

Appendix B: Selected Federal Agency Actions Affecting Community Banks, 2008–2019

The federal agency actions listed in this appendix were compiled on a best efforts basis from the websites of the Federal Deposit Insurance Corporation, Board of Governors of the Federal Reserve System, Office of the Comptroller of the Currency, Consumer Financial Protection Bureau, and the Department of the Treasury, including the Financial Crimes Enforcement Network, and are intended as a high-level summary of actions by federal regulatory agencies, taken from late December 2007 through year-end 2019, that affected community banks. Changes to Call Reports are excluded, except for one listing pertaining to the new FFIEC 051 Call Report. Also excluded is supervisory guidance, except for a model Privacy Act notice and a few Interagency Questions and Answers about flood insurance and the Community Reinvestment Act. Still other excluded categories include Statements of Policy, tax and accounting changes, changes in state law or regulation, inflation adjustments, actions affecting only internal agency procedures, rules relating to the transfer of authority from one agency to another, and rules applying only to large or internationally active banks. Where a rule is issued by multiple agencies separately, or in both interim-final and final form, only one listing is included. Links are to the announcing press release where available, or to Federal Register notices where a press release is not available. Agency actions are grouped by broad topic area; these

groupings are for expositional purposes only, and do not have any official significance. The groupings are:

- deposit insurance and other federal financial dealings with banks;
- capital adequacy;
- residential mortgage lending and servicing, including Home Mortgage Disclosure Act requirements;
- consumer credit and retail payments;
- general safety-and-soundness;
- Bank Secrecy Act and law enforcement;
- bank failure resolution;
- pricing of bank products and services;
- competition and banking industry structure;
- financial reporting and auditing;
- other agency actions related to consumers and communities; and
- back-office functions.

Rule summaries in this table, which may paraphrase or quote directly from announcing press releases or Federal Register notices without attribution, are deemed accurate but are not intended to be relied upon for legal or regulatory purposes.

Deposit Insurance and Other Federal Financial Dealings with Banks	
December 12, 2007	The Federal Reserve announced the availability of the Term Auction Facility, a program whereby the Federal Reserve would provide term credit to banking organizations against a wider range of collateral than was accepted at its Discount Window (Press Release).
September 26, 2008	The FDIC issued a rule simplifying the insurance coverage of revocable trust accounts by eliminating the concept of “qualifying” beneficiaries and allowing for coverage of virtually any named beneficiary (Press Release).
October 6, 2008	The Federal Reserve announced that it would begin to pay interest on depository institutions’ required and excess reserve balances at the Federal Reserve Banks (Press Release).
October 7, 2008	The FDIC announced a temporary increase in the standard maximum deposit insurance amount from \$100,000 to \$250,000 pursuant to legislation (this change would be made permanent by law in July 2010) (Press Release).
October 14, 2008	The FDIC implemented the Temporary Liquidity Guarantee Program (TLGP) to guarantee, for a fee, certain bank and holding company obligations, and to implement temporary, unlimited deposit insurance coverage for noninterest-bearing transaction accounts of participating institutions (Press Release).
October 14, 2008	The Treasury announced the availability of its Capital Purchase Program, under which Treasury would purchase up to \$250 billion of senior preferred shares of banking organizations, on standardized terms and subject to restrictions on executive compensation and other matters (Press Release).
December 2, 2008	The FDIC issued a rule governing the payment of deposit insurance assessment dividends when the DIF exceeded 1.35 percent of insured deposits (Federal Register Notice).
December 16, 2008	The FDIC issued a rule that increased deposit insurance assessments uniformly by 7 basis points (Press Release).

continued on page B-2

continued from page B-1

March 2, 2009	The FDIC issued a rule that modified aspects of its risk-based deposit insurance assessment system and announced in an interim rule a special deposit insurance assessment (Financial Institution Letter).
May 22, 2009	The FDIC finalized the special deposit insurance assessment in modified form, setting the assessment at 5 basis points on assets minus tier 1 capital (Press Release).
November 12, 2009	The FDIC issued a rule requiring insured institutions to prepay three years of deposit insurance assessments (Press Release).
November 9, 2010	The FDIC implemented a statutory requirement to provide temporary unlimited deposit insurance coverage of noninterest-bearing transaction accounts through the end of 2012 (Press Release).
December 14, 2010	The FDIC issued a rule setting its designated reserve ratio at 2 percent of estimated insured deposits (Press Release).
February 7, 2011	The FDIC issued a rule that, among other things, implemented a statutory requirement to change the definition of the assessment base from adjusted domestic deposits to average consolidated total assets minus average tangible equity (Press Release).
November 24, 2014	The FDIC issued a rule conforming certain definitions in its assessments regulations to terms used in the Basel III revised capital framework (Financial Institution Letter).
June 18, 2015	The Federal Reserve implemented a rule amending Regulation D (Reserve Requirements of Depository Institutions) to make changes to the calculation of interest payments on excess balances maintained by depository institutions at Federal Reserve Banks (Press Release).
February 18, 2016	The Federal Reserve implemented a statutory requirement by reducing the dividend paid to large banks (with assets greater than \$10 billion) on their Federal Reserve bank stock from 6 percent, to the lesser of 6 percent or the most recent ten-year Treasury auction rate prior to the dividend, while smaller banks' dividend rate remained at 6 percent (Press Release).
March 15, 2016	The FDIC issued a rule to establish a surcharge of 4.5 cents per \$100 of the assessment base on insured institutions with assets greater than \$10 billion, implementing a statutory requirement that the assessment cost of increasing the insurance fund from 1.15 percent of insured deposits to its required level of 1.35 percent of insured deposits should be borne by large institutions rather than by the vast majority of community banks that have assets less than \$10 billion, and providing assessment credits to insured institutions of less than \$10 billion for the portion of their regular assessments that contribute to growth in the reserve ratio from 1.15 percent to 1.35 percent (Press Release).
April 26, 2016	The FDIC issued a rule revising the methodology used to determine risk-based assessment rates for small banks to better differentiate risk (Press Release).
April 5, 2018	The FDIC issued a rule that made minor technical changes to its assessments regulation (Federal Register Notice).
July 16, 2019	The FDIC issued a rule to allow for alternatives to signature cards for establishing the deposit insurance coverage of joint accounts (Press Release).
November 27, 2019	The FDIC issued a rule providing that small bank assessment credits would be applied when the DIF exceeds 1.35 percent of insured deposits instead of 1.38 percent of insured deposits (Federal Register Notice).
December 6, 2019	The FDIC issued a rule that made conforming changes to its assessments regulation to accommodate the community bank leverage ratio framework (Federal Register Notice).
Capital Adequacy	
October 16, 2008	The Federal Reserve issued a rule permitting bank holding companies to include without limit in tier 1 capital senior perpetual preferred stock issued to the Treasury Department (Press Release).
October 17, 2008	The federal banking agencies announced they would allow banks to treat losses on Fannie Mae and Freddie Mac preferred stock as ordinary losses rather than capital losses for regulatory capital purposes, as if a tax change of October 3, 2008, had been enacted in the third quarter (Press Release).
December 16, 2008	The federal banking agencies issued a rule reducing the amount of the regulatory capital deduction of goodwill by the amount of deferred tax liabilities to reflect the maximum exposure to loss in the event of a write-down of goodwill (Press Release).
March 17, 2009	The Federal Reserve issued a rule extending until 2011 the period of time in which BHCs may include cumulative perpetual preferred stock and trust preferred securities in tier 1 capital up to 25 percent of total core capital elements (Press Release).

continued on page B-3

continued from page B-2

May 22, 2009	The Federal Reserve issued rules indicating that senior perpetual preferred stock issued by bank holding companies to the Treasury would count as tier 1 capital, and that subordinated debt issued by S-corps and mutual bank holding companies to the Treasury would not count as debt for purposes of the Small Bank Holding Company Policy Statement (Press Release).
June 26, 2009	The federal banking agencies issued a rule providing that mortgage loans modified under the Making Homes Affordable Program would generally have the same risk weight as they had before modification (Press Release).
January 21, 2010	The federal banking agencies issued a rule defining the risk-based capital treatment of exposures brought onto bank balance sheets as a result of Financial Accounting Standards No. 166 and 167 (Press Release).
June 13, 2011	The Federal Reserve issued a rule that allows small bank holding companies that are S-Corps or that are organized in mutual form to exclude subordinated debt issued to Treasury under the Small Business Lending Fund (SBLF) from treatment as “debt” for purposes of the debt-to-equity standard under the Federal Reserve Board’s Small Bank Holding Company Policy Statement (Press Release).
July 2, 2013	The federal banking agencies issued rules implementing aspects of the Basel III risk-based capital framework. Among other things, the new rules increased by 2 percentage points the agencies’ tier 1 risk-based capital Prompt Corrective Action thresholds defining adequately capitalized and well capitalized banks, introduced a new “common equity tier 1” risk-based capital requirement, tightened the definition of regulatory capital by limiting inclusion of mortgage servicing rights, deferred tax assets and investments in the capital instruments of other financial institutions, excluded future issuances of trust-preferred securities (TruPS) from the tier 1 capital of bank holding companies while grandfathering the tier 1 capital treatment of existing TruPS for bank holding companies with assets less than \$15 billion, established a new risk-based capital treatment of securitizations that does not rely on credit ratings (implementing a statutory requirement to eliminate references to credit ratings), and changed selected risk weights, including establishing a 250 percent risk weight for amounts of mortgage servicing rights, deferred tax assets, and investments in the capital instruments of other financial institutions that were not deducted from tier 1 capital. For most banks (other than advanced approaches banks), the new rules were effective January 1, 2015 (Press Release).
January 14, 2014	The federal banking agencies issued rules establishing that banks’ holdings of TruPS as investments were not prohibited by the Volcker Rule when those TruPS were those intended to be grandfathered under the Basel III rule (Press Release).
April 9, 2015	The Federal Reserve issued a rule implementing a statutory requirement to increase the asset threshold used in determining eligibility under its Small Bank Holding Company Policy Statement (SBHCPS) from \$500 million to \$1 billion. BHCs subject to the SBHCPS are not subject to leverage requirements or risk-based capital requirements at the consolidated BHC level. The rule also expanded the applicability of the policy statement to savings and loan holding companies (Press Release).
November 21, 2017	The federal banking agencies issued rules delaying from taking effect the fully phased-in Basel III deductions for mortgage servicing rights, deferred tax assets and investments in the capital instruments of other financial institutions (those deductions had been subject to a multi-year phase-in starting in 2015) (Press Release).
August 28, 2018	The Federal Reserve issued a rule implementing a statutory requirement to increase the asset threshold used in determining eligibility under its Small Bank Holding Company Policy Statement from \$1 billion to \$3 billion, thereby exempting most BHCs in this size class from being subject to leverage requirements or risk-based capital requirements at the consolidated BHC level (Press Release).
December 21, 2018	The federal banking agencies issued rules permitting banking organizations the option to phase in over three years the day-one impact on regulatory capital of implementing the new Current Expected Credit Loss accounting standard (Press Release).
July 9, 2019	The federal banking agencies issued rules increasing (for banks not subject to the advanced approaches) the amounts of mortgage servicing rights, deferred tax assets, and investments in the capital instruments of other financial institutions that are includable in tier 1 capital. Under the rule, each of these types of exposures can constitute up to 25 percent of tier 1 capital (rather than the previous 10 percent limit), and the previous 15 percent combined limit on the sum of the three types of exposures was eliminated (Press Release).
October 29, 2019	The federal banking agencies issued rules implementing the statutorily mandated option for qualifying banks with assets less than \$10 billion to adopt a Community Bank Leverage Ratio (CBLR) framework. The rule set the CBLR at 9 percent. Banks that elect this option will not be subject to risk-based capital requirements unless their tier 1 leverage ratios fall below 9 percent for a period of time (Press Release).
November 19, 2019	The federal banking agencies issued rules finalizing the risk-based capital treatment of High Volatility Commercial Real Estate (HVCRE) exposures as required by statute. The rules also clarified the risk-based capital treatment of land development loans to facilitate the construction of 1–4 family dwellings. Under the rule, such loans would be considered HVCRE and receive a 150 percent risk-weight (Press Release).

continued on page B-4

Residential Mortgage Lending and Servicing, Including Home Mortgage Disclosure Act Requirements	
July 14, 2008	The Federal Reserve issued a rule applying to a newly defined category of “higher-priced mortgage loans.” The rule prohibits a creditor from making a loan without regard to borrowers’ ability to repay the loan from income and assets other than the home’s value, in part based on an analysis of repayment ability based on the highest scheduled payment in the first seven years of the loan; requires creditors to verify borrowers’ income and assets; bans prepayment penalties if the payment can change in the initial four years and otherwise provides that a prepayment penalty period cannot last for more than two years; and requires creditors to establish escrow accounts for property taxes and homeowner’s insurance for all first-lien mortgage loans. For any residential mortgage, regardless of whether the loan is higher-priced, creditors may not coerce a real estate appraiser to misstate a home’s value; must provide a good faith estimate of loan costs within three days after loan application, for all mortgages and not just purchase mortgages, and may not charge fees prior to such disclosures (except a reasonable fee for obtaining a credit history); and servicers must not pyramid late fees, must credit payments on receipt and must provide a payoff statement on request (Press Release).
October 20, 2008	The Federal Reserve revised the rules for reporting price information on higher priced mortgages under Regulation C to be consistent with its July 2008 rule. Spreads and thresholds will be based on a survey-based estimate of APRs on comparable mortgages rather than comparable Treasury yields (Press Release).
May 8, 2009	The Federal Reserve issued a rule implementing a statutory requirement for a seven-day waiting period between a customer’s receipt of required disclosures and the loan closing, and an additional three-day wait if the APR changes outside of certain tolerances after the initial disclosure, with the customer having a right to expedite these timelines in case of personal financial emergency (Press Release).
November 16, 2009	Pursuant to a statutory requirement, the Federal Reserve issued a rule requiring that notice be given to borrowers when their mortgage loan has been sold or transferred (Press Release).
July 28, 2010	Six federal agencies issued a rule implementing statutory requirements for the registration of mortgage loan originators. The rule requires residential mortgage loan originators who are employees of agency-regulated institutions to be registered with the Nationwide Mortgage Licensing System and Registry (registry). The registry is a database created by the Conference of State Bank Supervisors and the American Association of Residential Mortgage Regulators to support the licensing of mortgage loan originators by the states. Residential mortgage loan originators must furnish to the registry information and fingerprints for background checks. The statute generally prohibits employees of agency-regulated institutions from originating residential mortgage loans unless they register with the registry. Each originator will have a unique identifier that will enable consumers to access employment and other background information about that originator from the registry. Under the rule, registered mortgage loan originators and agency-regulated institutions must provide these unique identifiers to consumers (Press Release).
August 16, 2010	The Federal Reserve issued a rule that applies to mortgage brokers, the companies that employ them, and mortgage loan officers employed by depository institutions and other lenders. The rule prohibits loan originator compensation based on the interest rate or other loan terms, other than the amount of the loan (this is intended to prevent loan originators from increasing their own compensation by raising the consumers’ loan costs); prohibits a loan originator that receives compensation from the consumer from also receiving compensation from the lender or another party; and prohibits loan originators from directing or “steering” a consumer to accept a mortgage loan that is not in the consumer’s interest in order to increase the originator’s compensation (Press Release).
August 16, 2010	The Federal Reserve issued a rule pursuant to statutory requirements that require lenders to disclose how borrowers’ regular mortgage payments can change over time. The rule requires lenders’ disclosures to include a table displaying the initial interest rate and monthly payment; the maximum rate and payment possible in the first five years; a worst case example of the maximum rate and payment over the life of the loan; and the fact that consumers might not be able to avoid increased payments by refinancing their loans. The rule also requires lenders to disclose features such as balloon payments or options to make only minimum payments that will cause loan amounts to increase (Press Release).
October 18, 2010	The Federal Reserve amended its Truth in Lending regulations to ensure that real estate appraisals used in assigning home values are based on the appraiser’s independent professional judgment and that creditors and their agents pay customary and reasonable fees to appraisers, implementing a statutory requirement (Press Release).
December 22, 2010	The Federal Reserve issued a rule clarifying certain disclosure requirements associated with an earlier interim final rule (Press Release).
January 31, 2011	Six federal agencies announced that the Nationwide Mortgage Licensing System and Registry would begin accepting federal registrations. The announcement noted that the rules include an exception for mortgage loan originators that originated five or fewer mortgage loans during the previous 12 months and who have never been registered; those loan originators would not be required to complete the federal registration process (Press Release).

continued on page B-5

continued from page B-4

February 23, 2011	The Federal Reserve issued a rule that implemented a statutory provision requiring escrow on jumbo first liens if the annual percentage rate (APR) is 2.5 percentage points or more above the average prime offer rate, rather than the former threshold of 1.5 percentage points established in the Federal Reserve's July 2008 rule (Press Release).
January 10, 2013	The Consumer Financial Protection Bureau (CFPB) issued a rule implementing statutorily required ability-to-repay (ATR) requirements for all new residential mortgages along with certain safe harbors. In general, lenders must document a borrower's employment status; income and assets; current debt obligations; credit history; monthly payments on the mortgage; monthly payments on any other mortgages on the same property; and monthly payments for mortgage-related obligations. Lenders must evaluate and conclude that the borrower can repay the loan, not just based on introductory or teaser rates but over the life of the loan. Lenders will be presumed to have complied with the ATR rule if they issue "Qualified Mortgages." These mortgages limit points and fees; do not exceed 30 years and do not have interest-only or negative amortization features; and generally will have borrower debt-to-income ratios less than or equal to 43 percent. The rule stated that for a temporary period, loans that do not have a 43 percent debt-to-income ratio but meet government affordability or other standards—such as that they are eligible for purchase by the Federal National Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac)—will be considered Qualified Mortgages. For higher-priced qualified mortgages, borrowers can rebut the presumption that they had the ability to repay the loan by establishing that they did not have this ability. For lower-priced qualified mortgages, borrowers can only challenge whether the loan met the definition of a qualified mortgage (Press Release).
January 10, 2013	The CFPB issued a rule applying to high-cost mortgages. For these mortgages, the rule generally bans balloon payments except for certain types of loans made by creditors serving rural or underserved areas, and bans penalties for paying the loan early; bans fees for modifying loans, caps late fees at four percent of the payment that is past due, generally prohibits closing costs from being rolled into the loan amount, and restricts the charging of fees when consumers ask for a payoff statement; prohibits encouraging a consumer to default on an existing loan to be refinanced by a high-cost mortgage; and requires consumers to receive housing counseling before taking out a high-cost mortgage. The rule also implements a statutory provision that generally extends the required duration of an escrow account on high-priced mortgage loans from a minimum of one year to a minimum of five years, except for some loans made by creditors that operate predominantly in rural or underserved areas (Press Release).
January 17, 2013	The CFPB issued a rule addressing mortgage servicing. The rule prohibits servicers from starting a foreclosure proceeding if a borrower has already submitted a complete application for a loan modification or other alternative to foreclosure and the application is still pending review. Servicers cannot make the first notice or filing required for the foreclosure process until a mortgage loan account is more than 120 days delinquent. Servicers must let borrowers know about their "loss mitigation options" to retain their home after borrowers have missed two consecutive payments. Servicers must provide delinquent borrowers with access to employees responsible for helping them. These personnel are responsible for alerting borrowers to any missing information on their applications, telling borrowers about the status of any loss mitigation application, and making sure documents get to the right servicing personnel for processing. The servicer must consider all foreclosure alternatives available from the mortgage owners or investors to help the borrower retain the home. Servicers cannot steer borrowers to those options that are most financially favorable for the servicer. Servicers must consider and respond to a borrower's application for a loan modification if it arrives at least 37 days before a scheduled foreclosure sale. If the servicer offers an alternative to foreclosure, it must give the borrower time to accept the offer before moving for foreclosure judgment or conducting a foreclosure sale. Servicers cannot foreclose on a property if the borrower and servicer have come to a loss mitigation agreement, unless the borrower fails to perform under that agreement. Servicers must provide regular statements which include: the amount and due date of the next payment; a breakdown of payments by principal, interest, fees, and escrow; and recent transaction activity. Servicers must provide a disclosure before the first time the interest rate adjusts for most adjustable-rate mortgages and must provide disclosures before interest rate adjustments that result in a different payment amount. Servicers must have a reasonable basis for concluding that a borrower lacks property insurance before purchasing a new policy. If servicers buy the insurance but receive evidence that it was not needed, they must terminate it within 15 days and refund the premiums. Servicers must credit a consumer's account the date a payment is received and must credit partial payments in a "suspense account" to the borrowers account once the amount in such an account equals a full payment. Servicers must generally provide a response to consumer requests for the payoff balances of their mortgage loans within seven business days of receiving a written request. Servicers must generally acknowledge receipt of written notices from consumers regarding certain errors or requesting information about their mortgage loans. Generally, within 30 days, the servicer must: correct the error and provide the information requested; conduct a reasonable investigation and inform the borrower why the error did not occur; or inform the borrower that the information requested is unavailable. Servicers must store borrower information in a way that allows it to be easily accessible. Servicers must have policies and procedures in place to ensure that they can provide timely and accurate information to borrowers, investors, and in any foreclosure proceeding, the courts. The rule makes certain exemptions for small servicers that service 5,000 or fewer mortgage loans that they or an affiliate either own or originated. These small servicers are mostly community banks and credit unions servicing mortgages for their customers or members (Press Release).

continued on page B-6

continued from page B-5

January 18, 2013	The CFPB issued a rule implementing statutory provisions requiring that lenders give consumers a copy of each appraisal or other home value estimate free of charge (although a lender generally may still charge the consumer a reasonable fee for the cost of conducting the appraisal or other estimate). The rule also requires that creditors inform consumers within three days of receiving an application for a loan of their right to receive a copy of all appraisals. Creditors are required to provide the copies of appraisal reports and other written home-value estimates to consumers promptly, or three days before closing, whichever is earlier. The rule applies to first-lien mortgages (Press Release).
January 18, 2013	The CFPB issued a rule addressing steering incentives of mortgage loan originators. The rule prohibits compensation that varies with the loan terms; prohibits loan originator compensation by both the consumer and another person such as the creditor; sets qualification standards for loan originators including character, fitness, and financial responsibility reviews, criminal background checks, and training to ensure they have the knowledge about the rules governing the types of loans they originate; and generally prohibits mandatory arbitration of disputes related to mortgage loans and the practice of increasing loan amounts to cover credit insurance premiums. The mandatory arbitration provisions would ultimately be overturned (Press Release).
January 18, 2013	The CFPB and five other federal agencies issued a rule addressing appraisal requirements for higher-priced mortgage loans. The rule requires creditors to use a licensed or certified appraiser who prepares a written appraisal report based on a physical visit of the interior of the property; requires creditors to provide consumers with a free copy of any appraisal report; and if the seller acquired the property for a lower price during the prior six months and the price difference exceeds certain thresholds, the rule requires creditors to obtain a second appraisal at no cost to the consumer (this requirement is intended to address fraudulent property flipping by seeking to ensure that the value of the property legitimately increased). The rule exempts qualified mortgages, temporary bridge loans and construction loans, loans for new manufactured homes, and loans for mobile homes, trailers, and boats that are dwellings. The rule also has exemptions from the second appraisal requirement to facilitate loans in rural areas and other transactions (Press Release).
May 29, 2013	The CFPB amended its January 2013 ATR rule by exempting certain nonprofit and community-based lenders that work to help low- and moderate-income consumers obtain affordable housing; extending Qualified Mortgage status to certain loans that small creditors (including community banks and credit unions that have less than \$2 billion in assets and each year make 500 or fewer first-lien mortgages) hold in their own portfolios even if the consumers' debt-to-income ratio exceeds 43 percent; providing a two-year transition period during which small lenders can make balloon loans under certain conditions and those loans will meet the definition of Qualified Mortgages; allowing small creditors to charge a higher APR for certain first-lien Qualified Mortgages while maintaining a safe harbor for the ATR requirements; and excluding compensation paid by a lender to a loan originator from counting towards the points and fees threshold used for identifying Qualified Mortgages (Press Release).
July 10, 2013	The CFPB amended its ability to repay and servicing rules. The rule clarifies and amends how several factors can be used to calculate a consumer's debt-to-income ratio; explains that CFPB servicing rules do not preempt the field of possible mortgage servicing regulation by states; clarifies which serviced mortgage loans will be considered in determining whether a servicer qualifies as small; and clarifies the standards that a loan must meet to be a Qualified Mortgage if the creditor is underwriting it based on GSE or agency guidelines (Press Release).
September 13, 2013	The CFPB issued revisions to some of its January 2013 mortgage rules. Among other things, the rule clarifies what servicer activities are prohibited in the first 120 days of delinquency; outlines procedures for obtaining follow-up information on loss-mitigation applications; makes it easier for servicers to offer short-term forbearance plans for delinquent borrowers who need only temporary relief without going through a full loss-mitigation evaluation process; clarifies best practices for informing borrowers about the address for error resolution documents; pending further study, exempts all small creditors, even those that do not operate predominantly in rural or underserved counties, from the ban on high-cost mortgages featuring balloon payments so long as the loans meet certain restrictions; makes it easier for certain small creditors to continue qualifying for an exemption from a requirement to maintain escrows on certain higher-priced mortgage loans; makes clarifications about financing of credit insurance premiums; and clarifies the circumstances under which a loan originator's or creditor's administrative staff acts as loan originators (Press Release).
November 20, 2013	The CFPB issued a rule requiring new mortgage disclosure forms that replaced then-existing federal disclosures; establishing when the new forms are to be given to the consumer; and limiting how the final deal can change from the original loan estimate. Under the rule, consumers will receive a Loan Estimate within three business days after they submit a loan application, replacing the early Truth in Lending statement and the Good Faith Estimate; and they will receive a Closing Disclosure, replacing the final Truth in Lending statement and the HUD-1 settlement statement, three business days before closing (Press Release).

continued on page B-7

continued from page B-6

December 12, 2013	The CFPB and five other federal agencies issued a rule exempting a subset of higher-priced mortgage loans from appraisal requirements. Under the rule, loans of \$25,000 or less and certain “streamlined” refinancings are exempt from the appraisal requirements; loans secured by an existing manufactured home and land will be subject to the appraisal requirements; loans secured by a new manufactured home and land will be exempt only from the requirement that the appraiser visit the home’s interior; and for loans secured by manufactured homes without land, creditors will be allowed to use other valuation methods without an appraisal (Press Release).
July 8, 2014	The CFPB issued a rule clarifying that adding the name of an heir to the mortgage of a deceased borrower does not trigger the ability-to-repay requirements (Press Release).
October 22, 2014	The CFPB finalized a rule that helped some nonprofit organizations meet the servicing rule’s requirements for the small servicer exemption; that helped some nonprofit organizations continue to extend certain interest-free, forgivable loans, also known as “soft seconds,” without regard to the 200-mortgage loan limit in the rule while still retaining their exemption from the rule; and that clarified the circumstances in which, through January 10, 2021, a lender can refund points and fees after the loan has closed so as to avoid exceeding the cap on points and fees for a Qualified Mortgage (Press Release).
January 20, 2015	The CFPB issued a rule that extended the deadline within which creditors are required to provide a revised Loan Estimate to within three business days after a consumer locks in a floating interest rate, rather than on the same day as required in the original rule. The rule also created a space on the Loan Estimate form where creditors could include language informing consumers that they may receive a revised Loan Estimate for a construction loan that is expected to take more than 60 days to settle (Press Release).
April 30, 2015	The CFPB and five federal agencies issued a rule implementing statutory requirements to develop standards for appraisal management companies. The rule primarily affects state supervision of these companies and a very small number of banks that own or control such companies (Press Release).
September 21, 2015	The CFPB issued amendments to some of its mortgage rules to, among other things, expand the origination test in the definition of small creditor to creditors originating 2,000 or fewer first lien mortgages per year rather than 500 and exclude loans held in portfolio by the creditor and its affiliates, clarify that the \$2 billion asset test includes the assets of mortgage-originating affiliates, expand the definition of rural areas and provide a look-up tool to help creditors identify whether a location is rural, and provide additional time (until April 1, 2016) for small creditors’ balloon loans to be considered Qualifying Mortgages (Press Release).
October 15, 2015	The CFPB issued a rule implementing statutory changes to data collection under the Home Mortgage Disclosure Act (HMDA). New items required to be reported by covered institutions include the property value, term of the loan, and the duration of any teaser or introductory interest rates; and information about mortgage loan underwriting and pricing, such as an applicant’s debt-to-income ratio, the interest rate of the loan, and the discount points charged for the loan. The rule also requires that covered lenders report, with some exceptions, information about all applications and loans secured by dwellings, including reverse mortgages and open-end lines of credit. Small depository institutions located outside a metropolitan statistical area remain excluded from coverage, and in addition, under the rule small depository institutions that have a low loan volume (less than 25 closed-end loans and less than 100 open-end loans over each of the two preceding calendar years) will no longer have to report HMDA data (Press Release).
March 22, 2016	The CFPB issued a rule implementing a statutory provision that provides broader eligibility for lenders serving rural or underserved areas to originate balloon-payment qualified and high-cost mortgages. Under the rule, a small creditor will be eligible for balloon payment and high-cost balloon payment exemptions from the Qualifying Mortgage rule and will not be required to collect escrow for those loans if it originates at least one covered mortgage loan on a property located in a rural or underserved area in the prior calendar year (Press Release).
August 4, 2016	The CFPB issued a rule that, among other things, requires mortgage servicers to provide certain borrowers with foreclosure protections more than once over the life of the loan; expands consumer protections to surviving family members upon the death of a borrower; requires servicers to provide borrowers in bankruptcy periodic statements with specific information tailored for bankruptcy, as well as a modified written early intervention notice to let those borrowers know about loss mitigation options; requires servicers to notify borrowers when loss mitigation applications are complete; clarifies obligations of a new servicer when servicing is transferred; clarifies servicers’ obligations to avoid dual-tracking and prevent wrongful foreclosures; and clarifies when a borrower becomes delinquent (Press Release).
August 24, 2017	The CFPB issued a rule temporarily changing certain HMDA data reporting requirements (Press Release).
September 20, 2017	The CFPB issued a rule providing greater flexibility and clarity to certain mortgage lenders regarding the collection of data about race (Press Release).
October 4, 2017	The CFPB issued a rule that, among other things, gives servicers a longer, ten-day window to provide required early intervention notices to certain consumers at risk of foreclosure who have requested a cease in communication under the Fair Debt Collection Practices Act (Press Release).

continued on page B-8

continued from page B-7

August 31, 2018	The CFPB issued a rule providing a number of technical clarifications regarding HMDA data reporting exemptions in light of burden-reducing statutory changes (Press Release).
October 10, 2019	The CFPB issued a rule that, among other things, extended until January 1, 2022, the CFPB's temporary HMDA reporting threshold, announced in 2017, for reporting open-end lines of credit. Under the rule, financial institutions that originated fewer than 500 open-end lines of credit in either of the two preceding calendar years will not need to collect and report data with respect to open-end lines of credit (Press Release).
November 15, 2019	The CFPB issued a rule clarifying screening and training requirements for financial institutions that employ loan originators with temporary authority. The rule clarifies that the lender is not required to conduct the screening and ensure the training of loan originators with temporary authority, but instead may rely on the screening and training performed by the state as part of its review of the individual's application for a state loan originator license (Press Release).
Consumer Credit and Retail Payments	
December 18, 2008	The Federal Reserve issued a rule prohibiting certain credit card practices by placing limits on interest rate increases during the first year or on pre-existing balances, forbidding "two-cycle billing," requiring that consumers receive a reasonable amount of time to make payments, and limiting fees on subprime cards. The Federal Reserve also revised the disclosures credit-card and revolving-credit customers must receive (Press Release).
July 2, 2009	Seven federal agencies jointly issued a rule establishing duties of entities that furnish information to credit reporting agencies, including the duty to investigate disputes in certain instances at a customer's request (Press Release).
July 15, 2009	The Federal Reserve issued a rule requiring lenders to provide written notice to credit card customers 45 days before increasing an interest rate or making other significant changes in terms, notifying them of their ability to cancel the card before the terms take effect, and specifying statements be mailed at least 21 days before the payment due date (Press Release).
November 12, 2009	The Federal Reserve issued a rule prohibiting financial institutions from charging customers fees for paying overdrafts on automated teller (ATM) transactions and one-time debit card transactions unless the customer opts into, and receives disclosures about, the institution's overdraft program (Press Release).
December 22, 2009	The Federal Reserve and Federal Trade Commission (FTC) issued rules requiring creditors to provide consumers with a notice when the creditor provides credit on less favorable terms than it provides credit to other customers, based on a credit report. Customers who receive such notices will be able to obtain a free copy of their credit report to check its accuracy. As an alternative, creditors may provide consumers with a free credit score and information about the score (Press Release).
January 12, 2010	The Federal Reserve amended aspects of its December 2008 credit card rule, and prohibited the issuance of a credit card to a borrower under the age of 21 unless that person has the ability to make the payments or obtains the signature of a parent or co-signer with the ability to do so. The rule also requires creditors to obtain a customer's consent before charging fees for transactions that exceed the credit limit, and prohibits creditors from allocating payments in a way that maximizes interest charges (Press Release).
March 23, 2010	The Federal Reserve issued a rule placing restrictions on the fees and expiration dates associated with gift cards. The rules are designed to protect customers against unexpected costs and require that terms and conditions be clearly stated. Inactivity fees are not permitted unless the customer has not used the card for at least one year, may not be charged more frequently than once per month, and cards may not expire in less than five years after issuance or last use (Press Release).
May 28, 2010	The Federal Reserve issued a rule making clarifications and technical changes to two of its earlier rules regarding overdraft services (Press Release).
June 15, 2010	The Federal Reserve issued a rule prohibiting late fees on credit cards of more than \$25 unless the borrower has been repeatedly late or the lender can demonstrate the fee is justified by the costs the lender incurs; prohibiting penalty fees exceeding the dollar amount of the late payment; prohibiting inactivity fees; prohibiting multiple fees based on a single late payment; and requiring lenders to reconsider whether interest rate increases since January 1, 2009, were warranted (Press Release).
August 11, 2010	The Federal Reserve issued a rule implementing a statutory extension of the effective date of certain required gift card disclosures provided several conditions are met (Press Release).
March 18, 2011	The Federal Reserve issued a rule prohibiting credit card applications from requesting "household income" (but instead individual income as that more specifically reflects the borrower's ability to pay); stating that waiving interest for a period of time does not exempt lenders from the requirements of the Credit Card Act (Credit Card Accountability Responsibility and Disclosure Act of 2009); and stating that fees charged before an account is opened count toward the Credit Card Act's fee limitations (i.e., that fees cannot exceed 25 percent of the account's initial credit limit) (Press Release).

continued on page B-9

continued from page B-8

March 25, 2011	The Federal Reserve issued a rule that implemented a statutory requirement to expand coverage of truth-in-lending rules to all consumer loans of up to \$50,000, with future inflation adjustments, up from the earlier threshold of \$25,000. As an exception to these thresholds, truth in lending rules continued to apply to student loans and loans secured by real property regardless of amount (Press Release).
July 6, 2011	The Federal Reserve and FTC issued a rule revising the content requirements for risk-based pricing notices that customers must receive if a credit score is used in setting material terms of credit or in taking adverse action. The rule also revised certain model notices lenders can use to satisfy the disclosure requirements (Press Release).
July 12, 2011	The FDIC issued a rule describing the requirements that must be satisfied for FDIC-supervised banks to enter into retail foreign exchange transactions with customers. Pursuant to a statutory requirement, a financial institution for which there is a federal regulatory agency shall not enter into retail foreign exchange transactions except in compliance with rules established by the relevant regulatory agency. The rule required banks wishing to enter in a foreign exchange business to, among other things, obtain the written consent of the FDIC, maintain records, and provide risk disclosure statements to customers (Federal Register Notice).
January 20, 2012	The CFPB issued a rule implementing a statutory requirement for providers of international remittances to disclose the exchange rates and fees associated with the transactions and to investigate disputes and remedy errors. International money transfers were generally excluded from consumer protection regulations prior to the Dodd Frank Act (Press Release).
August 7, 2012	The CFPB amended its January 2012 remittance rule to exempt remittance providers making fewer than 100 remittances per year from being subject to the rule (Press Release).
March 22, 2013	The CFPB issued a rule reversing the provision of the Federal Reserve's March 2011 credit card rule which included fees charged before account opening in the Credit Card Act's overall cap on fees. As a result of a court injunction blocking the 2011 provision from taking effect, the CFPB rule eliminated it (Press Release).
April 29, 2013	The CFPB issued a rule modifying the Federal Reserve's March 2011 credit card rule with respect to applications from stay-at-home spouses or partners. The CFPB rule stated that lenders can consider such a spouse's or partner's reasonably anticipated income (Press Release).
April 30, 2013	The CFPB amended its remittance rule by making the disclosure of foreign taxes or fees charged by the receiving institution optional, provided that the remittance provider disclosed that such fees might apply, and by stating that the remittance provider is not liable for losses that result from the sender furnishing incorrect information about the recipient (Press Release).
August 22, 2014	The CFPB amended its remittance rule by extending a temporary statutory exception allowing institutions to estimate third-party fees and exchange rates when providing remittance transfers to their account holders for which they cannot determine exact amounts, and making technical and clarifying changes related to error resolution procedures, permissible methods to deliver disclosures, and other matters (Press Release).
October 20, 2014	The CFPB issued a rule providing that institutions can post privacy notices online instead of mailing them, if, among other things, they only share customer data in a way that does not trigger opt-out requirements. Institutions using this option must use model disclosure forms (Press Release).
April 15, 2015	The CFPB issued a rule temporarily suspending a requirement that each quarter certain credit card issuers send their agreements to the CFPB, which publishes them in a public database on its website. Card issuers' obligations to post these agreements on their own publicly available websites remained unaffected. The Credit Card Act requires that credit card issuers post consumer credit card agreements on their websites as well as submit those agreements to the CFPB. These agreements feature general terms and conditions, pricing, and fee information (Press Release).
October 5, 2016	The CFPB issued a rule providing protections for prepaid account users. The rule requires financial institutions to limit consumers' losses when funds are stolen or cards are lost and to investigate and resolve errors and give consumers free access to account information; requires "Know Before You Owe" disclosures about fees and terms for prepaid accounts; and provides protections similar to those for credit cards if consumers are allowed to use credit on their accounts (Press Release).
October 5, 2017	The CFPB issued a rule applying ability to pay requirements for certain short-term or high-cost loan products such as payday loans, vehicle title loans, deposit advance products, or some longer term balloon loans, and restricting lenders' ability to debit payments on such loans from a borrower's bank account. Most common types of bank loans were specifically exempted (Press Release).
January 25, 2018	The CFPB amended its 2016 prepaid accounts rule by, among other things, providing that error resolution and liability limitation protections apply prospectively, after a consumer's identity has been verified; creating a limited exception to the prepaid account rule for certain business relationships involving prepaid accounts linked to traditional credit card products; and allowing negative balances on prepaid accounts in certain circumstances without triggering Regulation Z requirements (Press Release).

continued on page B-10

continued from page B-9

August 10, 2018	The CFPB finalized a rule implementing a legislative provision under which institutions would not have to provide a privacy notice. The conditions are that no opt-out rights are triggered by the institution's privacy policy and no changes have been made to the privacy policy since the most recent disclosure sent to consumers (Press Release).
September 12, 2018	The CFPB issued a rule implementing statutory amendments to consumers' rights under the Fair Credit Reporting Act. The rule applies to credit reporting agencies but would affect banks' ability to access credit reports if a customer has requested a freeze on access to these reports based on a possibility of identity theft (Press Release).
General Safety-and-Soundness	
April 24, 2008	The OCC issued a rule making a number of technical burden-reducing changes to its regulations (Press Release).
May 29, 2009	The FDIC issued a rule changing its definition of how interest rates substantially exceeding prevailing interest rates would be defined for purposes of implementing the statutory prohibition on banks that are less than well capitalized soliciting and accepting deposits at such "substantially exceeding" interest rates. Under the rule, the FDIC would post a national rate for deposits of various types and maturities based on information it received from a data vendor, and a deposit interest rate would "substantially exceed" if it exceeds the corresponding national rate by more than 75 basis points. The earlier definition of substantially exceeds had been based on a comparison to Treasury yields (Press Release).
June 20, 2012	The OCC issued a rule that incorporated derivatives exposures and securities financing transactions into its legal lending limit regulation, as required by statute. The rule included a lookup table approach to limit burden to small institutions (Press Release).
July 24, 2012	The FDIC issued a rule governing permissible investments of federal and state savings associations, eliminating references to credit ratings as required by statute. A similar OCC rule was issued in June of the same year (Federal Register Notice).
October 9, 2012	The Federal Reserve issued rules implementing the Dodd Frank Act's requirements for company-run stress tests for banking organizations with consolidated assets exceeding \$10 billion. The FDIC and OCC issued substantively similar rules. The rules were relevant to large community banks whose actual or planned assets might have exceeded \$10 billion as a result of organic growth or merger (Press Release).
December 10, 2013	Five federal agencies issued rules implementing section 619 of the Dodd Frank Act, also known as the Volcker Rule. The rule prohibited all banking organizations from engaging in proprietary trading as it defined that term, and from owning or sponsoring hedge funds and private equity funds as it defined those terms. On the same day, the Federal Reserve announced that banking organizations would have until July 21, 2015, to conform their activities to the new rule. That conformance period subsequently was extended by one year, and again by a second year (Press Release).
October 22, 2014	Six federal agencies issued a rule implementing statutory risk retention requirements for securitizations. The rule requires securitizers to retain at least 5 percent of the credit risk of securitizations, subject to a number of exceptions. While the rule is not relevant to most community banks, a community bank that wished to become an active securitizer would need to determine whether, or how, the rule applies (Press Release).
October 30, 2015	Five federal agencies issued a rule exempting certain end users of derivatives that are small banks from statutory requirements for margin requirements for non-cleared swaps (Press Release).
February 19, 2016	The federal banking agencies issued a rule expanding the set of institutions eligible for an 18-month examination cycle. The maximum asset threshold for eligibility was increased from \$500 million to \$1 billion, along with other qualifying factors, as a result of a statutory change (Press Release).
December 15, 2016	The OCC issued a rule that implemented a variety of technical burden-reducing changes to its regulations (Press Release).
December 28, 2016	The OCC issued a rule prohibiting national banks from investing in or dealing in commercial or industrial metals (Press Release).
April 2, 2018	The federal banking agencies issued a rule increasing the threshold for commercial real estate transactions that require an appraisal from \$250,000 to \$500,000 (Press Release).
July 6, 2018	The federal banking agencies issued a statement explaining, among other things, that company-run stress tests would no longer be required for institutions with assets between \$10 billion and \$100 billion, as a result of the agencies' implementation of a statutory requirement (Press Release).
August 23, 2018	The federal banking agencies issued a rule expanding the set of institutions eligible for an 18-month examination cycle. The maximum asset threshold for eligibility was increased from \$1 billion to \$3 billion, along with other qualifying factors, as a result of a statutory change (Press Release).

continued on page B-11

continued from page B-10

December 19, 2018	The FDIC issued a rule implementing a statutory requirement that the FDIC exempt a portion of reciprocal deposits from being defined as brokered deposits under certain circumstances (Press Release).
May 24, 2019	The OCC issued a rule permitting federal savings associations to elect to operate with national bank powers and be subject to national bank obligations. The rule implemented a statutory requirement (Press Release).
July 9, 2019	Five federal agencies issued a rule implementing a statutory exemption of most small banks (banks with \$10 billion or less in total consolidated assets and total trading assets and liabilities of 5 percent or less of total consolidated assets) from the Volcker Rule (Press Release).
September 27, 2019	The federal banking agencies issued a rule to increase the threshold for residential real estate transactions requiring an appraisal from \$250,000 to \$400,000 (Press Release).
Bank Secrecy Act and Law Enforcement	
November 12, 2008	The Federal Reserve and Treasury issued a rule to implement statutory requirements regarding unlawful internet gambling. The rule requires U.S. financial firms that participate in designated payment systems (including most banks) to establish and implement policies and procedures that are reasonably designed to prevent payments to gambling businesses in connection with unlawful internet gambling, provides examples of such policies and procedures, and describes the regulatory enforcement framework (Press Release).
December 4, 2008	The Financial Crimes Enforcement Network (FinCEN) of the U.S. Treasury issued a rule to simplify the requirements for depository institutions to exempt their eligible customers from currency transaction reporting (Press Release).
July 26, 2011	FinCEN issued a rule that put in place suspicious activity reporting, and customer and transactional information collection requirements on providers and sellers of certain types of prepaid access devices such as plastic cards, mobile phones, electronic serial numbers, key fobs, and other mechanisms that provide a portal to funds that have been paid for in advance and are retrievable and transferable. The rule generally exempted small balance products and was issued pursuant to a statutory requirement (Press Release).
December 3, 2013	The FinCEN and the Federal Reserve announced a rule amending the definitions of “funds transfer” and “transmittal of funds” under regulations implementing the Bank Secrecy Act (Press Release).
May 5, 2016	FinCEN issued a Customer Due Diligence rule requiring financial institutions to identify and verify the identity of the beneficial owners of companies opening accounts; understand the nature and purpose of customer relationships to develop customer risk profiles; and conduct ongoing monitoring to identify and report suspicious transactions and, on a risk basis, to maintain and update customer information. With respect to the new requirement to obtain beneficial ownership information, financial institutions will have to identify and verify the identity of any individual who owns 25 percent or more of a legal entity, and an individual who controls the legal entity (Press Release).
Bank Failure Resolution	
July 17, 2008	The FDIC issued a rule clarifying how it computes deposit account balances for deposit insurance purposes, and requiring institutions to disclose to sweep customers how their sweeps would be treated by the FDIC in the event of the bank’s failure (Financial Institution Letter).
December 18, 2008	The FDIC issued a rule requiring that, upon written notification from the FDIC, an insured bank in a troubled condition must produce immediately at the close of processing of the institution’s business day, for a period provided in the notification, the electronic files for certain Qualified Financial Contracts’ (QFCs) position and counterparty data; electronic or written lists of QFC counterparty and portfolio location identifiers, certain affiliates of the institution and the institution’s counterparties to QFC transactions, contact information and organizational charts for key personnel involved in QFC activities, and contact information for vendors for such activities; and copies of key agreements and related documents for each QFC. The rule allows 60 days from the written notification for an institution to comply and includes provision for additional requests for delay, and includes a de minimis provision such that institutions with fewer than 20 QFC contracts need only have the capability to update records on a daily basis rather than actually provide the records to the FDIC (Financial Institution Letter).
July 31, 2017	The FDIC issued a rule expanding the QFC recordkeeping requirements (to conform to certain U.S. Treasury regulations) for large insured institutions (assets greater than \$50 billion) and, for all other institutions, adding and deleting a limited number of QFC data requirements and making certain formatting changes with respect to the QFC recordkeeping requirements (Federal Register Notice).

continued on page B-12

continued from page B-11

Pricing of Bank Products and Services	
May 20, 2009	The Federal Reserve issued a rule liberalizing the number and type of transfers a customer can make between savings and checking accounts, and making it easier for community banks to earn interest on excess balances at Federal Reserve banks (Press Release).
June 29, 2011	The Federal Reserve issued a rule establishing standards for debit card interchange fees and prohibiting network exclusivity arrangements and routing restrictions, as required by statute. Under the rule, the maximum permissible interchange fee that an issuer may receive for an electronic debit transaction is the sum of 21 cents per transaction and 5 basis points multiplied by the value of the transaction. A related rule allows for an upward adjustment of no more than 1 cent to an issuer's debit card interchange fee if the issuer develops and implements policies and procedures reasonably designed to achieve certain fraud-prevention standards. If an issuer meets these standards and wishes to receive the adjustment, it must certify its eligibility to receive the adjustment to the payment card networks in which it participates. In accordance with the statute, issuers that, together with their affiliates, have assets of less than \$10 billion are exempt from the debit card interchange fee standards. The rule prohibits all issuers and networks from restricting the number of networks over which electronic debit transactions may be processed to less than two unaffiliated networks. Issuers and networks are also prohibited from inhibiting a merchant's ability to direct the routing of the electronic debit transaction over any network that the issuer has enabled to process them (Press Release).
July 14, 2011	The Federal Reserve issued a rule implementing a statutory requirement to repeal Regulation Q, Prohibition Against Payment of Interest on Demand Deposits. The rule was effective July 21, 2011 (Press Release).
Competition and Banking Industry Structure	
November 5, 2014	The Federal Reserve issued a rule implementing a statutory prohibition on acquisitions if the resulting company has more than 10 percent of all U.S. financial institution liabilities (Press Release).
October 2, 2019	The federal banking agencies issued a rule increasing the major assets threshold in the management interlocks rule to \$10 billion. The major assets prohibition had previously precluded a management official of a depository organization with total assets exceeding \$2.5 billion (or any affiliate of such an organization) from serving at the same time as a management official of an unaffiliated depository organization with total assets exceeding \$1.5 billion (or any affiliate of such an organization), regardless of the location of the two depository organizations. Under the rule, the \$1.5 billion and \$2.5 billion thresholds are changed to \$10 billion respectively. Other prohibitions in the management interlocks rule, that prevent a management official from serving at the same time as a management official of an unaffiliated depository organization in the same community or relevant metropolitan statistical area, remained unchanged (Press Release).
Financial Reporting and Auditing	
June 23, 2009	The FDIC issued a rule applicable to covered insured institutions that, among other things: requires disclosure of the internal control framework and identified material weaknesses; requires management's assessment of compliance with laws and regulations to disclose any noncompliance; clarifies accountant independence standards; requires certain communications to audit committees; establishes retention requirements for audit working papers; specifies audit committee's duties regarding the independent public accountant, including ensuring that audit engagement letters do not contain unsafe and unsound limitation of liability provisions; requires boards of directors to employ written criteria for evaluating audit committee members' independence; and states that the assets of a holding company's bank subsidiaries must be at least 75 percent of the holding company's consolidated assets for its bank subsidiaries to be able to satisfy the audit requirements at the holding company level. Covered insured institutions are generally those with at least \$1 billion in assets for purposes of internal control assessments and at least \$500 million for purposes of other requirements (Financial Institution Letter).
November 30, 2010	The FDIC issued a rule revising its securities disclosure regulations applicable to state nonmember banks with securities required to be registered under section 12 of the Securities Exchange Act of 1934 (Exchange Act). The rule cross-references changes in regulations adopted by the Securities and Exchange Commission (SEC) into the provisions of the FDIC's securities regulations (Federal Register Notice).
May 6, 2016	The FDIC issued a rule requiring insured State savings associations and subsidiaries of such State savings associations that act as transfer agents for qualifying securities to register with the FDIC, similar to the registration requirements applicable to insured State nonmember banks and subsidiaries of such banks (Federal Register Notice).
March 20, 2019	The FDIC issued a rule removing certain disclosure requirements applicable to State nonmember banks. The disclosures being removed had been made redundant by the availability of more timely and complete information available in Call Reports or on the FDIC's website (Financial Institution Letter).

continued on page B-13

continued from page B-12

June 17, 2019	The federal banking agencies announced pursuant to a statutory requirement that they would permit insured depository institutions with total assets of less than \$5 billion that do not engage in certain complex or international activities to file the most streamlined version of the Call Report, the FFIEC 051 Call Report. The previous asset size threshold for use of the FFIEC 051 Call Report was \$1 billion. Institutions had begun using the new Call Report as of the March 31, 2017, report date (Press Release).
Other Agency Actions Related to Consumers and Communities	
August 21, 2008	The OCC issued a rule to encourage public welfare investments by national banks (Press Release).
January 6, 2009	The federal banking agencies issued revised Interagency Questions and Answers Regarding Community Reinvestment that, among other things, encouraged financial institutions to take steps to help prevent home mortgage foreclosures. The agencies use Questions and Answers to assist institutions in compliance with the agencies' Community Reinvestment Act (CRA) regulations and provide related information to financial institutions and the public (Press Release).
July 21, 2009	Six federal agencies issued revised Interagency Questions and Answers Regarding Flood Insurance. The Questions and Answers, which relate to the agencies' flood insurance rules, provided technical information on a number of matters (Press Release).
July 30, 2009	The Federal Reserve issued a rule requiring that private education lenders provide disclosures about loan terms and features at time of application and that they must also disclose information about federal student loan programs that may offer less costly alternatives. Additional disclosures are required when the loan is approved and when consummated (Press Release).
November 17, 2009	Eight federal agencies released a final model privacy notice form intended to make it easier for consumers to understand how financial institutions collect and share information about consumers. Under the Gramm-Leach-Bliley Act, institutions must notify consumers of their information-sharing practices and inform consumers of their right to opt out of certain sharing practices. The model form can be used by financial institutions to comply with these requirements (Press Release).
September 29, 2010	The federal banking agencies issued a rule revising their Community Reinvestment Act regulations to implement statutory factors that CRA ratings must consider, including making low-cost higher education loans to low-income borrowers (Press Release).
December 15, 2010	The federal banking agencies issued rules changing their Community Reinvestment Act regulations to support stabilization of communities affected by high foreclosure levels (Press Release).
November 15, 2013	The federal banking agencies issued revised Interagency Questions and Answers Regarding Community Reinvestment that focused on how banks' support to community development activities may contribute to an outstanding CRA rating (Press Release).
June 22, 2015	Five federal agencies issued rules implementing statutory flood insurance requirements. The rule requires institutions to escrow flood insurance premiums and fees for loans secured by residential improved real estate or mobile homes made on or after January 1, 2016, unless the loan qualifies for a statutory exception; exempts certain institutions from this escrow requirement if they have total assets of less than \$1 billion; requires institutions to provide certain borrowers the option to escrow flood insurance premiums and fees; exempts detached structures that are not residences from the requirement to purchase flood insurance (although lenders may choose to require flood insurance); implements statutory provisions regarding force placement by clarifying that regulated lending institutions have the authority to charge a borrower for the cost of force-placed flood insurance coverage beginning on the date on which the borrower's coverage lapses or becomes insufficient; and identifies when a lender must terminate force-placed flood insurance coverage and refund payments to a borrower (Press Release).
July 15, 2016	The federal banking agencies issued revised Interagency Questions and Answers Regarding Community Reinvestment to assist institutions in compliance with the agencies' CRA regulations with respect to various matters (Press Release).
November 20, 2017	The federal banking agencies issued rules amending their respective Community Reinvestment Act regulations to conform to changes made by the CFPB to Regulation C, which implements the Home Mortgage Disclosure Act (such consistency has been a practice since 1995, and is intended to make the rules less burdensome), and to eliminate obsolete references to the Neighborhood Stabilization Program (Press Release).

continued on page B-14

continued from page B-13

February 12, 2019	Five federal regulatory agencies issued rules to implement statutory provisions requiring regulated institutions to accept certain private flood insurance policies in addition to National Flood Insurance Program policies. The rule requires that regulated lending institutions accept private flood insurance policies that satisfy criteria specified in law; allows institutions to rely on an insurer's written assurances in a private flood insurance policy stating the criteria are met; clarifies that institutions may, under certain conditions, accept private flood insurance policies that do not meet the criteria; and allows institutions to accept certain flood coverage plans provided by mutual aid societies, subject to agency approval (Press Release).
Back-Office Functions	
September 24, 2009	The Federal Reserve issued a rule revising its Regulation S, governing the reimbursable costs for financial institutions' providing customer records in response to government agency requests (Press Release).
May 31, 2017	The Federal Reserve issued a rule revising its Regulation CC. The rule creates a framework for electronic check collection and return and creates new warranties for electronic checks, which will result in a consistent warranty chain regardless of the check's form. As with existing rules for paper checks, the parties may, by mutual agreement, vary the effect of the amendments' provisions as they apply to electronic checks and electronic returned checks. The final amendments also modify the expeditious-return and notice of nonpayment requirements to create incentives for electronic presentment and return (Press Release).
June 1, 2018	The FDIC and OCC issued rules to shorten the standard settlement cycle for securities purchased or sold by OCC-supervised and FDIC-supervised institutions. The rule requires banks to settle most securities transactions within the number of business days in the standard settlement cycle followed by registered broker dealers in the United States unless otherwise agreed to by the parties at the time of the transaction. In doing so, the rule aligns the settlement cycle requirements of the OCC, FDIC, and Board of Governors of the Federal Reserve System. On September 5, 2017, the securities industry in the United States transitioned from a standard securities settlement cycle of three business days after the date of the contract, commonly known as T+3, to a two-business-day standard, or T+2 (Press Release).
September 12, 2018	The Federal Reserve issued a rule further amending its Regulation CC. The rule addresses situations where there is a dispute as to whether a check has been altered or was issued with an unauthorized signature, and the original paper check is not available for inspection. This rule adopts a presumption of alteration for disputes between banks over whether a substitute check or electronic check contains an alteration or is derived from an original check that was issued with an unauthorized signature of the drawer (Press Release).
November 15, 2018	The Federal Reserve issued a rule amending its Regulation J, which among other things governs the collection of checks by the Federal Reserve banks and the obligations of parties that send and receive payment items to and from those banks. The amendments clarify and simplify certain provisions of Regulation J, remove obsolete provisions, and align the rights and obligations of sending banks, paying banks, and Federal Reserve Banks (Reserve Banks) with the Board's amendments to Regulation CC to reflect the virtually all-electronic check collection and return environment (Press Release).
June 24, 2019	The Federal Reserve and the CFPB jointly published amendments to Regulation CC that implement a statutory requirement to adjust for inflation the amount of funds depository institutions must make available to their customers (Press Release).