	FIL-80-2010

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FIL-81-2010 Overdraft Payment Programs and Consumer Protection Final Overdraft Payment Supervisory Guidance	Guidance	Reaffirms existing supervisory expectations with respect to overdraft payment programs generally, and provides specific guidance with respect to automated overdraft payment programs	11/24/2010	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10081.html">https://www.fdic.gov/news/news/financial/2010/fil10081.html</a>	N/A	FIL-81-2010
FIL-11-2011 Financial Institutions Encouraged to Promote Automatic Savings During America Saves Week	Guidance	Encourages financial institutions to consider strategies to promote savings by encouraging automatic savings, especially for low- and moderate-income consumers	2/23/2011	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2011/fil11011.html">https://www.fdic.gov/news/news/financial/2011/fil11011.html</a>	N/A	FIL-11-2011
FIL-38-2011 Deposit Insurance Notice Requirement Regarding the Payment of Interest on Demand Deposit Accounts	Guidance	Remind IDIs that if on or after July 21, 2011, an IDI modifies the terms of a DDA so that the account may pay interest, the IDI must notify affected customers that the account no longer will be eligible for unlimited deposit insurance coverage as a noninterest-bearing transaction account	5/25/2011	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2011/fil11038.html">https://www.fdic.gov/news/news/financial/2011/fil11038.html</a>	N/A	FIL-38-2011
FIL-20-2012 FDIC Statement on CFPB Bulletin 2012-02: Payments to Loan Originators Based on Mortgage Transaction Terms or Conditions under Regulation Z	Agency Statement	FDIC will consider the specific facts and the totality of the circumstances at each financial institution to determine if a financial institution is complying with the Compensation Rules, consistent with Regulation Z and CFPB Bulletin 2012-02	4/17/2012	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12020.html">https://www.fdic.gov/news/news/financial/2012/fil12020.html</a>	N/A	FIL-20-2012
FIL-28-2012 Interagency Guidance on Mortgage Servicing Practices Concerning Military Homeowners with Permanent Change of Station Orders	Guidance	Interagency Guidance to address unique circumstances involving some military homeowners after they receive Permanent Change of Station (PCS) orders	6/21/2012	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12028.html">https://www.fdic.gov/news/news/financial/2012/fil12028.html</a>	N/A	FIL-28-2012
FIL-33-2012 Caution Regarding Passing Deposit Insurance Assessment Fees on to Customers	Guidance	Communicates the FDIC's concerns and expectations when IDIs assess customers an "FDIC fee" or similarly described fee, apparently to compensate the IDI for some or all of its FDIC deposit insurance assessment costs	7/9/2012	FDIC-DCP/Legal/DIR/D OF	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12033.html">https://www.fdic.gov/news/news/financial/2012/fil12033.html</a>	N/A	FIL-33-2012
FIL-41-2012: New Classification System for Citing Violations in Reports of Examination	Examination Guidelines	Revised classification system for citing violations identified during compliance examinations to better communicate to institutions the severity of violations and to provide more consistency in the classification of violations cited in Reports of Examination	9/25/2012	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12041.html">https://www.fdic.gov/news/news/financial/2012/fil12041.html</a>	N/A	FIL-41-2012
FIL-14-2013 Interagency Statement on the Impact of Biggert-Waters Act	Agency Statement	To inform financial institutions about revisions to the Flood Disaster Protection Act of 1973 (the FDPA), which was amended by the Biggert-Waters Flood Insurance Reform Act of 2012	3/29/2013	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13014.html">https://www.fdic.gov/news/news/financial/2013/fil13014.html</a>	N/A	FIL-14-2013
FIL-56-2013 Social Media: Consumer Compliance Risk Management Guidance	Guidance	FFIEC final guidance guidance on the applicability of consumer protection and compliance laws, regulations, and policies to activities conducted via social media by banks, savings associations, and credit unions, as well as nonbank entities supervised by the CFPB	12/11/2013	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13056.html">https://www.fdic.gov/news/news/financial/2013/fil13056.html</a>	N/A	FIL-56-2013
FIL-59-2013 Qualified and Non-Qualified Mortgage Loans Interagency Statement on Supervisory Approach	Agency Statement	Interagency statement on supervisory approach for residential mortgage loans	12/13/2013	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13059.html">https://www.fdic.gov/news/news/financial/2013/fil13059.html</a>	N/A	FIL-59-2013
FIL-28-2014 Interagency Statement on Increased Maximum Flood Insurance Coverage for "Other Residential Buildings"	Agency Statement	Interagency statement regarding the new National Flood Insurance Program (NFIP) maximum limit of flood insurance coverage for non-condominium residential buildings designed for use for five or more families	5/30/2014	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14028.html">https://www.fdic.gov/news/news/financial/2014/fil14028.html</a>	N/A	FIL-28-2014
FIL-44-2014 Interagency Guidance Regarding Unfair or Deceptive Credit Practices	Guidance	Guidance regarding certain consumer credit practices	8/22/2014	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14044.html">https://www.fdic.gov/news/news/financial/2014/fil14044.html</a>	N/A	FIL-44-2014

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FIL-11-2015 Interagency Guidance to Encourage Financial Institution Youth Savings Programs and Address Related Frequently Asked Questions	Guidance	Encourages financial institutions to develop and implement programs to expand the financial capability of youth and build opportunities for financial inclusion for more families	2/24/2015	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15011.html">https://www.fdic.gov/news/news/financial/2015/fil15011.html</a>	N/A	FIL-11-2015
FIL-35-2016 Interagency Guidance: Deposit-Reconciliation Practices	Guidance	Guidance to ensure that financial institutions are aware of the Agencies' supervisory expectations regarding deposit-reconciliation practices that may be detrimental to customers	5/18/2016	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16035.html">https://www.fdic.gov/news/news/financial/2016/fil16035.html</a>	N/A	FIL-35-2016
FIL-65-2016 Military Lending Act: Interagency Consumer Compliance Examination Procedures, DOD Interpretive Rule, and the FDIC'S Supervisory Expectations	Examination Procedures	Providing guidance on its initial supervisory expectations in connection with its examinations of financial institutions for compliance with the MLA rule	10/17/2016	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16065.html">https://www.fdic.gov/news/news/financial/2016/fil16065.html</a>	N/A	FIL-65-2016
FIL-35-2013: Banking Agencies Encourage Financial Institutions to Work with Student Loan Borrowers Experiencing Financial Difficulties	Guidance	Encourages financial institutions to work constructively with private student loan borrowers experiencing financial difficulties. The <i>Uniform Retail Credit Classification and Account Management Policy</i> (Retail Credit Policy), which covers student loans, permits prudent loan workout and modification programs that assist student loan borrowers who are temporarily experiencing financial difficulties. Financial institutions should provide clear and practical information to student loan borrowers on loan modifications and other options available and how to contact the lender or servicer to discuss the programs that might best fit their specific needs.	8/1/2013	FDIC-RMS DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13035.html">https://www.fdic.gov/news/news/financial/2013/fil13035.html</a>	N/A	FIL-35-2013
FIL-17-2008 FDIC Statement on Reporting of Securitized Subprime Adjustable Rate Residential Mortgages	Guidance	The Federal Deposit Insurance Corporation (FDIC) strongly encourages state nonmember institution mortgage servicers to utilize the HOPE NOW alliance's loan modification and loss mitigation reporting standards for securitized adjustable rate subprime residential mortgage loans. The FDIC also supports efforts by the State Foreclosure Prevention Working Group to collect data on loan modifications and foreclosure prevention activity.	3/3/2008	FDIC-RMS DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08017.html">https://www.fdic.gov/news/news/financial/2008/fil08017.html</a>	N/A	FIL-17-2008
FIL-58-2008 Home Equity Lines of Credit Consumer Protection and Risk Management Considerations When Changing Credit Limits and Suggested Best Practices	Guidance	The FDIC is issuing the attached supervisory guidance to remind FDIC-supervised financial institutions that if, for risk management purposes, they decide to reduce or suspend home equity lines of credit, certain legal requirements designed to protect consumers must be followed. In addition, the FDIC urges institutions to work with borrowers to minimize hardships that may result from such reductions or suspensions.	6/6/2008	FDIC-RMS DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08058.html">https://www.fdic.gov/news/news/financial/2008/fil08058.html</a>	N/A	FIL-58-2008
Supplemental Guidance Related to the FDIC Statement of Policy on Applications for Deposit Insurance	Guidance	supplemental guidance related to the FDIC Statement of Policy on Applications for Deposit Insurance (SOP	4/4/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5400.html">https://www.fdic.gov/regulations/laws/rules/5000-5400.html</a>	N/A	FIL-24-16
Interagency Guidance on funds Transfers Pricing Related to Funding and Contingent Liquidity Risks	Guidance	guidance on funds transfer pricing (FTP) practices related to funding risk (including interest rate and liquidity components) and contingent liquidity risk at large financial institutions (hereafter referred to as "firms") to address weaknesses observed in some firms' FTP practices	3/1/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5380.html">https://www.fdic.gov/regulations/laws/rules/5000-5380.html</a>	N/A	FIL-12-2016
Interagency Advisory on External Audits of Internationally Active U.S. Financial Institutions	Advisory	support for the principles and expectations set forth in Parts 1 and 2, respectively, of the Basel Committee on Banking Supervision's (the BCBS or the Committee) March 2014 guidance on "External audits of banks"	1/15/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5370.html">https://www.fdic.gov/regulations/laws/rules/5000-5370.html</a>	N/A	FIL-5-2016

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Income Tax Allocation in a Holding Company Structure (Interagency)	Policy Statement		6/19/2014	FDIC-RMS	79 FR 35229	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5000.html">https://www.fdic.gov/regulations/laws/rules/5000-5000.html</a>	N/A	N/A
Principles for Development and Distribution of Annual Stress Test Scenarios	Principles	Section 165(i)(2) of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 requires certain financial companies, including FDIC-insured state nonmember banks and FDIC-insured state-chartered savings associations with total consolidated assets of more than \$10 billion ("covered banks"), to conduct annual stress tests. The Federal Deposit Insurance Corporation ("FDIC" or "Corporation") published in the Federal Register on October 15, 2012, a final rule ("Stress Test Rule") implementing the requirements and setting out definitions and rules for scope of application, scenarios, reporting, and disclosure.1 Under the Stress Test Rule, each year the FDIC will distribute stress test scenarios to covered banks. This document articulates the principles that the FDIC will apply to develop and distribute those scenarios for covered banks.	3/13/2014	FDIC-RMS	79 FR 14153	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5360.html">https://www.fdic.gov/regulations/laws/rules/5000-5360.html</a>	N/A	N/A
Appraisal and Evaluation Guidelines (Interagency)	Guidelines	These Guidelines, including their appendices, address supervisory matters relating to real estate appraisals and evaluations used to support real estate-related financial transactions	12/10/2010	FDIC-RMS	75 FR 77450	<a href="https://www.fdic.gov/regulations/laws/rules/5000-4800.html">https://www.fdic.gov/regulations/laws/rules/5000-4800.html</a>	N/A	N/A
Guidance on Sound Incentive Compensation Policies	Guidance	guidance is intended to assist banking organizations in designing and implementing incentive compensation arrangements and related policies and procedures that effectively consider potential risks and risk outcomes	6/25/2010	FDIC-RMS	75 FR 36395	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5350.html">https://www.fdic.gov/regulations/laws/rules/5000-5350.html</a>	N/A	N/A
Correspondent Concentration Risks	Guidance	This guidance clarifies that financial institutions should consider taking actions beyond the minimum requirements established in Regulation F to identify, monitor, and manage correspondent concentration risks	5/4/2010	FDIC-RMS	75 FR 23764	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5260.html">https://www.fdic.gov/regulations/laws/rules/5000-5260.html</a>	N/A	N/A
Guidelines for Appeals of Deposit Insurance Assessment Determinations	Guidelines	The AAC provides a process for considering all deposit insurance assessment appeals brought from determinations made by the appropriate FDIC divisions pursuant to 12 C.F.R. §§ 327.3(f) and 327.4(c). The procedures set forth in these guidelines apply to all appeals to the AAC.	4/19/2010	FDIC-RMS	75 FR 20358	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5280.html">https://www.fdic.gov/regulations/laws/rules/5000-5280.html</a>	N/A	N/A
Guidelines for Appeals of Material Supervisory Determinations	Guidelines	The procedures set forth in these guidelines establish an appeals process for the review of material supervisory determinations by the Supervision Appeals Review Committee ("SARC").	4/19/2010	FDIC-RMS	75 FR 20358	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5300.html">https://www.fdic.gov/regulations/laws/rules/5000-5300.html</a>	N/A	N/A
Funding and Liquidity Risk Management (Interagency)	Policy Statement	The guidance summarizes the principles of sound liquidity risk management that the agencies have issued in the past <sup>8</sup> and, where appropriate, harmonizes these principles with the international statement recently issued by the Basel Committee on Banking Supervision titled "Principles for Sound Liquidity Risk Management and Supervision."	3/22/2010	FDIC-RMS	75 FR 13656	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5230.html">https://www.fdic.gov/regulations/laws/rules/5000-5230.html</a>	N/A	N/A
Qualifications for Failed Bank Acquisitions	Statement of Policy	guidance about the standards for more than de minimis investments in acquirers of deposit liabilities and the operations of failed insured depository institutions, the FDIC has adopted this Statement of Policy ("SOP")	9/2/2009	FDIC-RMS	75 FR 45440	<a href="https://www.fdic.gov/regulations/laws/rules/5000-850.html">https://www.fdic.gov/regulations/laws/rules/5000-850.html</a>	N/A	N/A
Qualifications for Failed Bank Acquisitions	Statement of Policy	to provide guidance about the standards for more than de minimis investments in acquirers of deposit liabilities and the operations of failed insured depository institutions	9/2/2009	FDIC-RMS	75 FR 45440	<a href="https://www.fdic.gov/regulations/laws/rules/5000-850.html">https://www.fdic.gov/regulations/laws/rules/5000-850.html</a>	N/A	N/A
Covered Bond	Policy Statement	Because of the increasing interest IDIs have in issuing covered bonds, the FDIC has determined to issue this policy statement with respect to covered bonds.	7/28/2008	FDIC-RMS	73 FR 43754	<a href="https://www.fdic.gov/regulations/laws/rules/5000-1550.html">https://www.fdic.gov/regulations/laws/rules/5000-1550.html</a>	N/A	N/A

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FIL-5-2008 Annual Audit and Reporting Requirements: Internal Control Attestation Standards for Independent Auditors	Guidance	The FDIC is providing the attached guidance on the internal control attestation standards that auditors of insured institutions with \$1 billion or more in total assets should follow to comply with the FDIC's audit and reporting requirements in Part 363 of the FDIC's regulations.	2/1/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08005.html">https://www.fdic.gov/news/news/financial/2008/fil08005.html</a>	N/A	FIL-5-2008
FIL-6-2008 Interagency Statement on Pandemic Planning: Guidance for Minimizing a Pandemic's Potential Adverse Effects	SOP	The Federal Financial Institutions Examination Council has issued the attached "Interagency Statement on Pandemic Planning" (Statement) identifying actions that financial institutions should take to minimize the potential adverse effects of a pandemic.	2/6/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08006.html">https://www.fdic.gov/news/news/financial/2008/fil08006.html</a>	N/A	FIL-6-2008
FIL-22-2008 Managing Commercial Real Estate Concentrations in a Challenging Environment	Guidance (reemphasis on prior guidance, nothing new)	The Federal Deposit Insurance Corporation (FDIC) is re-emphasizing the importance of strong capital and loan loss allowance levels, and robust credit risk-management practices for state nonmember institutions with significant commercial real estate (CRE) and construction and development (C&D) loan concentrations.	3/17/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08022.html">https://www.fdic.gov/news/news/financial/2008/fil08022.html</a>	N/A	FIL-22-2008
FIL-38-2008 Bank Secrecy Act: Provision for Independent Testing for BSA/AML Compliance	Guidance	The independent test of the Bank Secrecy Act/Anti-Money Laundering (BSA/AML) Compliance Program can improve the efficiency and reduce the burden of the examination process	5/16/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08038.html">https://www.fdic.gov/news/news/financial/2008/fil08038.html</a>	N/A	FIL-38-2008
FIL-44-2008 Third-Party Risk: Guidance for Managing Third-Party Risk	Guidance	The attached FDIC guidance describes potential risks arising from third-party relationships and outlines risk management principles that may be tailored to suit the complexity and risk potential of a financial institution's significant third-party relationships.	6/6/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08044.html">https://www.fdic.gov/news/news/financial/2008/fil08044.html</a>	N/A	FIL-44-2008
FIL-62-2008 Other Real Estate: Guidance on Other Real Estate	Guidance	Continued weakness in the housing market and the rapid rise in foreclosures have increased the potential for higher levels of other real estate (ORE) held by FDIC-supervised institutions. This FIL reminds bank management of the importance of developing and implementing policies and procedures for acquiring, holding, and disposing of other real estate (ORE). "Guidance on Other Real Estate" is attached.	7/1/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08062.html">https://www.fdic.gov/news/news/financial/2008/fil08062.html</a>	N/A	FIL-62-2008
FIL-66-2008 Minority Depository Institutions: Expanded Guidelines for Providing Technical Assistance to Minority Depository Institutions	Guidance	The Federal Deposit Insurance Corporation (FDIC) continues to pursue strategies to preserve and encourage minority ownership of FDIC-insured financial institutions, including providing technical assistance in operational areas. The FDIC has expanded its guidance on providing technical assistance to minority depository institution (MDI) management to enhance ongoing communication with and support of MDIs. The revised guidance is attached.	7/17/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08066.html">https://www.fdic.gov/news/news/financial/2008/fil08066.html</a>	N/A	FIL-66-2008
FIL-71-2008 Capital Standards: Supervisory Review Process of Capital Adequacy (Pillar 2) Related to The Implementation of the Basel II Advanced Capital Framework	Guidance	The federal bank and thrift regulatory agencies have jointly issued the attached final guidance on the Supervisory Review Process of Capital Adequacy (Pillar 2) under the Basel II Advanced Capital Framework. While this guidance reflects a continuation of the longstanding approach employed by the agencies in the supervision of banks, it provides the clarification necessary to support the implementation of the advanced approaches final rule. The final guidance takes effect on September 2, 2008	7/31/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08071.html">https://www.fdic.gov/news/news/financial/2008/fil08071.html</a>	N/A	FIL-71-2008



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FIL-84-2008 Liquidity Risk Management	Guidance	The FDIC is issuing this guidance to highlight the importance of liquidity risk management at financial institutions. Liquidity risk measurement and management systems should reflect an institution's complexity, risk profile, and scope of operations. Institutions that use wholesale funding, securitizations, brokered deposits and other high-rate funding strategies should ensure that their contingency funding plans address relevant stress events. The requirements governing the acceptance, renewal, or rolling over of brokered deposits are applicable to all insured depository institutions.	8/26/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08084.html">https://www.fdic.gov/news/news/financial/2008/fil08084.html</a>	N/A	FIL-84-2008
FIL-111-2008 Deposit Insurance Coverage: Mortgage Servicing Accounts	Adoption of rule	The FDIC Board of Directors has adopted the attached interim rule to simplify the deposit insurance rules for accounts held at FDIC-insured institutions by mortgage servicers. Under the interim rule, the FDIC will be able to make deposit insurance determinations on mortgage servicing accounts – as well as pay deposit insurance – more quickly. Comments on the interim rule, which took effect on October 10, 2008, are due by December 16, 2008	10/24/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08111.html">https://www.fdic.gov/news/news/financial/2008/fil08111.html</a>	N/A	FIL-111-2008
FIL-127-2008 Guidance on Payment Processor Relationships	Guidance	The FDIC is issuing the attached guidance that describes potential risks associated with relationships with entities that process payments for telemarketers and other merchant clients. These types of relationships pose a higher risk and require additional due diligence and close monitoring. This guidance outlines risk management principles for this type of higher-risk activity.	11/7/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08127.html">https://www.fdic.gov/news/news/financial/2008/fil08127.html</a>	N/A	FIL-127-2008
FIL-128-2008 Interagency Statement on Meeting the Needs of Creditworthy Borrowers	Interagency Guidance	The FDIC joined the other federal banking agencies in issuing the attached "Interagency Statement on Meeting the Needs of Creditworthy Borrowers" on November 12, 2008.	11/12/2008	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2008/fil08128.html">https://www.fdic.gov/news/news/financial/2008/fil08128.html</a>	N/A	FIL-128-2008
FIL-131-2008 Appraisal and Evaluation Guidelines: Proposed Revisions to the Interagency Appraisal and Evaluation Guidelines and Request for Comments	Interagency guidance (request for comment)	The federal bank, thrift and credit union regulatory agencies are requesting comments on the attached proposed revisions to the Interagency Appraisal and Evaluation Guidelines (Guidelines), which address supervisory matters relating to real estate appraisals and evaluations used to support real estate-related financial transactions.	11/19/2008	FDIC-RMS	73 FR 69647	<a href="https://www.fdic.gov/news/news/financial/2008/fil08131.html">https://www.fdic.gov/news/news/financial/2008/fil08131.html</a>	N/A	FIL-131-2008
FIL-144-2008 Regulatory Capital Standards Deduction of Goodwill Net of Associated Deferred Tax Liability	Final Rule	The federal banking agencies are jointly issuing the attached final rule allowing goodwill, which must be deducted from Tier 1 capital, to be reduced by the amount of any associated deferred tax liability. The final rule will take effect 30 days after its publication in the <i>Federal Register</i> . However, a bank may elect to apply this final rule for regulatory capital reporting purposes as of December 31, 2008.	12/16/2008	FDIC-RMS	73 FR 79602	<a href="https://www.fdic.gov/news/news/financial/2008/fil08144.html">https://www.fdic.gov/news/news/financial/2008/fil08144.html</a>	N/A	FIL-144-2008

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FIL-1-2009 Monitoring the Use of Funding from Federal: Financial Stability and Guaranty Programs	Guidance	State nonmember institutions should implement a process to monitor their use of capital injections, liquidity support and/or financing guarantees obtained through recent financial stability programs established by Department of the Treasury, the Federal Deposit Insurance Corporation (FDIC) and the Federal Reserve. In particular, the monitoring processes should help to determine how participation in these federal programs has assisted institutions in supporting prudent lending and/or supporting efforts to work with existing borrowers to avoid unnecessary foreclosures. The FDIC encourages institutions to include a summary of this information in shareholder and public reports, annual reports and financial statements, as applicable.	1/12/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09001.html">https://www.fdic.gov/news/news/financial/2009/fil09001.html</a>	N/A	FIL-1-2009
FIL-4-2009 Risk Management of Remote Deposit Capture	Guidance	The Federal Financial Institutions Examination Council has issued the attached guidance, "Risk Management of Remote Deposit Capture," to assist financial institutions in identifying risks in their remote deposit capture (RDC) systems and evaluating the adequacy of controls and applicable risk management practices. The guidance addresses the necessary elements of an RDC risk management process - risk identification, assessment, and mitigation - and the measurement and monitoring of residual risk exposure. The guidance also discusses the responsibilities of the board of directors and senior management in overseeing the development, implementation, and ongoing operation of RDC.	1/14/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09004.html">https://www.fdic.gov/news/news/financial/2009/fil09004.html</a>	N/A	FIL-4-2009
FIL-13-2009 The Use of Volatile or Special Funding Sources by Financial Institutions That are in a Weakened Condition	Guidance	Institutions rated 3, 4 or 5 that engage in material growth strategies, especially those that are funded with volatile liabilities or temporarily expanded FDIC insurance or liability guarantees pose a significant risk to the deposit insurance fund and will be subject to heightened supervisory review and enforcement.	3/3/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09013.html">https://www.fdic.gov/news/news/financial/2009/fil09013.html</a>	N/A	FIL-13-2009
FIL-19-2009 Classification Treatment for High Loan-to-Value (LTV) Residential Refinance Loans	Guidance	The FDIC is affirming that the standards in the <i>Uniform Retail Credit Classification and Account Management Policy</i> should be followed relative to the classification treatment for high LTV residential refinance loans. The guidance establishes that retail loan classifications should be based on the borrower's payment performance, not the value of the collateral, which can rise and fall as market conditions change.	4/30/2009	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2009/fil09019.html">https://www.fdic.gov/news/news/financial/2009/fil09019.html</a>	N/A	FIL-19-2009
FIL-20-2009 Risk Management of Investments in Structured Credit Products	Guidance	This Financial Institution Letter reiterates and clarifies existing supervisory guidance on the purchase and holding of complex structured credit products. It focuses on the various supervisory concerns related to these securities: pre-purchase analysis, suitability determination, risk limits, credit ratings, valuation, ongoing due diligence, adverse classification, and capital treatment.	4/30/2009	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2009/fil09020.html">https://www.fdic.gov/news/news/financial/2009/fil09020.html</a>	N/A	FIL-20-2009

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FIL-23-2009 Special Assessment: Final Rule	Final Rule on Assessment	On May 22, 2009, the FDIC adopted a final rule imposing a 5 basis point special assessment on each insured depository institution's assets minus Tier 1 capital as of June 30, 2009. The amount of the special assessment for any institution will not exceed 10 basis points times the institution's assessment base for the second quarter 2009. The special assessment will be collected on September 30, 2009. An additional special assessment of up to 5 basis points later in 2009 is probable, but the amount is uncertain.	5/22/2009	FDIC-RMS	74 FR 25639	<a href="https://www.fdic.gov/news/news/financial/2009/fil09023.html">https://www.fdic.gov/news/news/financial/2009/fil09023.html</a>	N/A	FIL-23-2009
FIL-25-2009 Interest Rate Restrictions on Institutions That are Less Than Well Capitalized: Final Rule	Final Rule	The FDIC has issued the attached final rule making certain revisions to the interest rate restrictions under Part 337.6 of the FDIC Rules and Regulations. Under the final rule, the "national rate" is a simple average of rates paid by U.S. depository institutions as calculated by the FDIC. When evaluating the Part 337.6 compliance of an institution that is less than Well Capitalized, the FDIC will deem the national rate to be the prevailing rate in all market areas, unless it agrees with evidence provided by the institution that it is operating in an area where prevailing deposit interest rates are higher.	5/29/2009	FDIC-RMS	74 FR 26516	<a href="https://www.fdic.gov/news/news/financial/2009/fil09025.html">https://www.fdic.gov/news/news/financial/2009/fil09025.html</a>	N/A	FIL-25-2009
FIL-30-2009 Identity Theft Red Flags, Address Discrepancies, And Change of Address Regulations: Frequently Asked Questions	FAQ	The FDIC, along with the other federal financial institution regulatory agencies and the Federal Trade Commission, has issued the attached frequently asked questions (FAQs) on identity theft "red flags," address discrepancies, and change of address requests.	6/11/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09030.html">https://www.fdic.gov/news/news/financial/2009/fil09030.html</a>	N/A	FIL-30-2009
FIL-32-2009 Third-Party Referrals Promising Above-Market Rates on Certificates of Deposit	Guidance	FDIC-insured institutions should be aware of any unsolicited deposits received through third- party referrals. Certain insurance companies and other financial services firms (third parties) are advertising above-market rate certificates of deposit (CDs) to attract customers. When a customer buys the advertised CD, the customer is referred to the Web site of an FDIC-insured institution with the third party "making up" the difference between the insured institution's actual rate and the advertised above-market rate.	6/19/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09032.html">https://www.fdic.gov/news/news/financial/2009/fil09032.html</a>	N/A	FIL-32-2009
FIL-33-2009 Annual Audit and Reporting Requirements: Final Amendments to Part 363	Rule amendment (Part 363)	The FDIC has amended Part 363 of its regulations, which sets forth annual independent audit and reporting requirements for insured institutions with \$500 million or more in total assets. The FDIC Board of Directors adopted these amendments in light of changes in the industry; certain sound audit, reporting, and audit committee practices incorporated in the Sarbanes-Oxley Act of 2002; and the FDIC's experience in administering Part 363. The amendments also provide clearer and more complete guidance for compliance with Part 363.	6/30/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09033.html">https://www.fdic.gov/news/news/financial/2009/fil09033.html</a>	N/A	FIL-33-2009

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FIL-37-2009 Funding and Liquidity Risk Management: Proposed Interagency Guidance	Interagency Guidance	The federal banking agencies and the National Credit Union Administration (collectively, the Agencies) are seeking comment on the attached proposed <i>Interagency Guidance on Funding and Liquidity Risk Management (Guidance)</i> . The Agencies developed the Guidance to provide sound practices for managing funding and liquidity risk and strengthening liquidity risk management practices. Where appropriate, this proposed Guidance conforms the Agencies' liquidity risk principles with guidance issued by the Basel Committee on Banking Supervision titled "Principles for Sound Liquidity Risk Management and Supervision." Comments on the proposed Guidance are due 60 days after the date of publication in the <i>Federal Register</i> .	6/30/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09037.html">https://www.fdic.gov/news/news/financial/2009/fil09037.html</a>	N/A	FIL-37-2009
FIL-39-2009 Sweep Account Disclosure Requirements: Frequently Asked Questions	FAQ	On January 27, 2009, the FDIC finalized its rule "Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure" (see FIL-9-2009). In addition to establishing practices for determining deposit and other account balances at a failed depository institution, the rule includes disclosure requirements for certain sweep accounts, effective July 1, 2009. In response to industry questions regarding the sweep account disclosure requirements, the FDIC has prepared the attached list of Frequently Asked Questions (FAQs).	7/6/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09039.html">https://www.fdic.gov/news/news/financial/2009/fil09039.html</a>	N/A	FIL-39-2009
FIL-40-2009 FFIEC Statement on Regulatory Conversions	FFIEC Guidance	The Federal Financial Institutions Examination Council (FFIEC) has issued the attached <i>FFIEC Statement on Regulatory Conversions</i> to reaffirm that charter conversions or changes in primary federal regulator should only be conducted for legitimate business and strategic reasons.	7/7/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09040.html">https://www.fdic.gov/news/news/financial/2009/fil09040.html</a>	N/A	FIL-40-2009
FIL-43-2009 Allowance for Loan and Lease Losses: Residential Mortgages Secured by Junior Liens	Guidance	When estimating credit losses on each group of loans with similar risk characteristics, an institution should consider its historical loss experience on the group, adjusted for changes in trends, conditions, and other relevant factors in the current economic environment that affect repayment of the loans in the group as of the allowance evaluation date. The need to consider all significant factors that affect collectibility is especially important for loans secured by junior liens on 1-4 family residential properties (junior lien loans) in areas where there have been declines in the value of such properties. See the attached "Allowances for Loan and Lease Losses in the Current Economic Environment: Loans Secured by Junior Liens on 1-4 Family Residential Properties."	8/3/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09043.html">https://www.fdic.gov/news/news/financial/2009/fil09043.html</a>	N/A	FIL-43-2009

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FIL-45-2009 Support for Responsible Loss Mitigation Activities: Servicers' Obligations to Lienholders on Modifying Loans	Guidance	The members of the Federal Financial Institutions Examination Council (FFIEC) continue to support responsible loss mitigation activities by federal- and state-regulated financial institutions that preserve homeownership. This support extends to programs designed to achieve sustainable mortgage obligations regardless of lien position. The FFIEC members recognize that entities that service first and subordinate liens on the same residential real estate property may be faced with potential conflicts of interest when making loan modification decisions. A servicer's decision to modify the first lien mortgage should not be influenced by the modification's potential impact on the subordinate lien loan and vice versa. Any ownership interest in the subordinate lien cannot be a consideration.	8/6/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09045.html">https://www.fdic.gov/news/news/financial/2009/fil09045.html</a>	N/A	FIL-45-2009
FIL-50-2009 Enhanced Supervisory Procedures for Newly Insured FDIC-Supervised Depository Institutions	Guidance	The FDIC is advising the banking industry of supervisory changes for state nonmember institutions insured seven years or less (de novo period). Under current policy, newly insured institutions are subject to higher capital requirements and more frequent examination activities during the first three years of operation. Based on supervisory experience, the FDIC will now extend the de novo period from the current three-year period to seven years for examinations, capital, and other requirements. In addition, material changes in business plans for newly insured institutions will require prior FDIC approval during the first seven years of operation.	8/28/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09050.html">https://www.fdic.gov/news/news/financial/2009/fil09050.html</a>	N/A	FIL-50-2009
FIL-61-2009 Policy Statement on Prudent Commercial Real Estate Loan Workouts	SOP	The financial regulators recognize that prudent commercial real estate (CRE) loan workouts are often in the best interest of financial institutions and creditworthy CRE borrowers. The attached guidance focuses on the elements of prudent workout programs. It also provides illustrations of the analytical review process to ensure the credit risk in a loan workout is accurately identified and the arrangements receive appropriate regulatory reporting and accounting treatment.	10/30/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09061.html">https://www.fdic.gov/news/news/financial/2009/fil09061.html</a>	N/A	FIL-61-2009
FIL-62-2009: Determining Conformance With Interest Rate Restrictions for Less Than Well Capitalized Institutions	Statement	The FDIC Board approved a final rule on May 29, 2009, changing the way the FDIC administers its statutory restrictions on the deposit interest rates paid by banks that are less than well capitalized under Section 337.6 of the FDIC Rules and Regulations (see FIL-25-2009). The final rule redefines the national rate as "a simple average of rates paid by insured depository institutions and branches for which data are available" and deems the national rate to be the prevailing rate for all market areas. Once the final rule is effective on January 1, 2010, an institution can use the prevailing rates in its market area to determine conformance only if it seeks and receives a determination from the FDIC that it is operating in a high rate area.	11/3/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09062.html">https://www.fdic.gov/news/news/financial/2009/fil09062.html</a>	N/A	FIL-62-2009

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FIL-65-2009: Model Privacy Notice Form: Final Rule	Final Rule	The FDIC and seven other federal agencies have released a final model privacy notice form that is designed to make it easier for consumers to understand how financial institutions collect and share their personal information. Under the Gramm-Leach-Bliley Act (GLBA), institutions must notify consumers of their information-sharing practices and inform consumers of the right to opt out of certain sharing practices. The model form can be used by financial institutions to comply with these requirements. Attached is the final rule on the final model privacy form.	11/17/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09065.html">https://www.fdic.gov/news/news/financial/2009/fil09065.html</a>	N/A	FIL-65-2009
FIL-67-2009: Regulatory Capital Standards: Final Rule for Mortgages Modified Under the Making Home Affordable Program	Final Rule	On March 4, 2009, the U.S. Department of the Treasury announced guidelines under the <i>Making Home Affordable Program</i> (MHAP or HAMP) to promote sustainable loan modifications for homeowners at risk of losing their homes due to foreclosure. The final rule clarifies that a banking organization may retain the risk weight assigned to a mortgage loan before the loan was modified under the MHAP following modification of the mortgage loan.	11/27/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09067.html">https://www.fdic.gov/news/news/financial/2009/fil09067.html</a>	N/A	FIL-67-2009
FIL-68-2009: Interagency Commercial Real Estate Loan Workouts Seminar Scheduled	Statement about guidance	The federal financial institution regulatory agencies will host a free interagency telephone seminar on the attached <i>Policy Statement on Prudent Commercial Real Estate Loan Workouts</i> (Workout Guidance) on Thursday, December 3, 2009, at 2:00 p.m. EST.	11/30/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09068.html">https://www.fdic.gov/news/news/financial/2009/fil09068.html</a>	N/A	FIL-68-2009
FIL-69-2009: Process for Determining If An Institution Subject to Interest-Rate Restrictions is Operating in a High-Rate Area	Statement	Effective January 1, 2010, institutions subject to the interest rate restrictions under Part 337.6 of the FDIC Rules and Regulations ("restrictions") are required to use the "national rate" to determine conformance with the restrictions. The "national rate" is defined as a simple average of rates paid by insured depository institutions and branches for which data are available. Institutions subject to the restrictions that believe they are operating in an area where the rates paid on deposits are higher than the "national rate" can use the local market to determine the prevailing rate if they seek and receive a determination from the FDIC that it is operating in a high-rate area. Regardless of the determination, institutions must use the national rate to determine conformance for all deposits outside the market area.	12/4/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09069.html">https://www.fdic.gov/news/news/financial/2009/fil09069.html</a>	N/A	FIL-69-2009
FIL-72-2009: Bank Secrecy Act Interagency Guidance on Transparency for U.S. Banking Organizations Conducting	Guidance	The federal banking agencies (FBAs) are issuing the attached guidance corresponding to the release of a Basel Committee on Banking Supervision (BCBS) publication addressing transparency in cross-border payment messages.	12/17/2009	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2009/fil09072.html">https://www.fdic.gov/news/news/financial/2009/fil09072.html</a>	N/A	FIL-72-2009



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FIL-2-2010: Financial Institution Management of Interest Rate Risk	Guidance	Current economic conditions present significant risk management challenges to depository institutions of all sizes. Institutions are reminded to not lose focus on their management of interest rate risk (IRR). For a number of institutions, increased loan losses and sharp declines in the value of certain securities portfolios are placing downward pressure on capital and earnings. In this interest rate environment, taking advantage of a steeply upward sloping yield curve by funding longer term assets with shorter-term liabilities may pose risks to an institution's capital and earnings should short-term interest rates rise. Depository institutions are expected to manage IRR exposures using policies and procedures commensurate with their complexity, business model, risk profile, and scope of operations. This letter clarifies existing IRR guidance.	1/20/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10002.html">https://www.fdic.gov/news/news/financial/2010/fil10002.html</a>	N/A	FIL-2-2010:
FIL-3-2010: Final Rule Amending the Risk-Based Capital Rules to Reflect the Issuance of FAS 166 and FAS 167	Rule	The attached final rule amends the federal banking and thrift regulatory agencies' general risk-based and advanced risk-based capital adequacy frameworks in recognition of the regulatory capital impact of two recently-issued accounting standards from the Financial Accounting Standard Board (FASB)	1/21/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10003.html">https://www.fdic.gov/news/news/financial/2010/fil10003.html</a>	N/A	FIL-3-2010:
FIL-5-2010: Meeting the Credit Needs of Creditworthy Small Business Borrowers	Guidance	Summary: The federal financial regulatory agencies and the state supervisors (collectively, the regulators) are issuing the attached statement to restate and elaborate their supervisory views on prudent lending to creditworthy small business borrowers. The statement builds on the principles in existing guidance for prudent lending to creditworthy borrowers and strives to ensure that supervisory policies and actions do not inadvertently curtail the availability of credit to sound small business borrowers. Further, while the regulators expect institutions to effectively monitor and manage credit concentrations, institutions should not automatically refuse credit to sound borrowers because of a borrower's particular industry or geographic location. Financial institutions that engage in prudent small business lending after performing a comprehensive review of a borrower's financial condition will not be subject to criticism.	2/12/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10005.html">https://www.fdic.gov/news/news/financial/2010/fil10005.html</a>	N/A	FIL-5-2010:
FIL-7-2010: Clarification of the Risk Weights for FDIC Claims and Guarantees	Risk Weight Clarification	The federal banking agencies (the Federal Deposit Insurance Corporation (FDIC), the Office of the Comptroller of the Currency, the Federal Reserve Board, and the Office of Thrift Supervision) are clarifying the risk weights for claims on or guaranteed by the FDIC for purposes of banking organizations' risk-based capital requirements.	2/26/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10007.html">https://www.fdic.gov/news/news/financial/2010/fil10007.html</a>	N/A	FIL-7-2010:
FIL-8-2010: Interagency Guidance on Beneficial Ownership	Interagency Guidance	The FDIC, the other federal banking agencies (FBAs), the Financial Crimes Enforcement Network (FinCEN), and the Securities and Exchange Commission (SEC) – in consultation with staff of the Commodity Futures Trading Commission (CFTC) – are issuing the attached guidance regarding beneficial ownership information.	3/5/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10008.html">https://www.fdic.gov/news/news/financial/2010/fil10008.html</a>	N/A	FIL-8-2010:

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FIL-13-2010: Funding and Liquidity Risk Management	Interagency Guidance	The federal banking agencies and the National Credit Union Administration (collectively, the agencies) recently issued guidance to provide sound practices for managing funding and liquidity risk and strengthening liquidity risk management practices. The policy statement emphasizes the importance of cash flow projections, diversified funding sources, stress testing, a cushion of liquid assets and a formal, well-developed contingency funding plan as primary tools for measuring and managing liquidity risk. The agencies expect each financial institution to manage funding and liquidity risk using processes and systems that are commensurate with the institution's complexity, risk profile and scope of operations.	4/5/2010	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2010/fil10013.html">https://www.fdic.gov/news/news/financial/2010/fil10013.html</a>	N/A	FIL-13-2010
FIL-18-2010: Correspondent Concentration Risks: Interagency Guidance	Interagency Guidance	The federal financial regulatory agencies (agencies) are issuing the attached guidance on <i>Correspondent Concentration Risks</i> (CCR Guidance) to outline the agencies' expectations for identifying, monitoring and managing correspondent concentration risks between financial institutions. The CCR Guidance also addresses the agencies' expectations relative to performing appropriate due diligence on all credit exposures to and funding transactions with other financial institutions.	4/30/2010	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2010/fil10018.html">https://www.fdic.gov/news/news/financial/2010/fil10018.html</a>	N/A	FIL-18-2010
FIL-23-2010: Lapse of FEMA Authority to Issue Flood Insurance Policies	Guidance	The authority of the Federal Emergency Management Agency (FEMA) to issue flood insurance policies under the National Flood Insurance Program (NFIP) lapsed between March 28 and April 16, 2010. The attached guidance provides information for institutions about their continuing responsibilities during such lapse periods.	5/7/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10023.html">https://www.fdic.gov/news/news/financial/2010/fil10023.html</a>	N/A	FIL-23-2010
FIL-29-2010: Guidance on Deposit Placement and Collection Activities	Guidance	The FDIC is issuing the attached guidance on deposit placement and collection activities at FDIC-insured institutions and their affiliates. The guidance outlines steps depository institutions should take to avoid customer misunderstanding about deposit insurance coverage when the institutions enter into third-party arrangements to collect and place deposits. Failure to properly administer deposit collection practices in a manner that prevents customer confusion and complies with deposit insurance rules will be factored into the supervisory assessment of the institution and may result in enforcement actions and penalties pursuant to 12 U.S.C. 1828(a)(4).	6/7/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10029.html">https://www.fdic.gov/news/news/financial/2010/fil10029.html</a>	N/A	FIL-29-2010
FIL-30-2010: Bargain Purchases and Assisted Acquisitions	Interagency Guidance	The federal financial institution regulatory agencies (agencies) are issuing the attached Interagency Supervisory Guidance on Bargain Purchases and FDIC- and NCUA-Assisted Acquisitions to address supervisory considerations related to business combinations that result in bargain purchase gains and the impact such gains have on the acquisition approval process. Approval of an acquisition may be conditioned on the acquiring institution's commitment to maintain specified levels of capital to address the risk of significant retrospective adjustments to the bargain purchase gain or other risks.	6/7/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10030.html">https://www.fdic.gov/news/news/financial/2010/fil10030.html</a>	N/A	FIL-30-2010

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FIL-35-2010: Unlawful Internet Gambling Enforcement Examination Guidance and Procedures	Guidance	The FDIC and the other federal banking, thrift and credit union regulatory agencies are issuing the attached guidance and examination procedures related to the Unlawful Internet Gambling Enforcement Act of 2006 (UIGEA).	6/30/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10035.html">https://www.fdic.gov/news/news/financial/2010/fil10035.html</a>	N/A	FIL-35-2010
FIL-56-2010: Guidance on Mitigating Risk Posed by Information Stored on Photocopiers, Fax Machines and Printers	Guidance	The FDIC has issued the attached guidance, which describes the risk posed by sensitive information stored on certain electronic devices and how institutions should mitigate that risk.	9/15/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10056.html">https://www.fdic.gov/news/news/financial/2010/fil10056.html</a>	N/A	FIL-56-2010
FIL-66-2010: Guidance on Golden Parachute Applications	Guidance	As part of supervisory efforts to address executive compensation in the financial services industry, the FDIC is issuing the attached guidance on handling applications to make permissible golden parachute payments. This guidance clarifies the golden parachute application process for troubled institutions, specifies the type of information necessary to satisfy the certification requirements, and highlights factors considered by supervisory staff when determining whether to approve a golden parachute payment.	10/14/2010	FDIC-RMS	N/A		N/A	FIL-66-2010
FIL-82-2010: Interagency Guidance: Appraisal and Evaluation Guidelines	Interagency Guidance	The federal financial regulatory agencies are issuing the attached <i>Interagency Appraisal and Evaluation Guidelines</i> (Guidelines) to update and replace existing supervisory guidance to reflect changes in appraisal and evaluation practices. The Guidelines build on longstanding, prudent standards for valuing real property. The Guidelines clarify that an analytical method or technological tool, such as an automated valuation model, cannot be substituted for an appraisal when the transaction requires an appraisal. Further, the Guidelines enhance the requirements for collateral valuation methods for transactions that permit the use of an evaluation.	12/2/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10082.html">https://www.fdic.gov/news/news/financial/2010/fil10082.html</a>	N/A	FIL-82-2010
FIL-90-2010: Underwriting Standards for Small Business Loans Originated Under the Small Business Lending Fund Program	Guidance	The Small Business Lending Fund (SBLF) Program was created pursuant to the Small Business Jobs Act of 2010 and directs the federal banking agencies to issue guidance regarding prudent underwriting standards for small business loans made with SBLF funds by SBLF participating institutions. The guidance is attached.	12/23/2010	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10090.html">https://www.fdic.gov/news/news/financial/2010/fil10090.html</a>	N/A	FIL-90-2010
FIL-17-2011: Bank Secrecy Act: Guidance on Accepting Accounts from Foreign Embassies, Consulates, and Missions	Guidance	supplemental guidance regarding account services for foreign embassies, consulates, and missions	3/24/2011	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2011/fil11017.html">https://www.fdic.gov/news/news/financial/2011/fil11017.html</a>	N/A	FIL-17-2011
FIL-31-2011: Supervisory Insights Journal: Special Foreclosure Edition Now Available	Guidance	residential mortgage servicers and effective mortgage servicing practices	5/4/2011	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2011/fil11031.html">https://www.fdic.gov/news/news/financial/2011/fil11031.html</a>	N/A	FIL-31-2011
FIL-47-2011: Guidance: Proposed Guidance on Stress Testing for Banking Organizations with More Than \$10 Billion in Total Consolidated Assets	Guidance	proposed guidance on stress testing for banking organizations with more than \$10 billion in total consolidated assets	FIL: 6/16/11 FR: 6/15/11	FDIC-RMS	76 FR 35072	<a href="https://www.fdic.gov/news/news/financial/2011/fil11047.html">https://www.fdic.gov/news/news/financial/2011/fil11047.html</a>	N/A	FIL-47-2011
FIL-48-2011: Risk-Based Capital Standards: Final Rule on Advanced Capital Adequacy Framework-Basel II; Establishment of a Risk-Based Capital Floor	Final Rule	final rule to amend the advanced risk-based capital adequacy standards	FIL: 6/17/11 FR: 6/28/11	FDIC-RMS	12 CFR Part 325 RIN 3064-AD58	<a href="https://www.fdic.gov/news/news/financial/2011/fil11048.html">https://www.fdic.gov/news/news/financial/2011/fil11048.html</a>	N/A	FIL-48-2011

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FIL-50-2011: FFIEC Supplement to Authentication in an Internet Banking Environment	Guidance	FFIEC Supplement to <i>Authentication in an Internet Banking Environment</i>	6/29/2011	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2011/fil11050.html">https://www.fdic.gov/news/news/financial/2011/fil11050.html</a>	N/A	FIL-50-2011
FIL-53-2011: Counterparty Credit Risk Management: Supervisory Guidance	Guidance	Counterparty Credit Risk Management	7/5/2011	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2011/fil11053.html">https://www.fdic.gov/news/news/financial/2011/fil11053.html</a>	N/A	FIL-53-2011
FIL-55-2011: Retail Foreign Exchange Transactions	Final Rule	Retail Foreign Exchange Transactions	FIL: 7/8/11 FR: 7/12/11	FDIC-RMS	12 CFR Part 349 RIN 3064-AD81	<a href="https://www.fdic.gov/news/news/financial/2011/fil11055.html">https://www.fdic.gov/news/news/financial/2011/fil11055.html</a>	N/A	FIL-55-2011
FIL-57-2011: Clarifications to the FDIC's Statement of Policy for Section 19 of the FDI Act	Guidance	Clarifications to the FDIC's Statement of Policy for Section 19 of the FDI Act	8/8/2011	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2011/fil11057.html">https://www.fdic.gov/news/news/financial/2011/fil11057.html</a>	N/A	FIL-57-2011
FIL-2-2012: Supervisory Guidance: Interest Rate Risk Management: Frequently Asked Questions	Guidance	Interest Rate Risk Management: Frequently Asked Questions	1/12/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12002.html">https://www.fdic.gov/news/news/financial/2012/fil12002.html</a>	N/A	FIL-2-2012:
FIL-3-2012: Payment Processor Relationships: Revised Guidance	Guidance	Payment Processor Relationships	1/31/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12003.html">https://www.fdic.gov/news/news/financial/2012/fil12003.html</a>	N/A	FIL-3-2012:
FIL-4-2012: Allowance for Loan and Lease Losses: Estimation Practices for Junior Liens on Residential Properties	Guidance	ALLL Estimation Practices for Junior Liens on Residential Properties	1/31/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12004.html">https://www.fdic.gov/news/news/financial/2012/fil12004.html</a>	N/A	FIL-4-2012:
FIL-26-2012: Regulatory Capital Rules: Final Rule on Risk-Based Capital Standards: Market Risk	Final Rule	The federal bank regulatory agencies (agencies) have jointly issued the attached final rule modifying the risk-based capital standards for market risk. The final rule incorporates improvements to the current trading book capital regime as proposed by the Basel Committee on Banking Supervision in <i>Revisions to the Basel II Market Risk Framework</i> published in July 2009 and <i>The Application of Basel II to Trading Activities and the Treatment of Double Default Effects</i> , published in July 2005. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: The final rule applies only to banks with aggregate trading assets and trading liabilities equal to 10 percent or more of quarter-end total assets, or aggregate trading assets and liabilities equal to \$1 billion or more.	6/18/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12026.html">https://www.fdic.gov/news/news/financial/2012/fil12026.html</a>	N/A	FIL-26-2012
FIL-34-2012: Investments in Corporate Debt Securities by Savings Associations	Final Rule	The FDIC has issued a final rule that would prohibit state and federal savings associations from acquiring or holding a corporate debt security when the security's issuer does not have an adequate capacity to meet all financial commitments under the security for the projected life of the security. The final rule is being issued under section 939(a) of the Dodd-Frank Wall Street Reform and Consumer Protection Act. Savings associations must be in compliance with this rule by January 1, 2013. Additionally, the FDIC has issued final guidance that sets forth due diligence standards for determining the credit quality of a corporate debt security.Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This guidance applies to all savings associations acquiring or holding corporate debt securities.	7/24/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12034.html">https://www.fdic.gov/news/news/financial/2012/fil12034.html</a>	N/A	FIL-34-2012

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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-38-2012: FDIC Advisory on Effective Credit Risk Management Practices for Purchased Loan Participations	Guidance	Financial institutions purchase loan participations to achieve growth and earnings goals, diversify credit risk, and deploy excess liquidity. Some institutions have successfully participated in shared credit facilities, which are arranged by bank and nonbank entities, by implementing effective due diligence and prudent credit risk management practices. However, purchasing banks' over-reliance on lead institutions has, in some instances, caused significant credit losses and contributed to bank failures, particularly for loans to out-of-territory borrowers and obligors involved in industries unfamiliar to the bank. This Advisory reminds state nonmember institutions of the importance of underwriting and administering loan participations in the same diligent manner as if they were being directly originated by the purchasing institution.Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	9/12/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12038.html">https://www.fdic.gov/news/news/financial/2012/fil12038.html</a>	N/A	FIL-38-2012
FIL-46-2012: Supervision of Technology Service Providers and Outsourcing Technology Services	Revised IT Workbook	The Federal Financial Institutions Examination Council (FFIEC) issued the revised Information Technology (IT) Examination Booklet on the <i>Supervision of Technology Service Providers</i> (TSP Booklet) and the updated IT Examination Booklet on <i>Outsourcing Technology Services</i> . The Board of Governors of the Federal Reserve System (FRS), the Federal Deposit Insurance Corporation (FDIC), and the Office of the Comptroller of the Currency (OCC) (collectively the Agencies) issued new <i>Administrative Guidelines—Implementation of Interagency Programs for the Supervision of Technology Service Providers</i> (Guidelines). Statement of Applicability to Institutions with Total Assets Under \$1 Billion: These documents apply to all FDIC-supervised financial institutions	11/6/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12046.html">https://www.fdic.gov/news/news/financial/2012/fil12046.html</a>	N/A	FIL-46-2012
FIL-47-2012: Regulatory Relief: Meeting the Financial Needs of Customers Affected by Hurricane Sandy and its Aftermath	Guidance	The FDIC encourages depository institutions to consider all reasonable and prudent steps to assist customers in communities affected by recent storms. The FDIC realizes that although the effects of natural disasters on local businesses and individuals can be devastating, they often are transitory. The FDIC recognizes that efforts to work with borrowers in the affected communities can be consistent with safe-and-sound banking practices and in the public interest. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This Financial Institution Letter applies to all FDIC-supervised institutions, including community banks.	11/9/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12047.html">https://www.fdic.gov/news/news/financial/2012/fil12047.html</a>	N/A	FIL-47-2012

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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-48-2012: Revised Standards of Creditworthiness for Investment Securities	Guidance	The FDIC is issuing this Financial Institution Letter (FIL) to remind FDIC-supervised institutions of recent regulatory changes regarding the permissibility of certain investment activities. On June 4, 2012, the Office of the Comptroller of the Currency (OCC) adopted a final rule (OCC final rule) and related guidance that removes references to credit ratings in OCC regulations pertaining to investment securities (77 FR 35253 and 35259) consistent with section 939A of the Dodd-Frank Wall Street Reform and Consumer Protection Act. Under part 362 of the FDIC's regulations, insured state banks generally are prohibited from engaging in an investment activity that is not permissible for a national bank under OCC regulations, including the requirements of the OCC final rule. The acquisition of a corporate debt security by a federal or state savings association is subject to section 28(d) of the Federal Deposit Insurance (FDI) Act and the requirements of a final rule (FDIC final rule) adopted by the FDIC on July 18, 2012 (77 FR 43151), described in FIL-34-2012 (available at <a href="http://www.fdic.gov/news/news/financial/2012/fil12034.html">http://www.fdic.gov/news/news/financial/2012/fil12034.html</a> ). The FDIC's rule regarding corporate debt securities investments by federal and state savings associations is largely consistent with the OCC final rule and related guidance regarding due diligence considerations and creditworthiness standards for investment securities. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This FIL applies to all FDIC-supervised institutions, including those with less than \$1 billion in assets.	11/16/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12048.html">https://www.fdic.gov/news/news/financial/2012/fil12048.html</a>	N/A	FIL-48-2012
FIL-50-2012: Interagency Statement on Section 612 of the Dodd-Frank Act, Restrictions on Conversions of Troubled Banks	Interagency Guidance	Section 612 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) imposes restrictions on conversions of certain national banks or federal savings associations to state-chartered institutions and conversions of certain state-chartered banks or savings associations to national banks or federal savings associations. The agencies that administer Section 612—the Federal Deposit Insurance Corporation (FDIC), the Board of Governors of the Federal Reserve System (Board), and the Office of the Comptroller of the Currency (OCC) (collectively, the Agencies)—together with the Conference of State Bank Supervisors (CSBS) are issuing this Interagency Statement to outline supervisory expectations for conversions covered by this law. Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	11/26/2012	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2012/fil12050.html">https://www.fdic.gov/news/news/financial/2012/fil12050.html</a>	N/A	FIL-50-2012



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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-11-2013: Appraisal Requirements for Higher-Priced Mortgage Loans and Resources Regarding Other CFPB Mortgage-Related Rulemakings	Final Rule	On January 18, 2013, the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the National Credit Union Administration, the Office of the Comptroller of the Currency, the Federal Housing Finance Agency, and the Consumer Financial Protection Bureau (CFPB) issued a final rule that establishes new appraisal requirements for higher-priced mortgage loans. Under the <i>Dodd-Frank Wall Street Reform and Consumer Protection Act</i> , mortgage loans are higher priced if they are secured by a consumer's home and have interest rates above certain thresholds. In addition, a number of important changes to CFPB mortgage-related rules also are underway, and the FDIC is making available to the public several resources addressing these changes. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This Financial Institution Letter applies to all FDIC-supervised institutions, including community banks	3/18/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13011.html">https://www.fdic.gov/news/news/financial/2013/fil13011.html</a>	N/A	FIL-11-2013
FIL-46-2013: Managing Sensitivity to Market Risk in a Challenging Interest Rate Environment	Guidance	The FDIC is re-emphasizing the importance of prudent interest rate risk oversight and risk management processes to ensure FDIC-supervised institutions are prepared for a period of rising interest rates.Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	10/8/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13046.html">https://www.fdic.gov/news/news/financial/2013/fil13046.html</a>	N/A	FIL-46-2013
FIL-47-2013: Director and Officer Liability Insurance Policies, Exclusions, and Indemnification for Civil Money Penalties	Guidance and Rule Reminder	The FDIC has recently noted an increase in exclusionary terms or provisions in director and officer liability insurance policies purchased by financial institutions. These exclusions may limit insurance coverage under certain circumstances, thereby increasing the potential personal exposure of board members and bank officers in civil lawsuits. The attached advisory discusses the importance of thoroughly reviewing and understanding the risks associated with coverage exclusions contained in director and officer liability insurance policies. Additionally, the FDIC is issuing a reminder that an insured depository institution or depository institution holding company may not purchase an insurance policy that would indemnify institution-affiliated parties (IAPs) for civil money penalties (CMPs) assessed against them. Even if the IAP agrees to reimburse the depository institution for the cost of such coverage, the purchase of the insurance policy by the depository institution is prohibited. Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	10/10/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13047.html">https://www.fdic.gov/news/news/financial/2013/fil13047.html</a>	N/A	FIL-47-2013
FIL-49-2013: Annual Stress-Test Reporting Template and Documentation for Covered Banks with Total Consolidated Assets of \$10 Billion to \$50 Billion	Rule Related	The FDIC is issuing this notice to describe the reports and information required to meet the reporting requirements under Section 165(i)(2) of the <i>Dodd-Frank Wall Street Reform and Consumer Protection Act</i> for covered banks with total consolidated assets between \$10 billion and \$50 billion. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This Financial Institution Letter is not applicable to FDIC-supervised banks and savings associations with total assets of less than \$1 billion	10/21/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13049.html">https://www.fdic.gov/news/news/financial/2013/fil13049.html</a>	N/A	FIL-49-2013

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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-59-2013: Qualified and Non-Qualified Mortgage Loans: Interagency Statement on Supervisory Approach	Interagency Guidance	The federal financial institution regulatory agencies jointly issued an interagency statement on their supervisory approach for residential mortgage loans. The agencies recognize that many institutions are assessing how to implement the Ability-to-Repay and Qualified Mortgage (QM) Standards Rule issued by the Consumer Financial Protection Bureau. The agencies will not subject a residential mortgage loan to regulatory criticism based solely on the loan's status as a QM or a non-QM. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	12/13/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13059.html">https://www.fdic.gov/news/news/financial/2013/fil13059.html</a>	N/A	FIL-59-2013
FIL-13-2013: Final Joint Guidance on Leveraged Lending	Interagency Guidance	The Federal Deposit Insurance Corporation, Board of Governors of the Federal Reserve System, and the Office of the Comptroller of the Currency are issuing the final guidance on leveraged lending activities. This guidance defines leveraged lending, addresses expectations for the content of credit policies, outlines the need for well-defined underwriting and valuation standards, and reinforces the importance of credit analytics and pipeline management for this type of lending. Guidelines for the purchase of participations involving leveraged loans also are included. Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions. However, the majority of community institutions should not be affected by this guidance as they have limited exposure to leveraged credits. FDIC-supervised community institutions that engage in leveraged lending activities should discuss with the FDIC implementation of cost-effective controls appropriate for the complexity of their exposures and activities.	3/27/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13013.html">https://www.fdic.gov/news/news/financial/2013/fil13013.html</a>	N/A	FIL-13-2013
FIL-31-2013: Regulatory Capital Rules: Regulatory Capital, Implementation of Basel III, Capital Adequacy, Transition Provisions, Prompt Corrective Action; Standardized Approach for Risk-Weighted Assets; Market Discipline and Disclosure Requirements	Interim Final Rule	The FDIC has issued the attached interim final rule that revises the existing capital rules to incorporate certain revisions to the Basel capital framework, including Basel III and other elements. The interim final rule strengthens the definition of regulatory capital, increases risk-based capital requirements, and makes selected changes to the calculation of risk-weighted assets. The interim final rule contains regulatory text that is identical to the common rule text adopted as a final rule by the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter (FIL) is applicable to all banks. Attached to this FIL is a summary of the interim final rule for smaller, less complex community banking organizations. An informational video and an expanded summary on the interim final rule can be found on the FDIC's Web site at <a href="http://www.fdic.gov/regulations/capital">www.fdic.gov/regulations/capital</a> .	7/9/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13031.html">https://www.fdic.gov/news/news/financial/2013/fil13031.html</a>	N/A	FIL-31-2013

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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-32-2013: Regulatory Capital Rules: Advanced Approaches Risk-Based Capital Rule and Market Risk Capital Rule	Interim Final Rule	The FDIC has issued the attached interim final rule that revises the advanced approaches risk-based capital rule (advanced approaches rule) to incorporate revisions by the Basel Committee on Banking Supervision to the Basel capital framework (Basel III) in a manner consistent with the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act). The interim final rule also applies the market risk capital rules to state savings associations. The interim final rule contains regulatory text that is identical to the common rule text adopted as a final rule by the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter, which discusses changes to the advanced approaches rule and the market risk rule, is generally not applicable to banks with total assets less than \$1 billion. The market risk rule applies to institutions with trading assets and liabilities of \$1 billion or more, or trading assets and liabilities equal to 10 percent or more of total assets.	7/9/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13032.html">https://www.fdic.gov/news/news/financial/2013/fil13032.html</a>	N/A	FIL-32-2013
FIL-43-2013: FDIC Supervisory Approach to Payment Processing Relationships With Merchant Customers That Engage in Higher-Risk Activities	FDIC Guidance	The FDIC is clarifying its policy and supervisory approach related to facilitating payment processing services directly, or indirectly through a third party, for merchant customers engaged in higher-risk activities. Facilitating payment processing for merchant customers engaged in higher-risk activities can pose risks to financial institutions; however, those that properly manage these relationships and risks are neither prohibited nor discouraged from providing payment processing services to customers operating in compliance with applicable law. Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	9/27/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13043.html">https://www.fdic.gov/news/news/financial/2013/fil13043.html</a>	N/A	FIL-43-2013
FIL-50-2013: Troubled Debt Restructurings Interagency Supervisory Guidance	Interagency Guidance	The federal financial institution regulatory agencies have jointly issued supervisory guidance clarifying certain issues related to the accounting treatment and regulatory classification of commercial and residential real estate loans that have undergone troubled debt restructurings (TDRs). The agencies' guidance reiterates key aspects of previously issued guidance and discusses the definition of a collateral-dependent loan and the classification and charge-off treatment for impaired loans, including TDRs. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	10/24/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13050.html">https://www.fdic.gov/news/news/financial/2013/fil13050.html</a>	N/A	FIL-50-2013

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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-51-2013: Uniform Agreement on the Classification and Appraisal of Securities Held by Financial Institutions	Interagency Guidance	The FDIC and the other federal banking agencies are issuing the attached joint statement to update and revise the <i>2004 Uniform Agreement on the Classification of Assets and Appraisal of Securities Held by Banks and Thrifts</i> (2004 Agreement). The statement reiterates the importance of a robust investment analysis process and the agencies' longstanding asset classification definitions. It also addresses Section 939A of the <i>Dodd-Frank Wall Street Reform and Consumer Protection Act</i> (Dodd-Frank Act), which directed the agencies to remove any reference to or requirement of reliance on credit ratings in the regulations and replace them with appropriate standards of creditworthiness. State nonmember institutions should use this statement for the classification and treatment of investment securities. Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	10/29/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13051.html">https://www.fdic.gov/news/news/financial/2013/fil13051.html</a>	N/A	FIL-51-2013
FIL-58-2013: Volcker Rule: Prohibitions on Proprietary Trading and Certain Relationships with Hedge Funds and Private Equity Funds	Rule Announcement	The federal banking agencies, along with the U.S. Securities and Exchange Commission and the Commodity Futures Trading Commission, have issued final rules to implement Section 619 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, also known as the "Volcker Rule" (Final Rule). The Volcker Rule generally prohibits any banking entity from engaging in proprietary trading or acquiring or retaining an ownership interest in, sponsoring, or having certain relationships with a hedge fund or private equity fund (covered fund), subject to certain exemptions. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter is applicable to all banks regardless of asset size. An addendum is included that describes how the rule would typically apply to smaller, less complex banking entities.	12/12/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13058.html">https://www.fdic.gov/news/news/financial/2013/fil13058.html</a>	N/A	FIL-58-2013
FIL-62-2013: Statement Regarding Treatment of Certain Collateralized Debt Obligations Backed by Trust Preferred Securities under the Rules implementing Section 619 of the Dodd-Frank Wall Street Reform and Consumer Protection Act	Guidance	The federal banking agencies, along with the U.S. Securities and Exchange Commission (the Agencies), have issued a statement regarding the treatment of Collateralized Debt Obligations (CDOs) that contain Trust Preferred Securities (TruPS) under section 13 of the Bank Holding Company Act, which implements section 619 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), also known as the "Volcker Rule." The Agencies are currently considering whether it would be appropriate and consistent with the Dodd-Frank Act not to subject TruPS CDOs to the investment prohibitions of the Volcker Rule. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter is applicable to all institutions holding TruPS CDOs regardless of asset size.	12/30/2013	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2013/fil13062.html">https://www.fdic.gov/news/news/financial/2013/fil13062.html</a>	N/A	FIL-62-2013
FIL-10-2014: ATM and Card Authorization Systems	FFIEC Statement	The FDIC, as a member of the Federal Financial Institutions Examination Council (FFIEC), is issuing the attached statement describing risks related to recent cyber-attacks on automated teller machines (ATMs) and card authorization systems that have resulted in large dollar frauds. The FDIC expects financial institutions to take steps to address this threat.	4/2/2014	FDIC-RMS/ FFIEC	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14010.html">https://www.fdic.gov/news/news/financial/2014/fil14010.html</a>	N/A	FIL-10-2014

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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-11-2014: Distributed Denial of Service (DDoS) Attacks	FFIEC Statement	The FDIC, as a member of the Federal Financial Institutions Examination Council (FFIEC), has issued the attached statement to notify institutions of the risks associated with the continued distributed denial of service (DDoS) attacks on public-facing Web sites and the steps institutions are expected to take to address the risks posed by such attacks	4/2/2014	FDIC-RMS/ FFIEC	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14011.html">https://www.fdic.gov/news/news/financial/2014/fil14011.html</a>	N/A	FIL-11-2014
FIL-12-2014: Regulatory Relief: Guidance to Help Financial Institutions and Facilitate Recovery in Areas of Washington State Affected by Flooding and Mudslides	Agency statement	Regulatory relief to financial institutions and to facilitate recovery in areas of Washington state affected by flooding and mudslides.	4/4/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14012.html">https://www.fdic.gov/news/news/financial/2014/fil14012.html</a>	N/A	FIL-12-2014
FIL-3-2014: Revisions to the Consolidated Reports of Condition and Income and the FFIEC 101 Report	Guidance	Revisions to the Consolidated Reports of Condition and Income (Call Report); finalized changes to the regulatory capital components and ratios portion of Call Report.	1/22/2014	FDIC-RMS/ FFIEC	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14003.html">https://www.fdic.gov/news/news/financial/2014/fil14003.html</a>	N/A	FIL-3-2014
FIL-4-2014: Revisions to Regulatory Reports	Guidance	Revisions to th Call Report, including Regulatory Capital Reporting for Institutions Subject to the Advanced Capital Adequacy Framework; subject to approval by the U.S. Office of Management and Budget.	1/24/2014	FDIC-RMS/ FFIEC	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14004.html">https://www.fdic.gov/news/news/financial/2014/fil14004.html</a>	N/A	FIL-4-2014
FIL-7-2014: Recordkeeping and Confirmation Requirements for Securities Transactions	Rule	Final Rule amending 12 C.F.R. Part 344 to establish uniform recordkeeping and confirmation requirements for all FDIC-supervised institutions. The Final Rule also increased the threshold for certain recordkeeping requirements, lessening industry burden.	2/4/2014	FDIC-RMS	78 FR 76721	<a href="https://www.fdic.gov/news/news/financial/2014/fil14007.html">https://www.fdic.gov/news/news/financial/2014/fil14007.html</a>	N/A	FIL-7-2014
FIL-33-2014: Interagency Guidance on Home Equity Lines of Credit (HELOCs) Nearing Their End-of-Draw Period	Interagency Guidance	The HELOC guidance provides a framework for managing HELOCs nearing their end-of draw period and communicating and prudently working with HELOC borrowers experiencing financial difficulties.	7/1/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14033.html">https://www.fdic.gov/news/news/financial/2014/fil14033.html</a>	N/A	FIL-33-2014
FIL-41-2014: FDIC Clarifying Supervisory Approach to Institutions Establishing Account Relationships with Third-Party Payment Processors	Guidance	FDIC's policy that insured institutions that properly manage customer relationships are neither prohibited nor discouraged from providing services to any customer operating in compliance with applicable law. Accordingly, the FDIC is clarifying its guidance to reinforce this approach, and as part of this clarification, the FDIC is removing the lists of examples of merchant categories from its official guidance and informational article.	7/24/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14041.html">https://www.fdic.gov/news/news/financial/2014/fil14041.html</a>	N/A	FIL-41-2014
FIL-46-2014: Liquidity Coverage Ratio: Final Rule	Interagency rule (FDIC Part 329)	Implements a quantitative liquidity requirement consistent with the liquidity coverage ratio (LCR) established by the Basel Committee on Banking Supervision.	9/9/2014	FDIC-RMS	79 FR 61440	<a href="https://www.fdic.gov/news/news/financial/2014/fil14046.html">https://www.fdic.gov/news/news/financial/2014/fil14046.html</a>	N/A	FIL-46-2014
FIL-53-2014: Interagency Guidance on Leveraged Lending: Frequently Asked Questions (FAQs)	FAQs	Interagency Guidance on Leveraged Lending: Frequently Asked Questions (FAQS)	11/13/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14053.html">https://www.fdic.gov/news/news/financial/2014/fil14053.html</a>	N/A	FIL-53-2014
FIL-54-2014: Filing and Documentation Procedures for State Banks Engaging, Directly or Indirectly, in Activities or Investments That Are Permissible for National Banks	Guidance	A State bank (or its subsidiary) engaging in activities or investments (Activities) permissible for a national bank (or its subsidiary) should establish and maintain files documenting that those Activities (as well as the organizational structure of the subsidiary) are permissible for a national bank (or its subsidiary).	11/19/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14054.html">https://www.fdic.gov/news/news/financial/2014/fil14054.html</a>	N/A	FIL-54-2014
FIL-55-2014: Credit Risk Retention: Final Rule	Interagency Rule (FDIC Part 373)	Interagency final rule that implements the securitization risk retention requirements in the <i>Dodd-Frank Wall Street Act</i> .	12/24/2014	FDIC-RMS	79 FR 77602	<a href="https://www.fdic.gov/news/news/financial/2014/fil14055.html">https://www.fdic.gov/news/news/financial/2014/fil14055.html</a>	N/A	FIL-55-2014

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FIL-16-2014: Technology Alert: OpenSSL "Heartbleed" Vulnerability	FFIEC Advisory statement	Alert advising financial institutions of a material security vulnerability in OpenSSL, a popular cryptographic library used to authenticate Internet services and encrypt sensitive information.	4/11/2014	FDIC-RMS/ FFIEC		<a href="https://www.fdic.gov/news/news/financial/2014/fil14016.html">https://www.fdic.gov/news/news/financial/2014/fil14016.html</a>	N/A	FIL-16-2014
FIL-19-2014: Regulatory Capital Rules: Regulatory Capital, Enhanced Supplementary Leverage Ratio Standards for Certain Bank Holding Companies and their Subsidiary Insured Depository Institutions	Joint rule	Joint final rule that strengthens the leverage requirements applicable to the largest, most systemically important banking organizations and their subsidiary insured depository institutions; FDIC Part 324.	4/25/2014	FDIC-RMS	79 FR 24528	<a href="https://www.fdic.gov/news/news/financial/2014/fil14019.html">https://www.fdic.gov/news/news/financial/2014/fil14019.html</a>	N/A	FIL-19-2014
FIL-30-2014: Intercompany Income Tax Allocation Agreements	Interagency Guidance	Addendum to supplement and clarify the 1998 <i>Interagency Policy Statement on Income Tax Allocation in a Holding Company Structure</i> (Interagency Policy Statement). The agencies are issuing the addendum to ensure that insured depository institutions (IDIs) in a consolidated group maintain an appropriate relationship regarding the payment of taxes and the treatment of tax refunds.	6/19/2014	FDIC-RMS	79 FR 35228	<a href="https://www.fdic.gov/news/news/financial/2014/fil14030.html">https://www.fdic.gov/news/news/financial/2014/fil14030.html</a>	N/A	FIL-30-2014
FIL-40-2014: Regulatory Capital Rules: Requests from S-Corporation Banks for Dividend Exceptions to the Capital Conservation Buffer	Guidance	How the FDIC will consider requests from S-corporation banks or savings associations (henceforth, "banks") to pay dividends to shareholders to cover taxes on their pass-through share of the bank's earnings, when these dividends would otherwise not be permitted under the capital conservation buffer requirements in the Basel III rule.	7/21/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14040.html">https://www.fdic.gov/news/news/financial/2014/fil14040.html</a>	N/A	FIL-40-2014
FIL-45-2014: Regulatory Capital Rules: Regulatory Capital, Revisions to the Supplementary Leverage Ratio	Rule	Joint final rule that revises the denominator of the supplementary leverage ratio (total leverage exposure) under the revised regulatory capital rule adopted by the agencies in July 2013 (2013 revised capital rule).	9/9/2014	FDIC-RMS	79 FR 57725	<a href="https://www.fdic.gov/news/news/financial/2014/fil14045.html">https://www.fdic.gov/news/news/financial/2014/fil14045.html</a>	N/A	FIL-45-2014
FIL-48-2014: Regulatory Relief: Guidance to Help Financial Institutions and Facilitate Recovery in Areas of Michigan Affected by Severe Storms and Flooding	Guidance	Regulatory relief to financial institutions and to facilitate recovery in areas of Michigan affected by severe storms and flooding.	9/26/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14048.html">https://www.fdic.gov/news/news/financial/2014/fil14048.html</a>	N/A	FIL-48-2014
FIL-56-2014: Guidance Related to the FDIC Statement of Policy on Applications for Deposit Insurance	Guidance	"Questions and Answers" or "Q&As" to aid applicants in developing proposals for deposit insurance and to provide transparency to the application process.	11/20/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14056.html">https://www.fdic.gov/news/news/financial/2014/fil14056.html</a>	N/A	FIL-56-2014
FIL-60-2014: Bank Secrecy Act: Revised Bank Secrecy Act/Anti-Money Laundering Examination Manual	FFIEC Manual	FFIEC issued revised Bank Secrecy Act/Anti-Money Laundering (BSA/AML) Examination Manual.	12/3/2014	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2014/fil14060.html">https://www.fdic.gov/news/news/financial/2014/fil14060.html</a>	N/A	FIL-60-2014
FIL-10-2015 Regulatory Capital Reporting Changes	Guidance	FFIEC revisions to the reporting of risk-weighted assets in Call Report, incorporating the standardized approach for calculating risk weighted assets under the banking agencies' revised regulatory capital rules.	2/23/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15010.html">https://www.fdic.gov/news/news/financial/2015/fil15010.html</a>	N/A	FIL-10-2015
FIL-12-2015 Regulatory Capital Rules: Accumulated Other Comprehensive Income (AOCI) Opt-Out Election	Guidance	Reminder to FDIC-supervised institutions not subject to the advanced approaches risk-based capital rules that they may elect to calculate regulatory capital using the treatment for accumulated other comprehensive income (AOCI) permitted in the FDIC's general regulatory capital rules in effect prior to January 1, 2015.	3/23/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15012.html">https://www.fdic.gov/news/news/financial/2015/fil15012.html</a>	N/A	FIL-12-2015
FIL-2-2015 Guidance on Identifying, Accepting, and Reporting Brokered Deposits	FAQs rescinded; replaced by 2016 FAQs.	FDIC encourages institutions to take a risk-based approach in assessing individual customer relationships rather than declining to provide banking services to entire categories of customers.		FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15002.html">https://www.fdic.gov/news/news/financial/2015/fil15002.html</a>	N/A	FIL-2-2015



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FIL-5-2015 Statement on Providing Banking Services	Guidance	The FDIC is issuing this statement to encourage institutions to take a risk-based approach in assessing individual customer relationships rather than declining to provide banking services to entire categories of customers. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised institutions.	1/28/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15005.html">https://www.fdic.gov/news/news/financial/2015/fil15005.html</a>	N/A	FIL-5-2015
FIL-6-2015 Guidance on Private Student Loans with Graduated Repayment Terms at Loan Origination	Guidance	The agencies <sup>1</sup> , in conjunction with the State Liaison Committee (SLC), have issued Guidance on Private Student Loans with Graduated Repayment Terms at Loan Origination (Student Loan Guidance). The Student Loan Guidance recognizes that students leaving a higher education program may prefer more flexibility with their payments as they transition into the labor market. Financial institutions that originate private student loans with graduated repayment terms should prudently underwrite the loans and provide disclosures that clearly communicate the timing and the amount of payments to facilitate a borrower's understanding of the loan's terms and features. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This Financial Institution Letter applies to FDIC-supervised institutions that originate private student loans.	2/2/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15006.html">https://www.fdic.gov/news/news/financial/2015/fil15006.html</a>	N/A	FIL-6-2015
FIL-9-2015 Business Continuity Planning Booklet Appendix J Update to FFIEC IT Examination Handbook Series	Appendix to IT Exam book	The Federal Financial Institutions Examination Council (FFIEC) has issued an appendix to the Business Continuity Planning (BCP) booklet of the <i>FFIEC Information Technology Examination Handbook</i> entitled "Strengthening the Resilience of Outsourced Technology Services." The booklet is part of the IT Examination Handbook series and provides guidance to assist examiners in evaluating the risk management processes of financial institutions and service providers to ensure the availability of critical financial services. Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised financial institutions.	2/23/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15009.html">https://www.fdic.gov/news/news/financial/2015/fil15009.html</a>	N/A	FIL-9-2015
FIL-19-2015 Minimum Requirements for Appraisal Management Companies	Final Rule	The agencies <sup>1</sup> issued a final rule to implement the minimum requirements in the Dodd-Frank Wall Street Reform and Consumer Protection Act for the registration and supervision of appraisal management companies (AMCs). An AMC is an entity that meets the statutory appraiser panel threshold size and provides certain types of appraisal management services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This Financial Institution Letter applies only to those FDIC-supervised institutions, including community banks, that own an AMC that meets the statutory appraiser panel threshold size of more than 15 appraisers in one state or 25 or more appraisers in two or more states. The FDIC is not aware of any FDIC-supervised institutions that currently own an AMC that meets the statutory appraiser panel threshold size.	4/30/2015 Revised (08/15)	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15019.html">https://www.fdic.gov/news/news/financial/2015/fil15019.html</a>	N/A	FIL-19-2015

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FIL-49-2015: Advisory on Effective Risk Management Practices for Purchased Loans and Purchased Loan Participations	Guidance	The FDIC is issuing the attached Advisory to update information contained in the <i>FDIC Advisory on Effective Credit Risk Management Practices for Purchased Loan Participations</i> (FIL-38-2012). This updated Advisory addresses purchased loans and loan participations and reminds FDIC-supervised institutions of the importance of underwriting and administering these purchased credits as if the loans were originated by the purchasing institution. The updated Advisory also reminds institutions that third-party arrangements to facilitate loan and loan participation purchases should be managed by an effective third-party risk management process. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	11/6/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15049.html">https://www.fdic.gov/news/news/financial/2015/fil15049.html</a>	N/A	FIL-49-2015
FIL-50-2015: Supervisory Guidance on the Capital Treatment of Certain Investments in Covered Funds	Guidance	The FDIC is issuing this Financial Institution Letter ("FIL") to FDIC-supervised institutions to clarify the interaction between the regulatory capital rule and the final rule implementing section 13 of the Bank Holding Company Act ("Volcker rule") with respect to the appropriate capital treatment for investments in certain private equity funds and hedge funds ("covered funds"). Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This FIL is applicable to FDIC-supervised institutions that hold covered funds, and the expectation is that such institutions do not frequently hold covered funds.	11/6/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15050.html">https://www.fdic.gov/news/news/financial/2015/fil15050.html</a>	N/A	FIL-50-2015
FIL-52-2015: FDIC Clarifying its Approach to Banks Offering Products and Services, such as Deposit Accounts and Extensions of Credit, to Non-Bank Payday Lenders	Guidance	The FDIC is reissuing FIL-14-2005, "Payday Lending Programs: Revised Examination Guidance," and its attachment, "Revised Guidelines for Payday Lending," (collectively, the 2005 Payday Lending Guidance) to ensure that bankers and others are aware that it does not apply to banks offering products and services, such as deposit accounts and extensions of credit, to non-bank payday lenders. Financial institutions that can properly manage customer relationships and effectively mitigate risks are neither prohibited nor discouraged from providing services to any category of business customers or individual customers operating in compliance with applicable state and federal laws. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: FIL-14-2005 applies to all FDIC-supervised financial institutions that make payday loans.	11/16/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15052.html">https://www.fdic.gov/news/news/financial/2015/fil15052.html</a>	N/A	FIL-52-2015
FIL-60-2015: Final Rule Amending the Filing Requirements and Processing Procedures for Changes in Control	Final Rule	The final rule amending the FDIC's filing requirements and processing procedures for notices filed under the Change in Bank Control Act consolidates and conforms the regulations of state nonmember banks, state savings associations, and certain parent companies, and makes existing FDIC practices more transparent. The final rule adopts certain provisions intended to establish consistency with the regulations of the other federal banking agencies. The final rule takes effect January 1, 2016. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised institutions.	12/16/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15060.html">https://www.fdic.gov/news/news/financial/2015/fil15060.html</a>	N/A	FIL-60-2015

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FIL-61-2015: Margin and Capital Requirements for Covered Swap Entities	Final Rule	The FDIC, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Farm Credit Administration, and the Federal Housing Finance Agency (the Agencies) have adopted a final rule to implement Sections 731 and 764 of the <i>Dodd-Frank Wall Street Reform and Consumer Protection Act</i> (Dodd-Frank Act). These sections require the agencies to adopt rules jointly to establish capital requirements and initial and variation margin requirements for all non-cleared swaps and non-cleared security-based swaps of dealers and major participants. The capital requirements under these sections have been previously incorporated in the Agencies' capital rules. Statement of Applicability to Institutions with Total Assets Under \$10 Billion: In conjunction with the final rule, the Agencies have adopted an interim final rule that would exempt swaps entered into by financial institutions with total assets of \$10 billion or less from the final rule, provided the swaps were entered into for hedging purposes. The Agencies seek comments on the interim final rule, for which the comment period closes January 31, 2016.	12/16/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15061.html">https://www.fdic.gov/news/news/financial/2015/fil15061.html</a>	N/A	FIL-61-2015
FIL-62-2015: Statement on Prudent Risk Management for CRE Loans	Interagency Statement	The Federal banking agencies <sup>1</sup> are issuing an interagency statement to highlight prudent risk-management practices from existing guidance that regulated financial institutions should apply in the management of their commercial real estate (CRE) lending activity. Financial institutions should implement risk-management practices and maintain capital levels commensurate with the level and nature of their CRE concentration risk. Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised institutions.	12/18/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15062.html">https://www.fdic.gov/news/news/financial/2015/fil15062.html</a>	N/A	FIL-62-2015
FIL-13-2015 FFIEC Joint Statements on Destructive Malware and Compromised Credentials	FFIE Joint Statements (guidance)	The Federal Financial Institutions Examination Council (FFIEC) has issued two joint statements to alert financial institutions to specific risk mitigation techniques related to destructive malware and cyber attacks that compromise credentials. Statement of Applicability to Institutions With Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised financial institutions.	3/30/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15013.html">https://www.fdic.gov/news/news/financial/2015/fil15013.html</a>	N/A	FIL-13-2015
FIL-16-2015 Regulatory Capital Rules: Frequently Asked Questions	FAQ	The FDIC has issued the attached frequently asked questions (FAQs) related to the revised regulatory capital rules. The FAQs are based on questions received from the banking industry, many of which came from community banks. The release of the FAQs furthers the FDIC's efforts to provide technical assistance as part of the implementation of the revised regulatory capital rules. The FAQs are available on the FDIC's Web site at <a href="https://fdic.gov/regulations/capital/capital/faq.html">https://fdic.gov/regulations/capital/capital/faq.html</a> and will be updated as needed. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter (FIL) is applicable to all FDIC-supervised banks. The attached FAQs may be applicable to smaller, less complex community banking organizations.	4/6/2015	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2015/fil15016.html">https://www.fdic.gov/news/news/financial/2015/fil15016.html</a>	N/A	FIL-16-2015

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FIL-21-2016 Bank Secrecy Act: Interagency Guidance to Issuing Banks on Applying Customer Identification Program Requirements to Holders of Prepaid Cards	Interagency Guidance	The federal banking agencies (FBAs) and the Financial Crimes Enforcement Network (FinCEN) are issuing the attached guidance to clarify existing Customer Identification Program (CIP) requirements for banks that issue prepaid cards. Statement of Applicability: This Financial Institution Letter applies to all FDIC-supervised institutions.	3/21/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16021.html">https://www.fdic.gov/news/news/financial/2016/fil16021.html</a>	N/A	FIL-21-2016
FIL-5-2016 Interagency Advisory on External Audits of Internationally Active U.S. Financial Institutions	Interagency Guidance	The FDIC, the Office of the Comptroller of the Currency, and the Board of Governors of the Federal Reserve System (the agencies) are issuing an advisory to indicate their support for the principles and expectations set forth in the Basel Committee on Banking Supervision's March 2014 guidance on "External audits of banks" (BCBS external audit guidance). The advisory also explains the agencies' supervisory expectations regarding how internationally active U.S. financial institutions should address differences between the standards and practices followed in the United States and the principles and expectations in the BCBS external audit guidance. For purposes of the advisory, internationally active U.S. financial institutions include insured depository institutions with consolidated total assets of \$250 billion or more or consolidated total on balance sheet foreign exposure of \$10 billion or more. Statement of Applicability to Institutions under \$1 Billion in Total Assets: This Financial Institution Letter is not applicable to insured depository institutions with consolidated total assets of less than \$1 billion.	1/15/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16005.html">https://www.fdic.gov/news/news/financial/2016/fil16005.html</a>	N/A	FIL-5-2016
FIL-12-2016 Interagency Guidance on Funds Transfer Pricing Related to Funding and Contingent Liquidity Risks	Interagency Guidance	The FDIC, with the Board of Governors of the Federal Reserve System and the Office of the Comptroller of the Currency, is issuing guidance to clarify supervisory expectations for an effective funds transfer pricing (FTP) framework. The guidance builds on the principles of sound liquidity risk-management practices outlined in existing regulatory guidance. Statement of Applicability to Institutions with Total Assets under \$1 Billion: This guidance is applicable to banks with consolidated assets of \$250 billion or more, domestic bank holding companies with consolidated assets of \$250 billion or more or foreign exposure of \$10 billion or more, and foreign banking organizations with combined U.S. assets of \$250 billion or more.	3/1/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16012.html">https://www.fdic.gov/news/news/financial/2016/fil16012.html</a>	N/A	FIL-12-2016

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FIL-15-2016 Capital Treatment for Qualifying Collateralized Debt Obligations Backed by Trust Preferred Securities under the "Volcker Rule"	FAQ	The FDIC, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Securities and Exchange Commission and the Commodity Futures Trading Commission (the "Agencies") have issued a Frequently Asked Question (FAQ) document to clarify the capital treatment of certain Collateralized Debt Obligations backed by Trust Preferred Securities (TruPS CDO) under section 13 of the Bank Holding Company Act, which implements section 619 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act), also known as the "Volcker Rule." The Volcker Rule permits a banking entity to retain its interest in a Qualifying TruPS CDO under 12 CFR 351.16 of the interagency interim final rule. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter is applicable to all institutions holding TruPS CDOs regardless of asset size.	3/4/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16015.html">https://www.fdic.gov/news/news/financial/2016/fil16015.html</a>	N/A	FIL-15-2016
FIL-31-2016 Mobile Financial Services: Update to FFIEC IT Examination Handbook Series	Examiner Procedures	The Federal Financial Institutions Examination Council (FFIEC) has issued a new appendix, <i>Mobile Financial Services</i> , to the Retail Payment Systems booklet of the <i>FFIEC Information Technology Handbook</i> . The appendix provides guidance to assist examiners in evaluating the risks associated with mobile financial services. Statement of Applicability to Institutions with Total Assets under \$1 billion: This Financial Institution Letter applies to all FDIC-supervised institutions.	4/29/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16031.html">https://www.fdic.gov/news/news/financial/2016/fil16031.html</a>	N/A	FIL-31-2016
FIL-35-2016 Interagency Guidance: Deposit-Reconciliation Practices	Interagency Guidance	The Federal Deposit Insurance Corporation (FDIC), the Board of Governors of the Federal Reserve System (FRB), the Consumer Financial Protection Bureau (CFPB), the National Credit Union Administration (NCUA) and the Office of the Comptroller of the Currency (OCC) (collectively, the Agencies) are issuing guidance to ensure that financial institutions are aware of the Agencies' supervisory expectations regarding deposit-reconciliation practices that may be detrimental to customers. Statement of Applicability to Institutions with Total Assets under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised financial institutions	5/18/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16035.html">https://www.fdic.gov/news/news/financial/2016/fil16035.html</a>	N/A	FIL-35-2016
FIL-37-2016 FFIEC Joint Statement on Cybersecurity of Interbank Messaging and Wholesale Payment Networks	FFIE Guidance	The FDIC, as a member of the Federal Financial Institutions Examination Council (FFIEC), is issuing the attached statement advising financial institutions to actively manage the risks associated with interbank messaging and wholesale payment networks. Statement of Applicability to Institutions with Less than \$1 Billion in Total Assets: This Financial Institution Letter (FIL) applies to all FDIC-supervised institutions.	6/7/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16037.html">https://www.fdic.gov/news/news/financial/2016/fil16037.html</a>	N/A	FIL-37-2016

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Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-39-2016 Joint Statement on the New Accounting Standard on Financial Instruments - Credit Losses	Announcement	The federal financial institution regulatory agencies have issued a Joint Statement on the New Accounting Standard on Financial Instruments – Credit Losses regarding the Financial Accounting Standards Board's new standard, which introduces the current expected credit losses methodology (CECL) for estimating allowances for credit losses. The joint statement also provides initial supervisory views regarding the implementation of the new accounting standard. Statement of Applicability to Institutions under \$1 Billion in Total Assets: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	6/17/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16039.html">https://www.fdic.gov/news/news/financial/2016/fil16039.html</a>	N/A	FIL-39-2016
FIL-42-2016 Frequently Asked Questions on Identifying, Accepting and Reporting Brokered Deposits	FAQ	The FDIC is finalizing updates to its Frequently Asked Questions (FAQs) regarding identifying, accepting and reporting brokered deposits. In November 2015, the FDIC released for comment proposed updates to the FAQs that were originally issued in January 2015. After consideration of the comments received, the FDIC retained a majority of the proposed updates, with certain clarifications and new FAQs. This Financial Institution Letter supersedes <a href="#">FIL-2-2015</a> and <a href="#">FIL-51-2015</a> . Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-insured financial institutions that use brokered deposits.	6/30/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16042.html">https://www.fdic.gov/news/news/financial/2016/fil16042.html</a>	N/A	FIL-42-2016
FIL-49-2016 Prudent Risk Management of Oil and Gas Exposures	Guidance	FDIC-supervised institutions with direct or indirect oil and gas (O&G) exposures are reminded to maintain sound underwriting standards, strong credit administration practices, and effective risk management strategies. When O&G related borrowers experience financial difficulties, the FDIC encourages financial institutions to work constructively with borrowers to strengthen the credits and to mitigate losses where possible. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This FIL applies to FDIC-supervised financial institutions that have exposures to the O&G industry.	7/27/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16049.html">https://www.fdic.gov/news/news/financial/2016/fil16049.html</a>	N/A	FIL-49-2016
FIL-68-2016 FFIEC Cybersecurity Assessment Tool: Frequently Asked Questions	FFIEC Guidance	The Federal Financial Institutions Examination Council (FFIEC) issued a Frequently Asked Questions guide related to the Cybersecurity Assessment Tool (CAT). Statement of Applicability to Institutions with Less than \$1 Billion in Total Assets: This Financial Institution Letter (FIL) applies to all FDIC-supervised institutions.	10/18/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16068.html">https://www.fdic.gov/news/news/financial/2016/fil16068.html</a>	N/A	FIL-68-2016

Federal Deposit Insurance Corporation  
Response to the House Committee on Oversight and Government Reform

December 22, 2017

Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-79-2016 New Accounting Standard on Credit Losses: Frequently Asked Questions	FAQ	The federal financial institution regulatory agencies are issuing the attached <i>Frequently Asked Questions on the New Accounting Standard on Financial Instruments – Credit Losses</i> to assist institutions and examiners. This new standard, published by the Financial Accounting Standards Board (FASB) in June 2016, introduces the current expected credit losses methodology (CECL) for estimating allowances for credit losses. The Frequently Asked Questions (FAQs) focus on the application of CECL and related supervisory expectations. The issuance of the FAQs is part of the agencies' efforts to support institutions as they prepare to implement CECL. The agencies plan to update the FAQs periodically. Statement of Applicability to Institutions under \$1 Billion in Total Assets: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	12/19/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/news/news/financial/2016/fil16079.html">https://www.fdic.gov/news/news/financial/2016/fil16079.html</a>	N/A	FIL-79-2016

Issuing Agency / Component

- FDIC - Federal Deposit Insurance Corporation
- CFI - Office of Complex Financial Institutions
- DCP - Division of Depositor and Consumer Protection
- DIR - Division of Insurance and Research
- DOF - Division of Finance
- DRR - Division of Resolutions and Receiverships
- FFIEC - Federal Financial Institutions Examination Council
- Legal - Legal Division
- RMS - Division of Risk Management Supervision





**Federal Deposit Insurance Corporation**

550 17th Street NW, Washington, DC 20429

Office of Legislative Affairs

January 16, 2018

Honorable Trey Gowdy  
Chairman  
Committee on Oversight and Government Reform  
House of Representatives  
Washington, D.C. 20515

Dear Chairman Gowdy:

This further responds to your letter dated December 8, 2017, requesting information related to agency guidance documents.

A list containing additional information responsive to your request is enclosed. A description of how the list was compiled is also enclosed with this response. As requested by your staff, the FDIC is producing responsive records on a rolling basis and will update this list should additional, potentially responsive documents be identified.

If you or Committee staff have any questions, please contact me at (202) 898-6761 or Steve Primrose at (202) 898-7112.

Sincerely,

A handwritten signature in black ink, reading "M. Andy Jiminez", is positioned above the typed name.

M. Andy Jiminez  
Director  
Office of Legislative Affairs

Enclosures: (2)

cc: Honorable Elijah E. Cummings, Ranking Member

## Identification of Relevant FDIC Guidance Documents

The enclosed document contains an additional listing of FDIC guidance documents that have been identified as potentially responsive to the Committee's letter dated December 8, 2017. These documents were identified by a manual search of documents, including, but not limited to, Financial Institution Letters (FILs) that were issued by the FDIC since January 1, 2008, and intended to communicate guidance to FDIC supervised institutions and that also met the guidelines outlined by majority staff of the House Committee on Oversight and Government Reform in telephone discussions on December 12, 2017. As discussed with your staff, FILs or other guidance documents that contained the terms "guidance," "guideline(s)," "FAQs," "Q&As," or "Questions and Answers" in their titles have been included on the enclosed list. Only documents issued since January 1, 2008, and that currently remain in effect are included on the enclosed list. As discussed with staff, where FDIC guidance was preceded by interim or advisory issuances, including Notices of Proposed Rulemakings (NPRs) or surveys issued pursuant to the Paperwork Reduction Act, only the final and effective guidance document is included on the enclosed list. Additionally, as discussed with staff, notifications of conference calls or webinars have not been included on the enclosed list.

As also discussed with your staff, it is not the standard practice of the FDIC to submit all FILs or agency issuances to Congress or the Government Accountability Office (GAO) unless the document was subject to a rulemaking under the Administrative Procedure Act. In cases where documents listed were submitted to the Federal Register, the final Federal Register notice is listed.

As your staff is aware, Section 9 of Executive Order 12866 (as amended by Executive Orders 13258 and 13422), which defines "significant guidance documents" and specifies agency treatment of such documents, does not apply to independent regulatory agencies (as defined in 44 U.S.C. § 3502(5)) such as the FDIC, though the FDIC does work closely with the Office of Management and Budget on other matters, such as information collections under the Paperwork Reduction Act. Similarly, the FDIC and other independent agencies are exempt from the requirements of Executive Order 13777, which requires agencies to establish Regulatory Task Forces to review their existing regulations (See April 28, 2017 Memorandum entitled "Guidance on Regulatory Reform Accountability" under Executive Order 13777 titled "Enforcing the Regulatory Reform Agenda"). However, pursuant to the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (EGRPRA), the FDIC reviews all of its regulations and considers how to reduce regulatory burden on insured depository institutions. In its March 2017 EGRPRA report to Congress, the FDIC stated that it will review its guidance documents to identify further opportunities for streamlining guidance and reducing regulatory burden.<sup>1</sup>

As requested by your staff, the FDIC is producing responsive records on a rolling basis. The agency will update this list should additional potentially responsive documents be reviewed and identified.

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<sup>1</sup> See EGRPRA Report to Congress, p. 7 (March 2017) at [https://www.ffiec.gov/pdf/2017\\_FFIEC\\_EGRPRA\\_Joint-Report\\_to\\_Congress.pdf](https://www.ffiec.gov/pdf/2017_FFIEC_EGRPRA_Joint-Report_to_Congress.pdf).

Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-60-2017 Regulatory Capital Rules: Retention of Certain Existing Transition Provisions for Banking Organizations that Are Not Subject to the Advanced Approaches Capital Rules	Rule	The Federal bank regulatory agencies (the agencies) jointly have issued a final rule to extend the 2017 transition provisions under the capital rules for certain capital deductions and risk weights as well as certain minority interest requirements for banking organizations not subject to the advanced approaches capital rules. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter is applicable to all banking organizations not subject to the advanced approaches capital rule.	11/21/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17060.html">https://www.fdic.gov/news/news/financial/2017/fil17060.html</a>		FIL-60-2017
FIL-53-2017 Liquidity Coverage Ratio: Frequently Asked Questions	FAQ	The Federal Deposit Insurance Corporation (FDIC), the Board of Governors of the Federal Reserve System, and the Office of the Comptroller of the Currency (collectively, the agencies) are issuing the attached FAQ document to address questions received by the agencies regarding the applicability of the liquidity coverage ratio (LCR) rule (12 CFR Part 329) in specific situations. The LCR rule was adopted by the agencies in September 2014 and implements a quantitative liquidity requirement consistent with the standard established by the Basel Committee on Banking Supervision. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter is not applicable to depository institutions with total assets of less than \$1 billion. The LCR rule is applicable only to depository institutions with \$10 billion or more in total consolidated assets that are consolidated subsidiaries of internationally active banking organizations.	10/23/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17053.html">https://www.fdic.gov/news/news/financial/2017/fil17053.html</a>		FIL-53-2017
FIL-41-2017 New Accounting Standard on Credit Losses: Frequently Asked Questions	FAQ	The federal financial institution regulatory agencies are issuing updated <i>Frequently Asked Questions on the New Accounting Standard on Financial Instruments – Credit Losses</i> to assist institutions and examiners. The new standard will take effect in 2020 or 2021, depending on an institution's characteristics. The attached Frequently Asked Questions (FAQs) combine into a single document new questions and answers and those issued in December 2016, replacing the FAQs attached to <i>FIL-79-2016</i> . The FAQs focus on the application of the current expected credit losses methodology (CECL) for estimating credit loss allowances and related supervisory expectations and regulatory reporting guidance. The periodic issuance and updating of the FAQs is part of the agencies' efforts to support institutions as they prepare to implement CECL. Statement of Applicability to Institutions under \$1 Billion in Total Assets: This Financial Institution Letter applies to all FDIC-supervised banks and savings associations, including community institutions.	9/6/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17041.html">https://www.fdic.gov/news/news/financial/2017/fil17041.html</a>		FIL-41-2017

Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-42-2017 Revised Guidelines for Appeals of Material Supervisory Determinations	FDIC Procedure Announcement	The FDIC has adopted revised <i>Guidelines for Appeals of Material Supervisory Determinations</i> (Guidelines), which govern appeals by FDIC-supervised institutions to Division Directors and the Supervision Appeals Review Committee (SARC). The revised Guidelines expand the circumstances under which banks may appeal a material supervisory determination and enhance consistency with the appeals processes of other federal banking agencies. The revised Guidelines also include other limited technical and conforming amendments. Statement of Applicability to Institutions with Total Assets under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised depository institutions.	9/6/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17042.html">https://www.fdic.gov/news/news/financial/2017/fil17042.html</a>		FIL-42-2017
FIL-33-2017 Regulatory Capital Treatment of Certain Centrally-Cleared Derivative Contracts Under the FDIC's Capital Rule	Guidance	The FDIC is issuing the attached letter that provides supervisory guidance on the regulatory capital treatment of certain centrally-cleared, settled-to-market derivative contracts. Certain central counterparties have revised their rulebooks such that variation margin is considered a settlement payment and not collateral. If an FDIC-supervised institution determines the transfer of variation margin on a centrally-cleared, settled-to-market contract settles any outstanding exposure on the contract and resets the fair value of the contract to zero, the contract's remaining maturity is the time until the next exchange of variation margin. This guidance may affect a derivative contract's calculation of potential future exposure, which uses a conversion factor based, in part, on the contract's remaining maturity. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised institutions.	8/14/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17033.html">https://www.fdic.gov/news/news/financial/2017/fil17033.html</a>		FIL-33-2017
FIL-32-2017 Securities and Exchange Commission Rule Amended to Shorten the Securities Transaction Settlement Cycle	Rule	The FDIC is issuing this announcement to highlight actions that banks should take to prepare for the change in the Securities Exchange Commission's (SEC) rule governing the securities settlement cycle for securities transactions conducted by most broker-dealers. The effective date for the change is September 5, 2017. Statement of Applicability to Institutions with Total Assets under \$1 Billion: This Financial Institution Letter applies to all FDIC-supervised financial institutions.	7/26/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17032.html">https://www.fdic.gov/news/news/financial/2017/fil17032.html</a>		FIL-32-2017
FIL-22-2017 Adoption of Supervisory Guidance on Model Risk Management	Guidance	The FDIC is adopting the Supervisory Guidance on Model Risk Management previously issued by the Board of Governors of the Federal Reserve System ("FRB") (SR 11-7) and the Office of the Comptroller of the Currency ("OCC") (OCC Bulletin 2011-12), with technical conforming changes, thereby making the guidance applicable to certain FDIC-supervised institutions. The guidance addresses supervisory expectations for model risk management, including: model development, implementation, and use; model validation; and governance, policies, and controls. The FDIC is adopting this guidance to facilitate consistent model risk-management expectations across the banking agencies and industry. Statement of Applicability to Institutions under \$1 Billion in Total Assets: It is not expected that this guidance will pertain to FDIC-supervised institutions with under \$1 billion in total assets unless the institution's model use is significant, complex, or poses elevated risk to the institution.	6/7/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17022.html">https://www.fdic.gov/news/news/financial/2017/fil17022.html</a>		FIL-22-2017

Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FIL-19-2017 Advisory on the Availability of Appraisers	Interagency Guidance	The FDIC, the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, and the National Credit Union Administration (collectively, the agencies) are issuing an advisory that discusses two existing methods that may address any appraiser shortages: temporary practice permits and temporary waivers. The advisory addresses concerns raised pursuant to the <i>Economic Growth and Regulatory Paperwork Reduction Act (EGRPRA)</i> review process regarding the timeliness of appraisals, due largely to what financial industry commenters believe to be problems with the availability of certified and licensed appraisers, particularly in rural areas. Statement of Applicability to Institutions Under \$1 Billion in Total Assets: This Financial Institution Letter applies to all FDIC-supervised institutions.	5/31/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17019.html">https://www.fdic.gov/news/news/financial/2017/fil17019.html</a>		FIL-19-2017
FIL-17-2017 FDIC Releases Final Handbook for Organizers of De Novo Institutions	Guidance	<i>Applying for Deposit Insurance – A Handbook for Organizers of De Novo Institutions</i> provides an overview of the business considerations and statutory requirements that <i>de novo</i> organizers will face as they work to apply for deposit insurance and establish a new depository institution. Statement of Applicability to Institutions with Less Than \$1 Billion in Total Assets: This Financial Institution Letter applies to all proposed insured depository institutions.	5/1/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17017.html">https://www.fdic.gov/news/news/financial/2017/fil17017.html</a>		FIL-17-2017
FIL-2-2017 Examination Cycle: Joint Final Rules on Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks	Rule	The FDIC and the other federal financial institution regulatory agencies have adopted final rules permitting insured depository institutions (IDIs) with up to \$1 billion in total assets, and that meet certain other criteria, to qualify for an 18-month on-site examination cycle. These rules allow the agencies to better focus supervisory resources on IDIs that present capital, managerial, or other issues of supervisory concern while reducing regulatory burden on small, well-capitalized and well-managed institutions. Statement of Applicability to Institutions with Total Assets Under \$1 Billion: This Financial Institution Letter applies to FDIC-supervised financial institutions with total assets up to \$1 billion.	1/4/2017	FDIC-RMS		<a href="https://www.fdic.gov/news/news/financial/2017/fil17002.html">https://www.fdic.gov/news/news/financial/2017/fil17002.html</a>		FIL-2-2017
Interagency Guidance to Issuing Banks on Applying Customer Identification Program Requirements to Holders of Prepaid Cards	Guidance	Guidance to issuing banks on the application of the joint regulations implementing the customer identification program (CIP) requirements set forth in Section 326 of the USA PATRIOT Act (referred to in this guidance as the "CIP rule") to their prepaid cards. Prepaid cards include those that are sold and distributed by third-party program managers, as well as cards that are used to provide employee wages, healthcare, and government benefits. The guidance clarifies that a bank should apply its CIP to the cardholders of certain prepaid cards issued by the bank.	3/21/2016	FDIC-RMS	N/A	<a href="https://www.fdic.gov/regulations/laws/rules/5000-5390.html">https://www.fdic.gov/regulations/laws/rules/5000-5390.html</a>	N/A	FIL-21-2016
Development and Review of FDIC Regulations and Policy	Statement of Policy	The purpose of this Statement of Policy (Policy) is to establish basic principles which guide the FDIC's promulgation and review of regulations and written statements of policy. This Policy applies to regulations and written statements of policy issued by the Board of Directors of the FDIC.	4/17/2013	FDIC-RMS	78 FR 22271	<a href="https://www.fdic.gov/regulations/laws/rules/5000-400.html">https://www.fdic.gov/regulations/laws/rules/5000-400.html</a>	N/A	N/A

Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
FDIC Statement of Policy for Section 19 of the Federal Deposit Insurance Act	Statement of Policy	The FDIC believes that at a minimum, each insured institution should establish a screening process that provides the insured institution with information concerning any convictions or program entry pertaining to a job applicant. This would include, for example, the completion of a written employment application that requires a listing of all convictions and program entries. The FDIC will look to the circumstances of each situation to determine whether the inquiry is reasonable. Upon notice of a conviction or program entry, an application seeking the FDIC's consent prior to the person's participation must be filed.	12/18/2012	FDIC-RMS	77 FR 74847	<a href="https://www.fdic.gov/regulations/laws/rules/5000-1300.html">https://www.fdic.gov/regulations/laws/rules/5000-1300.html</a>	N/A	N/A
Clarification of Statement of Policy for Section 19 of the Federal Deposit Insurance Act	Statement of Policy Clarification	The FDIC originally promulgated the Statement of Policy (SOP) for Section 19 of the FDI Act in December 1998. The FDIC, in 2007, issued a clarification to the SOP based on the 2006 amendment to Section 19 of the FDI Act which addressed institution-affiliated parties participating in the affairs of Bank Holding Companies, or Savings and Loan Holding Companies. The FDIC is restating that previous change to the SOP in a slightly modified form and addressing certain other issues that have arisen in the FDIC's interpretation of the policy since its original publication. The FDIC is clarifying what the FDIC views as a complete expungement of a conviction and the definition of <i>de minimis</i> offenses.	5/13/2011	FDIC-RMS	76 FR 28031	<a href="https://www.fdic.gov/regulations/laws/federal/2011/11sop-may13.pdf">https://www.fdic.gov/regulations/laws/federal/2011/11sop-may13.pdf</a>	N/A	N/A
Statement of Policy on Bank Merger Transactions	Statement of Policy Amendment	The FDIC is amending its Statement of Policy on Bank Merger Transactions in order to conform it to the Bank Merger Act, as amended by the Financial Services Regulatory Relief Act of 2006.	2/15/2008	FDIC-RMS	73 FR 8870	<a href="https://www.fdic.gov/regulations/laws/rules/5000-1200.html">https://www.fdic.gov/regulations/laws/rules/5000-1200.html</a>	N/A	N/A
Community Reinvestment Act; Interagency Questions and Answers Regarding Community Reinvestment; Guidance	Q&A	Final revisions to "Interagency Questions and Answers Regarding Community Reinvestment."	7/25/2016	FDIC-DCP	81 FR 48506	<a href="https://www.gpo.gov/fdsys/pkg/FR-2016-07-25/pdf/2016-16693.pdf">https://www.gpo.gov/fdsys/pkg/FR-2016-07-25/pdf/2016-16693.pdf</a>	N/A	PR-57-2016
Community Reinvestment Act; Interagency Questions and Answers Regarding Community Reinvestment	Q&A	Final revisions to "Interagency Questions and Answers Regarding Community Reinvestment."	11/20/2013	FDIC-DCP	78 FR 69671	<a href="https://www.gpo.gov/fdsys/pkg/FR-2013-11-20/pdf/2013-27738.pdf">https://www.gpo.gov/fdsys/pkg/FR-2013-11-20/pdf/2013-27738.pdf</a>	N/A	PR-101-2013
Interagency Statement on Fair Lending Compliance and the Ability-to-Repay and Qualified Mortgage Standards Rule	Interagency Statement	Statement to address industry questions about fair lending risks associated with offering only Qualified Mortgages	10/22/2013	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/press/2013/pr13091a.html">https://www.fdic.gov/news/news/press/2013/pr13091a.html</a>	N/A	PR-91-2013
Interagency Guidance on Privacy Laws and Reporting Financial Abuse of Older Adults	Guidance	Guidance to clarify that the privacy provisions of the Gramm-Leach-Bliley Act generally permit financial institutions to report suspected elder financial abuse to appropriate authorities	9/24/2013	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/press/2013/interagency-guidance-on-privacy-laws-and-reporting-financial-abuse-of-older-adults.pdf">https://www.fdic.gov/news/news/press/2013/interagency-guidance-on-privacy-laws-and-reporting-financial-abuse-of-older-adults.pdf</a>	N/A	PR-84-2013
Interagency Guidance on Mortgage Servicing Practices Concerning Military Homeowners with Permanent Change of Station Orders	Guidance	Joint guidance aimed at addressing mortgage servicer practices that may pose risks to certain homeowners who are serving in the military	6/21/2012	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/press/2012/pr12072a.html">https://www.fdic.gov/news/news/press/2012/pr12072a.html</a>	N/A	PR-72-2012
Loans in Areas Having Special Flood Hazards; Interagency Questions and Answers Regarding Flood Insurance	FAQ	Guidance that updates the Interagency Questions and Answers Regarding Flood Insurance that were most recently published on July 21, 2009 at 74 FR 35914-35947	10/17/2011	FDIC-DCP	76 FR 64175	<a href="https://www.gpo.gov/fdsys/pkg/FR-2011-10-17/pdf/2011-26749.pdf">https://www.gpo.gov/fdsys/pkg/FR-2011-10-17/pdf/2011-26749.pdf</a>	N/A	PR-163-2011
FDIC Overdraft Payment Supervisory Guidance	Guidance	Final guidance to address the risks associated with overdraft payment programs	11/24/2010	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10081b.pdf">https://www.fdic.gov/news/news/financial/2010/fil10081b.pdf</a>	N/A	PR-257-2010

Title	Name of Form	Description	Date of Issuance	Issuing Agency / Component	Federal Register Citation	Hyperlink	Regulatory ID #	Other ID #
Reverse Mortgage Products: Guidance for Managing Compliance and Reputation Risks	Guidance	Guidance, adopted by each of the financial regulators, that emphasizes the consumer protection concerns raised by reverse mortgages and the importance of financial institutions mitigating the compliance and reputation risks associated with these products	8/17/2010	FDIC-DCP	75 FR 50801	<a href="https://www.gpo.gov/fdsys/pkg/FR-2010-08-17/pdf/2010-20286.pdf">https://www.gpo.gov/fdsys/pkg/FR-2010-08-17/pdf/2010-20286.pdf</a>	N/A	
Retained Asset Accounts and FDIC Deposit Insurance Coverage	Other - letter	Letter to the National Association of Insurance Commissioners (NAIC) addressing the FDIC's concerns about the adequacy of disclosures provided by insurance companies when distributing insurance proceeds to consumers through Retained Asset Accounts (RAAs)	8/11/2010	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/financial/2010/fil10048.html">https://www.fdic.gov/news/news/financial/2010/fil10048.html</a>	N/A	FIL-48-2010
Community Reinvestment Act Revisions to Interagency Questions and Answers	Q&A	Revisions to the Interagency Questions and Answers Regarding Community Reinvestment (Q&As).	3/11/2010	FDIC-DCP	75 FR 11642	<a href="https://www.gpo.gov/fdsys/pkg/FR-2010-03-11/pdf/2010-4903.pdf">https://www.gpo.gov/fdsys/pkg/FR-2010-03-11/pdf/2010-4903.pdf</a>	N/A	FIL-9-2010
Frequently Asked Questions: Identity Theft Red Flags and Address Discrepancies	FAQ	FAQs to help financial institutions, creditors, users of consumer reports, and issuers of credit cards and debit cards comply with federal regulations on identity theft and discrepancies in changes of address	6/11/2009	FDIC-DCP	N/A	<a href="https://www.fdic.gov/news/news/press/2009/pr09088a.pdf">https://www.fdic.gov/news/news/press/2009/pr09088a.pdf</a>	N/A	PR-88-2009
Community Reinvestment Act; Interagency Questions and Answers Regarding Community Reinvestment	Q&A	Publication of new and revised Interagency Questions and Answers Regarding Community Reinvestment that, among other things, encourage financial institutions to take steps to help prevent home mortgage foreclosures	1/6/2009	FDIC-DCP	74 FR 498	<a href="https://www.fdic.gov/news/news/press/2009/e8-31116.pdf">https://www.fdic.gov/news/news/press/2009/e8-31116.pdf</a>	N/A	PR-3-2009; FIL-6-2009

**Issuing Agency / Components**

FDIC - Federal Deposit Insurance Corporation  
FRB - Federal Reserve Board  
CFI - Complex Financial Institutions Branch  
DCP - Division of Depositor and Consumer Protection  
DIR - Division of Insurance and Research  
DRR - Division of Resolutions and Receiverships  
DOF - Division of Finance  
Legal - Legal Division  
RMS - Risk Management Supervision