



InfoSight Highlight

GCUA Cybersecurity Compliance Call

If you missed our Cybersecurity Call in which nationally recognized speaker and credit union attorney David Reed of Reed & Jolly, PLLC discussed the latest regulatory developments and future activity in this rapidly evolving area, including:

- Cybersecurity examination focus and guidance
- FFIEC Guidance and Game Plan
- From Teller to Board Chair, what cybersecurity should mean to your team

fear not! The call, along with the handouts, is now archived on our [website](#) and you can listen to it at your convenience.

You will need your GCUA User ID and password to access this section of our website. If you don't already have one, you can sign up for one [here](#).

Compliance News

Loan Pre-approvals and Call Reports

Question: Is a loan pre-approval considered a commitment for Call Report purposes?

Answer: Per [CUNA's Compliance Blog](#) and according to NCUA, the classification depends on how binding the "pre-approval" is.

If a pre-approval is the equivalent of a formal legal commitment to make a loan on specific terms, then the amount committed is an unfunded commitment.

If pre-approval means simply that the credit union invited someone to apply for a loan based on a pre-screen (like having a credit score above a certain threshold), then it does not rise to the level of a commitment.



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Credit Union National Association

Compliance Video

Compliance Connection Video

In this video, League InfoSight CEO Glory LeDu talks about the highlights from the 4th Quarter of 2018 and the 1st Quarter of 2019.

When S.2155, the Economic Growth, Regulatory Relief, and Consumer Protection Act, passed in 2018 there was a lot to understand! Glory LeDu, League InfoSight CEO, provides [Part 1 in this short video](#) to break it down for you.

Just a reminder that Compliance videos since 2016 can be found on YouTube at [the Compliance Connection](#)

[channel](#), where they are generally updated quarterly.

Compliance Calendar

July 23

Changes to Posting Rules for ACH Transactions (Federal Reserve) Effective date

July 24

5300 Call Report Due to NCUA

September 7

Labor Day - Federal Holiday

September 18

NACHA's Return Rate Levels & Reinstated Transactions Rule

October 1

CFPB: Know Before You Owe Disclosure - Effective Date

CFPB: Integrated Mortgage Disclosures - Effective Date

October 12

Columbus Day - Federal Holiday

October 23

5300 Call Report Due to NCUA

November 1

Daylight Savings Time Ends

November 11

Veterans' Day - Federal Holiday

Webinar Reminders

NCUA will host a free webinar by the Office of Small Credit Union Initiatives *Fine Tuning Your Compliance Program* on **Tuesday, July 21st, at 2:00 p.m. EST.**

The webinar will discuss how credit unions can fine tune their compliance program and avoid violations. NCUA will discuss how credit unions can navigate through a number of common compliance violations as well as cover areas that are most frequently out of compliance during NCUA exams, including:

- Bank Secrecy Act Violations
- Fair Lending Act Violations
- Flood Insurance Act Violations
- Privacy Act Violations, and more

Click [here](#) to register.

Also, the Federal Reserve's "[Outlook Live](#)" conference series continues with a webinar on Common Violations and Hot Topics on **Wednesday, July 29 at 2:00 p.m. EST.** Senior Federal Reserve staff will focus on areas where substantive and/or common violations occur, including:

- Home Mortgage Disclosure Act (Regulation C)
- Equal Credit Opportunity Act (Regulation B) - Spousal Signatures
- Flood Disaster Protection Act of 1973
- Unfair and Deceptive Acts or Practices Act (UDAP)

Registration for the session is required.

Holding OFAC Blocked Property?

The Office of Foreign Assets Control (OFAC) requires all holders of blocked property to file a comprehensive annual report on blocked property held **as of June 30 by September 30 each year**. There is no need to file the report if the credit union has had no confirmed “hits” on the SDN List and is holding no blocked property. However, some credit unions choose to maintain an OFAC file noting “none to report.”

The report is filed using Form TDF 90-22.50, which is available on the [Treasury's website](#).

Your CU Should Know...

Equal Access Rule Guidance: The Department of Housing and Urban Development (HUD) has released [guidance](#) to help clarify the Equal Access to Housing in Programs Regardless of Sexual Orientation or Gender Identity Rule (Equal Access Rule), which was issued in January 2012. Read the announcement [here](#).

OFAC Posts Venezuela Regulations: The Office of Foreign Assets Control has announced the publication of [regulations](#) [80 FR 39676] (31 CFR Part 591) to implement the [Venezuela Defense of Human Rights and Civil Society Act of 2014](#) (Pub. L. 113-278) and [Executive Order 13692](#) of March 8, 2015 ("Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela").

CFPB 'Complaint Snapshot' Launched: The Consumer Financial Protection Bureau (CFPB) has [announced](#) the first in a new series of monthly reports to highlight key trends from consumer complaints submitted to the Bureau. The monthly report will spotlight a particular product and location and provide complaint data on company performance, complaint volume, state and local information, and product trends. The [first edition](#) features debt collection complaints and complaints from consumers in the Milwaukee, Wisconsin, area.

November 26
Thanksgiving Day - Federal Holiday

December 25
Christmas Day - Federal Holiday

December 31
Foreign Account Tax
Compliance Act Effective Date

[Click here for upcoming compliance dates.](#)

Compliance Training

July 21, 2015
[IRA 72\(t\) Payments – Webinar](#)
12:00 – 1:30 p.m. EST

July 21, 2015
[Fine-Tuning Your Compliance Program: Common Compliance Violations – NCUA Webinar](#)
2:00 p.m. EST

July 21, 2015
[What's New in Mortgage Lending Compliance – Webinar](#)
2:00 – 3:30 p.m. EST

July 22 – August 5, 2015
[CUNA Marketing Compliance eSchool](#)
3:00 – 5:00 p.m. EST

July 23 – 25, 2015
[Coastal Supervisory Committee & Internal Auditor Conference](#)
Charleston, SC

July 28, 2015
[QRP Beneficiary Rollovers to](#)

CFPB Posts Blog Articles: The CFPB Blog has new articles discussing how a consumer can remove an outdated bankruptcy from a credit report and ways that the Bureau can help resolve credit card debt collection complaints.

CFPB and DOJ act on Honda Auto Loan Pricing: The CFPB has announced that Consent Orders have been filed by the CFPB and Department of Justice (DOJ) concerning American Honda Finance Corporation discretionary auto loan pricing and compensation practices. A joint CFPB and DOJ investigation began in April 2013 of Honda's indirect auto lending compliance with the Equal Credit Opportunity Act, which prohibits creditors from discriminating against loan applicants in credit transactions on the basis of characteristics such as race and national origin. The investigation concluded that Honda's policies resulted in thousands of minority borrowers paying higher dealer markups of from \$150 to over \$250 more for auto loans. Under the CFPB order, Honda must substantially reduce or eliminate entirely dealer loan pricing discretion, pay \$24 million in damages for consumer harm, and administer the distribution of those funds to victims. Under the DOJ Order, Honda will also pay \$1 million to fund a consumer financial education program focused on consumer auto finance that is designed to benefit African-American, Hispanic and Asian/Pacific Islander populations.

Bureau Weighs in on Faster Payments: The CFPB has announced it has issued an outline of guiding principles for protecting consumers as new and faster payment systems are developed and deployed. The Bureau stated that it wants to ensure that any new systems are secure, transparent, accessible and affordable to consumers, with robust protections relating to fraud and error resolution.

Money Management for Newcomers: The CFPB posted an article announcing the availability of a collection of Newcomer's Guides to Managing Money in English and Spanish to provide recent immigrants with straightforward information about basic money decisions. Current titles include:

Inherited IRAs – Webinar
12:00 – 1:30 p.m. EST

August 4, 2015
IRA Excess Contributions - Webinar
12:00 – 1:30 p.m. EST

August 6, 2015
Surviving in the Compliance Jungle of Collections - Webinar
12:00 – 1:30 p.m. EST

August 11 & 13, 2015
Performing Your ACH Audit and ACH Risk Assessment - Webinar
2:00 – 3:30 p.m. EST

August 24-25, 2015
NASCUS/CUNA Cybersecurity Symposium
Denver, CO

August 25 – December 31, 2015
CUNA Regulatory Compliance Update eSchool

September 1, 2015
Improving Credit and Correcting Errors on Credit Reports – Webinar
2:00 – 3:30 p.m. EST

September 8, 2015
Helping Your Members Understand Their Rights on Repossessions, Foreclosures and Bankruptcies - Webinar
2:00 – 3:30 p.m. EST

September 8 – October 7, 2015
CUNA Lending Compliance

- Ways to receive your money
- Checklist for opening an account
- Ways to pay your bills
- Selecting financial products and services

Comment Calls

NCUA MBL Proposal

The NCUA Board has approved a proposed member business loan (MBL) rule.

The proposed rule would completely overhaul NCUA's MBL regulation. Almost all requirements not in the Federal Credit Union Act would be removed. The proposal would create a category of "commercial" loans for safety and soundness purposes and utilizes the category of MBLs for compliance with the Act's limitations on member business lending. For example, the Act does not categorize any nonmember participations as MBLs and neither does the proposed rule. However, business loan participations are considered commercial loans for the purposes of safety and soundness.

The rule would remove all of the specific requirements that currently require waivers, including the personal guarantee requirement. It would also exempt some credit unions with less than \$250 million in assets from the board of director and management responsibility requirements and commercial loan policy requirements. The proposal does have an 18-month implementation period.

GCUA would like to know your thoughts and comments on this proposal. Please send them to Selina Gambrell at selinag@gcu.org by **August 17th**.

The CUNA Regulatory Advocacy Report keeps you on top of the most important changes in Washington for credit unions--and what CUNA is doing to monitor, analyze, and influence government agencies and federal law. You can view the current report and past reports from the archive.

eSchool

3:00 – 4:30 p.m. EST

September 16 – 17, 2015
Leadership Development

Institute

Duluth, GA

September 20 – 25, 2015

CUNA Regulatory Compliance

School

Boston, MA

BSA Training Opportunities
through GCUA

[Click here for details](#)

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