

Regulatory Compliance News



MOUNTAIN WEST
Credit Union Association

February 22, 2018

Compliance News

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NCUA Approves \$736M Share Insurance Distribution

The NCUA Board held its second open meeting of 2018 at the agency's headquarters on February 15 and [unanimously approved](#) two items:

- A Share Insurance distribution of \$736 million to eligible federally insured credit unions in the third quarter of 2018.
- A final rule amending the agency's share insurance requirements rule to provide greater fairness, predictability, and transparency and add a temporary provision to govern share insurance equity distributions related to the Corporate System Resolution Program.

Source: NCUA

U.S. Bank National Association Paying for BSA/AML Failings

The Office of the Comptroller of the Currency (OCC) [announced](#) a [\\$75 million civil money penalty](#) against U.S. Bank National Association of Cincinnati, Ohio, for deficiencies in the bank's Bank Secrecy Act (BSA) and anti-money laundering (AML) compliance program. These deficiencies were the subject of the OCC's 2015 consent order against the bank.

In its [2015 consent order](#), the OCC cited the bank for the failure to adopt and implement a compliance program that adequately covered the required BSA/AML program elements, in violation of 12 C.F.R. § 21.21, because of an inadequate system of internal controls, ineffective independent testing, and inadequate training. The bank had systemic deficiencies in its transaction monitoring systems, which resulted in monitoring gaps and a significant amount of unreported suspicious activity. The bank conducted a look-back required by the 2015 consent order and, as a result, had to file additional Suspicious Activity Reports, which constituted additional violations of 12 C.F.R. § 21.11.

Source: OCC

FTC Returns Money to Consumers Harmed by Debt Relief Scheme

The Federal Trade Commission is mailing 5,745 checks totaling more than \$480,000 to people who lost money to a debt relief scheme that misled its customers and charged illegal upfront fees.

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InCompliance Implementation Materials

The Association's InCompliance Materials are provided to help your credit union meet the challenges of implementing new and changing regulations.

InCompliance publications provide you with a brief summary of the rule to quickly assess its impact, a detailed analysis for compliance staff charged with implementation, sample policies, implementation checklists and, as appropriate, sample forms. In addition, these materials are updated with Q&As (InResponse), and other materials such as charts and matrices as questions are raised and issues are identified.

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United Debt Counselors exaggerated how much money people would save using its services. Its direct mail ads looked like official documents from a bank or attorney, and claimed that typical customers would have their credit card debt cut in half and become debt-free within 36 months. Under a settlement with the FTC, the court banned the defendants from making misrepresentations about debt relief and other financial products or services, and making unsubstantiated claims about any products or services.

The average refund amount is \$84.27. Recipients should deposit or cash checks within 60 days. The FTC never requires people to pay money or provide account information to cash a refund check. If recipients have questions about the case, they should contact the FTC's refund administrator, Rust Consulting, Inc., at 855-263-3449.

FTC law enforcement actions led to more than \$6.4 billion in refunds for consumers in a one-year period between July 2016 and June 2017. To learn more about the FTC's refund program, visit www.ftc.gov/refunds.

Source: FTC

Advocacy Highlight

CFPB Issues Request for Information on Supervision Processes

The Consumer Financial Protection Bureau (Bureau) issued a Request for Information (RFI) about the Bureau's supervision processes. The Bureau is seeking comments and information from interested parties to assist in assessing the overall efficiency and effectiveness of its supervision program and whether any changes to the program would be appropriate. This is the fourth in a series of RFIs announced as part of Acting Director Mick Mulvaney's call for evidence to ensure the Bureau is fulfilling its proper and appropriate functions to best protect consumers. [Click here to read the full article and locate the link to comment.](#)

CUNA Advocacy Update

The CUNA Advocacy Update is published at the beginning of every week and 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. To receive this update, click on "Get CUNA Updates" on the [CUNA Advocacy Page](#). Additional Advocacy efforts may also be found under [CUNA's Removing Barriers blog](#). With the recent updates to CUNA's website, Advocacy information has also changed. To view recent advocacy issues and see ways your credit union can become involved, visit the [Priorities](#) or [Actions](#) pages.



MOUNTAIN WEST
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Training & Events Calendar

2018 Webinars

February 28

and email address. The subscriber will receive a welcome e-mail that details how to access the forum.



Put a CCRS at Your Fingertips!

Easily apply [Consumer Compliance Rating System](#) (CCRS) expectations with AffirmX. CCRS is a supervisory policy for evaluating a financial institution's adherence to consumer compliance requirements. By adding AffirmX to your team of experts, a credit union can meet examiner expectations to proactively prevent, self-identify, and correct compliance issues. AffirmX is the leading cloud-based compliance solution that delivers a near-real time risk-based dashboard of your compliance operations. AffirmX provides document review for all areas of regulatory compliance, including ACH, Advertising, BSA, Deposits, Loans, and Operations, as well as helps you create and manage your Cybersecurity Risk Assessment.

For more information about our compliance services, please contact Melia Heimbeck at: mheimbeck@mwcu.com or (720) 479-3325 or 1 (800) 477-1697 ext. 3325



InfoSight is your first stop when searching for compliance answers. Think of it as an online compliance manual at your fingertips, containing federal content that is accurate, concise and detailed on a wide range of topics and issues.

There are easy-to-read compliance summaries, checklists for compliance, direct links to laws and regulations, frequently asked questions, and links to additional important resources including CUNA's on-line compliance resource "E-Guide."

InfoSight -- [AZ](#), [CO](#), [WY](#)

Compliance Videos

Compliance Outlook for Q1 and Q2 2018

In this NEW video, Glory LeDu provides the [overview of what's ahead in the compliance world for 2018](#). This covers annual threshold updates, HMDA changes, Payday Alternative Loans, Military Lending Act, ACH Same-day ACH processing and more!

Just a reminder that Compliance videos since 2016 can be found on YouTube at [the Compliance Connection channel](#), where they are generally updated quarterly.

Webinar: [CECL Rule Overview: Preparation, Planning & Data Collection](#)

March 1

Webinar: [Supervisory Committee Overview: Rules, Regulations & Best Practices](#)

March 6

Webinar: [Opening Deposit Accounts for Nonprofit Organizations](#)

March 8

BSA Officer Training - Phoenix

March 8

Webinar: [Revisiting CDD Policies & Procedures to Include Beneficial Ownership Rule Changes Effective May 11, 2018](#)

March 14

Webinar: [ACH Rules Update 2018](#)

March 15

Webinar: [Flood Insurance Compliance Review & Update 2018](#)

March 20

Webinar: [Recent Call Report Changes & Top 10 Errors](#)

March 21

Webinar: [Compliance & Legal Risks in Mobile Banking: Rules & Security Requirements](#)

March 22

Webinar: [Completing the CTR Line-by-Line Effective May 28, 2018: Technical Changes, New Data Fields & Alternate Model Reporting](#)

March 28

Webinar: [Collections & The Servicemember: From the MLA to SCRA](#)

April 3

Webinar: [FFIEC Cyber Security Assessment Tool: Issues & Answers](#)

April 4

Webinar: [BSA Special Risks: Policy, Law Enforcement & Regulator Issues](#)

April 5

Webinar: [Dealing with Dormant Accounts, Unclaimed Property & Escheatment](#)

April 10

BSA Officer Training - Denver

April 12

Webinar: [Impact of Reg CC Rule Changes on RDC & ACH](#)

April 17

Webinar: [How to Complete & File UCC-1 Financing Statements](#)

April 18

Webinar: [Compliance Rules All Staff Must Know: Red Flags for Identity Theft, Bribery, Privacy & Ethical Considerations](#)

April 19

Webinar: [Top 25 Things to Know About Reg CC Changes Before July 1, 2018](#)

April 26

Effective Dates New and Revised Rules

March 16, 2018

- [Same-day ACH - Phase 3 \(Final phase\)](#)

April 19, 2018

- [Amendments to 2013 Mortgage Rules under RESPA/Reg X and TILA/Reg Z](#)

May 11, 2018

- [Customer Due Diligence/CDD](#)

May 25, 2018

- [EU's General Data Protection Regulation](#)

July 1, 2018

- [Availability of Funds and Collection of Checks/Reg CC](#)

October 1, 2018

- [Amendments to the Integrated Disclosure Rule](#)

January 1, 2019

- [HMDA Thresholds/Reg C](#)

January 1, 2019

- [Risk-Based Capital](#)

April 1, 2019

- [Prepaid Accounts under the EFT Act/Reg E and TILA/Reg Z](#)

August 19, 2019

- [Payday Lending, Vehicle Title, and Certain High-Cost Installment Loans](#)

January 1, 2020

- [HMDA Threshold/Reg C](#)

December 15, 2020

- [Current Expected Credit Losses](#)

January 1, 2022

- [Amendments to Equal Credit Opportunity Act \(Reg B\) Ethnicity and Race Information Collection](#)

**For detailed information on rules and effective dates, click [here](#)*

CUNA Comment Calls – Due Dates on Proposed Rules

February 12, 2018~CFPB

[Consumer's Experience with Free Access to Credit Scores](#)

March 5, 2018~Federal Reserve
[Consumer Leasing \(Regulation M\)](#)

March 27, 2018~CFPB

Webinar: Denied Loan Requirements: Consumer, Commercial & Real Estate

**For 2018 webinar questions, please contact MWCUA@cuwebtraining.com.*



Compliance Calendar

April 29, 2018

- 5300 Call Report Due to NCUA

May 28, 2018

- Memorial Day – Federal Holiday

July 4, 2018

- Independence Day – Federal Holiday

July 29, 2018

- 5300 Call Report Due to NCUA

September 3, 2018

- Labor Day – Federal Holiday

October 8, 2018

- Columbus Day – Federal Holiday

November 12, 2018

- Veterans Day (observed) – Federal Holiday

Bureau Civil Investigative Demands and Associated Processes

March 30, 2018~FHFA

Credit Score Requirements

April 2, 2018~NCUA

Modernizing Data Collection for Supervision of Credit Unions

April 2, 2018~NCUA

Involuntary Liquidation of Federal Credit Unions and Claims Procedures

April 6, 2018~CFPB

Bureau Rules of Practice for Adjudication Proceedings

April 13, 2018~CFPB

Bureau Enforcement Processes

Please respond to [Mark Robey](#) with any questions or concerns regarding content of this newsletter.

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