

InfoSight Highlight

Big Changes are Coming to InfoSight

A new user experience will transform the way you access compliance information.

Better usability is on its way. The new InfoSight will bring a modernized look and feel, expanded state content, and an all-around better user experience.

A more seamless InfoSight is coming your way on **December 9, 2019!**

Compliance News

Reminder: NCUA Voluntary Credit Union Diversity Self-Assessment

The NCUA is committed to supporting diversity and inclusion in the credit union system, and part of that commitment is building a database of credit unions' activities related to diversity and inclusion. The data that credit unions voluntarily provide helps the NCUA better understand areas where guidance would be useful and, when appropriate, prompts NCUA to issue guidance to help bridge the gaps and assist credit unions with their diversity and inclusion efforts.

The Self-Assessment form, instructions for completing it, and several useful diversity-related tools and resources are available at the [Credit Union Diversity](https://credituniondiversity.org) webpage. You can also access the Self-Assessment directly at <https://cudiversity.ncua.gov/>.

Each year the number of credit unions that participate in the Self-Assessment increases, but **we need greater participation** in order to gather meaningful data. We ask credit unions of all sizes, particularly those with 100 or more employees, to complete the Self-Assessment annually and share your results with the OMWI office.

NCUA Board Approves Two Measures

The National Credit Union Administration Board held its monthly meeting on November 21, and unanimously approved two items:

1. A final interpretive ruling and policy statement to expand career opportunities for individuals convicted of certain minor offenses.
2. A proposed rule raising the threshold for requiring a residential real estate appraisal from \$250,000 to \$400,000.

CFPB Report Shows Differences in Financial Well-Being of Older Americans by State

The Bureau released the first [state-by-state report](#) on the financial well-being of adults in the United States, as measured by the CFPB Financial Well-Being Scale. The report highlights important patterns found in the distribution of financial well-being scores by state and age group.

CFPB Compares Large and Small Mortgage Servicers

The CFPB released a [report](#) examining the differences between large and small mortgage servicers. The report explores the role servicers of different sizes play in the mortgage market where size is defined by the number of loans serviced. Because of differences in the resources, capabilities, customer base, and business models of financial institutions of varying sizes, the impact of consumer finance regulations can vary as well. Key findings in the report include:

- 74 percent of borrowers with mortgages at small servicers said having a branch or office nearby was important in how they chose their mortgage lender, compared to 44 percent at large servicers;

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Compliance Calendar

November 24

[SAFE Act. – MLO Registration](#)

November 30

[New Employee Forms W-4 & HW-4](#)

December 2

[NCUA Payday Alternative Loan 2 \(PAL II\)](#)

December 31

[*Claim for Exemption: Real Property Assessment - County of Hawaii](#)

[*Claim for Exemption: Real Property Assessment - County of Maui](#)

January 1, 2020

[*HMDA Thresholds/Regulation C \(CFPB\)](#)

[*Risk-Based Capital \(NCUA\)](#)

February 1, 2020

[Updated URLA required for Fannie and Freddie](#)

March 20, 2020

[Increasing the Same Day ACH Dollar Limit](#)

June 30, 2020

[Supplementing Data Security Requirements](#)

Compliance Training

December 3

[ACH Error Resolution: Returns, Authorizations, WSUDs, Stop Payments & More \(Webinar\)](#)

December 4

[Safe Deposit Issues: Delinquency, Death & Abandonment \(Webinar\)](#)

December 5

[IRS Reporting Requirements: 1098s.](#)

- Delinquency rates on loans at servicers of all sizes increased substantially starting in 2008, but peak delinquency rates were much lower for small servicers than for large and mid-sized servicers; and
- Smaller servicers have a greater share of mortgages in non-metro or completely rural counties.

[NMLS Updates Policy Guidebook](#)

The NMLS posted an updated version of its [NMLS Policy Guidebook](#), including a new section on Temporary Authority to Operate. The NMLS also posted a [summary of the updates](#) to the guidebook.

[MLA Website Temporarily Unavailable](#)

The MLA website will be unavailable from 6 p.m. EST (1 p.m. HST) on Tuesday, December 17, to 12 a.m. EST (7 p.m. HST) on Wednesday, December 18, for a planned system upgrade. The planned MLA upgrade will include additional security measures. Upon login, a Consent to Monitor and Privacy Notice screen will display. Users must click on the "Accept" button in order to access the website. Please consult the MLA User's Guide for information on the changes to the site.

[CUNA Compliance: CECL Implementation Delay Until 2023 Finalized](#)

The Financial Accounting Standards Board officially finalized the delay for implementation of the CECL standard to January 2023 on November 15. The board agreed to the delay in October and Friday's action makes it official.

[FTC: Scams Telling You to Pay with Bitcoin on the Rise](#)

At first, scammers tried to get you to wire them money. Then, they demanded payment with gift cards. Now, scammers are luring people into paying them with Bitcoin, a type of digital money or cryptocurrency. Read on to learn how to spot and avoid some of the top ways scammers are trying to get you to pay with Bitcoin.

[FTC: "Pass it On" at the Holidays](#)

Holidays often mean time with family and friends. If you're looking for conversation starters that avoid tricky topics like who should've won the World Series, why not chat about scams? Pass it On, an FTC education campaign, gives you new ways to talk about scams and how to prevent them.

[USSS & CISA: Tips for Secure Holiday Online Shopping](#)

As the holiday season shopping approaches, the U.S. Secret Service and the Cybersecurity & Infrastructure Security Agency want to remind you that the risk of online fraud increases dramatically. U.S. retail e-commerce spending for the 2019 holiday shopping season is forecasted to top \$135 billion. Online criminals will utilize this busy time to prey even more upon those consumers and businesses who are unsuspecting or unprepared. The following information and best practices are provided to help both the consumer and the merchant achieve a more secure online shopping during the holidays and beyond.

CMG RISK Alerts:

- **[New ADA Class Action Suits Emerge for Lack of Braille on Gift Cards](#)**
Class action lawsuits were filed in October in the U.S. District Courts in New York against retailers, restaurants, and other businesses. The suits alleged violations of the Americans with Disabilities Act (ADA) and similar state laws for failing to include Braille on private label (closed-loop) gift cards. Plaintiff attorneys contend it denies individuals with vision impairments equal access to the products and services offered by the places of public accommodation. We are not aware of any current impact to credit unions; CUNA Mutual Group will continue to monitor these lawsuits and will provide updates if warranted.
- **[MasterCard EMV 3DS Liability Shift Effective December 2019](#)**
Europay, Mastercard, and Visa (EMV) has helped deter card-present fraud; however, criminals are now attacking cards in the card-not-present (CNP) environment. MasterCard is implementing EMV 3DS (formerly 3-D Secure 2.0) to combat CNP fraud. Along with the technology will come a liability shift where the party that doesn't utilize the security technology could be held liable for the fraudulent transaction. The effective date for this change is December 31, 2019.

[1099s, TINs & Backup Withholding \(Webinar\)](#)

December 9
[Consumer Privacy: New Online & Mobile App Issues, GDPR, Reg P & Compliance \(Webinar\)](#)

December 10
[Revisiting Reg CC Policies, Disclosures & Notices for Rule Changes Effective July 1, 2020 \(Webinar\)](#)

December 11
[Business Accounts: Who is Authorized to Open, Close, Transact? \(Webinar\)](#)

December 12
[The Changing Face of BSA Administration: What BSA Officers & Management Must Know \(Webinar\)](#)

December 16
[Marijuana HR Policy & Best Practices: Handling Employee Medical & Recreational Use \(Webinar\)](#)

December 17
[Updated Flood Insurance Exam Procedures, Including Recent Private Flood Insurance Rules \(Webinar\)](#)

December 18
[Securing Collateral: How to Complete & File UCC-1 Financing Statements \(Webinar\)](#)

Compliance Video

[Compliance Outlook S. 2155, Part 2](#)

Part Two: S. 2155 Economic Growth, Regulatory Relief, and Consumer Protection Act. This presentation is the second of our two-part update covering the changes resulting from the passage of S.2155 that may impact credit unions. Glory LeDu, League InfoSight CEO, provides a short breakdown for you.

Just a reminder that Compliance videos since 2014 can be found on YouTube at the [Compliance Connection channel](#), where they are generally updated quarterly.

- **['Tis the Season for Fraud](#)**
Keeping an eye on your online shopping cart? Well, fraudsters are too. The holidays typically introduce fraud involving e-skimming, fake charities, porch pirates, false shipping notifications and payment fraud, and other scams. Between parties, gift giving, and travel, your members can easily get distracted and let their guard down. Be sure to educate your members on the latest scams and trends.
- **[USAA Awarded \\$200M in Mobile Remote Deposit Capture Patents Suit](#)**
A U.S. District Court jury awarded USAA \$200 million in a patent infringement lawsuit against Wells Fargo involving remote deposit capture (RDC) technology. The suit, originally filed in June 2018, alleged Wells Fargo infringed on certain USAA RDC patents related to mobile check capture.
- **[Increase in Minimum Salary Threshold Effective January 1, 2020](#)**
Effective January 1, 2020, the minimum salary threshold will increase from \$455 a week (\$23,660 annually) to \$684 a week (\$35,568 annually). The new salary threshold applies to executive, administrative, and professional exemptions under the Fair Labor Standards Act making an estimated 1.3 million additional American workers eligible for overtime pay according to the U.S. Department of Labor.

[CMG Webinar: Office Hours: Emerging Risks](#)

Office Hours are an opportunity for you to interact with CUNA Mutual Group's Risk Consultants in a virtual meeting room. You can ask a question or share a comment on risks or mitigation tips associated with a specific topic. And if you stick around, you can catch conversations with your credit union peers with some surprising insights. Our expert team will be available for 90 minutes to answer questions, share best practices, and guide you through operations, employment practices, and security risks and challenges you may be facing. Register now for this webinar on December 11 at 9:00 a.m. HST.

[US-CERT:](#)

- **[Securing Portable Electronic Devices During Travel](#)**: Holiday travelers often use portable electronic devices because they offer a range of conveniences, for example, enabling the traveler to order gifts on-the-go, access to online banking, or download boarding passes. However, these devices are vulnerable to cyberattack or theft, resulting in exposure of personal information.
- **[Microsoft Releases Outlook for Android Security Update](#)**: Microsoft released an update to address a vulnerability in Outlook for Android. The Cybersecurity and Infrastructure Security Agency (CISA) encourages users and administrators to review the [Microsoft Security Advisory](#) and apply the necessary update.
- **[NSA Releases Cyber Advisory: Managing Risk from Transport Layer Security Inspection](#)**: The National Security Agency (NSA) released a Cyber Advisory that addresses managing risk from Transport Layer Security Inspection (TLSI). This short, informative document defines TLSI (a security process that allows incoming traffic to be decrypted, inspected, and re-encrypted), explains some risks and associated challenges, and discusses mitigations.
- **[Google Releases Security Updates for Chrome](#)**: Google released Chrome 78.0.3904.108 for Windows, Mac, and Linux. The CISA encourages users and administrators to review the [Chrome Release](#) and apply the necessary updates.
- **[Reminder: Malware Can Exploit Improper Configurations](#)**: Protect yourself from unwanted and potentially harmful files or programs by adhering to vendor-recommended configurations for hardware and software. Doing so in addition to maintaining regular patch maintenance, will help give your systems and networks the best security possible. The CISA encourages users and administrators to review the tips and guidance.
- **[VMware Releases Security Updates](#)**: VMware released security updates to address vulnerabilities in ESXi, Workstation, and Fusion. The CISA encourages users and administrators to review VMware Security Advisories [VMSA-2019-0020](#) and [VMSA-2019-0021](#) and apply the necessary updates.
- **[Adobe Releases Security Updates](#)**: Adobe released security updates to address vulnerabilities in multiple Adobe products. The CISA encourages users and administrators to review the Adobe Security Bulletins and apply the necessary updates.

- [Intel Releases Security Updates](#): Intel released security updates to address vulnerabilities in multiple products. The CISA encourages users and administrators to review the Intel advisories and apply the necessary updates.
- [Microsoft Releases November 2019 Security Updates](#): Microsoft released updates to address multiple vulnerabilities in Microsoft software.
- [Cisco Releases Security Updates](#): Cisco released security updates to address vulnerabilities in Cisco products. For updates addressing lower severity vulnerabilities see the Cisco [Security Advisories webpage](#). The CISA encourages users and administrators to review the Cisco advisories and apply the necessary updates.

Questions & Answers

Question: Where can I get more information about how to respond to an active shooter incident?

Answer: InoSight has great resources, go to the [Security channel](#) and click on the [Active Shooter topic](#) and scroll down to the Additional Resources section of the page where you'll find:

- [How to Respond Guide](#)
- [Emergency Action Plan Guide](#)
- [Emergency Action Plan Template](#)
- [Emergency Action Plan Training](#)
- [Active Shooter Planning Guide](#)
- [Active Shooter Recovery Guide](#)
- [Surviving an Active Shooter Event – Video](#)

You can also go to the [Honolulu Police Department's website](#) and review an alternative response of [Avoid, Deny, Defend](#) from the Texas State University instead of the Run, Hide, Fight resource.

Advocacy Highlight

The Nussle Report

The Nussle Report delivers CUNA's insights on key events and policy developments affecting credit unions. This report also provides a valuable window into CUNA's actions on behalf of member credit unions and reinforces the value of CUNA membership. Topics for this week include:

- Join us for World Moving!
- 360-degree advocacy
- [NCUA budget and meeting](#)
- [Did you miss our webinar on USAA legal action?](#)
- [CUNA Economic Update: Spotlight on rural America](#)
- It's Time to Get #ComplianceConfidence
- [Cooperative Hall of Fame adds credit union leader](#)

CUNA Advocacy Update

The CUNA Advocacy Update keeps you on top of the most important changes in Washington for credit union's and what CUNA is doing to monitor, analyze, and influence government agencies and federal law. Issues this week included:

- [CUNA presents to NCUA Board on proposed budget](#)
- [Amicus filed in support of Facebook's petition re: Duguid vs. Facebook](#)
- [USAA patent litigation verdict webinar](#)
- [CU concerns shared before task force hearing on big data](#)
- [Letter sent prior to hearing on Minority Depository Institutions](#)

- [NCUA issued CUNA-supported Appraisal Rule, finalized "Second Chance IRPS"](#)

Pending Regulatory Comment Calls

The League encourages credit unions to use [PowerComment](#) to file comment letters with regulators on the items below. For more information regarding these proposals, please follow the links below:

- [Draft 2020 - 2021 Budget Justification due to NCUA by December 2.](#)
- [Chartering and Field of Membership due to NCUA by December 9.](#)
- [Interagency Policy Statement on Allowances for Credit Losses due to NCUA by December 16.](#)
- [Interagency Guidance on Credit Risk Review Systems due to NCUA by December 16.](#)
- [UMBS Pooling Practices due to FHFA by December 19.](#)
- [RFI re: Integrated Mortgage Disclosures under RESPA \(Reg X\) & TILA \(Reg Z\) Rule Assessment due to CFPB by January 21.](#)

If you have any questions or comments concerning this newsletter, please contact Dorie Fitchett, Regulatory Officer at dorie.fitchett@hcul.org, or directly @ 203.6412, or for neighbor islands toll-free @ 1.888.331.5646 ext. 412.