

## NCUA'S LIST OF REQUIRED POLICIES FOR BOARD OF DIRECTORS OF CREDIT UNIONS

E. Andrew Keeney

	Required Policy		Regulation/ Reference
1.	Asset Liability Policy • Interest Rate Risk Policy	Adopt written policy addressing interest rate risk management and implement effective IRR program as part of the asset liability program.	Interest Rate Risk, (proposed Mar. 24, 2011) (to be codified at 12 C.F.R. pt. 741).
2.	Authentication in an internet Banking Environment Policies (Online Member Authentication)	Compliance required by January 2012. CU must adopt strategies to avoid hacking and cyber crime. Educate members re: electronic protection.	NCUA Letter to Credit Unions, 11-CU-09.
3.	Bank Secrecy Act Compliance Policy • Customer Identification Program (CIP) Policy that is required by §326 of the Patriot Act • Anti-Money Laundering Program	CU must establish and maintain written compliance program for the BSA. CIP Policy prevents money laundering and terrorist financing schemes.	12 CFR § 748.2(b); pt. 751.214 for state-chartered credit unions
4.	Children's Online Privacy Protection ACT (COPPA) Compliance Policy	Adopt a policy for implementing COPPA that includes providing a privacy notice on website and a notice to parents.	16 C.F.R. pt. 312.4
5.	Compliance Policy/Program	Each CU should have a compliance officer that is responsible for general compliance. Additionally, officers in different divisions should be responsible for compliance in their divisions.	See Compliance Manual at 8.
6.	Consumer Leasing Act Policy	Adopt policy for implementing Reg. M.	Reg. M
7.	Credit by Banks and Persons Other than Brokers or Dealers for the Purpose of Purchasing or Carrying Margin Stock	Adopt comprehensive procedures for implementing Reg. U (if applicable).	Reg. U
8.	Credit Practices Policy	Adopt policy re: credit practices.	12 CFR pt. 706
9.	Concentration Risk Policy	Adopt policies re: risks in business lending and adopt sound risk management practices.	NCUA Letter 10-CU-03; Supervisory Letter 10-CU-02
10.	E-Sign Act Policy	Adopt policy and procedure regarding use of electronic records.	NCUA Compliance Manual; E-Sign Act §101(C)(1).
11.	Electronic Fund Transfer Act Policy (EFT)	Adopt policy implementing Reg. E.	Reg. E
12.	Equal Credit Opportunity Act Policy	Ensure compliance with ECOA and adopt non-discrimination policy for credit transactions.	Reg. B

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13.	Expedited Funds Availability Act Policy	Adopt policies to comply with Regulation CC and all related regulatory requirements. This includes adopting: <ul style="list-style-type: none"> <li>• Funds Availability Policy</li> <li>• Notices of Changes in Availability Policy</li> </ul>	Reg. CC
14.	Fair Credit Reporting Act Policy	Ensure procedures are in place for implementing and complying with FCRA.	FCRA
15.	Fair Debt Collection Practices Act Policy	Ensure procedures are in place for implementing and complying with FDCPA.	FDCPA
16.	Fair Housing Act Policy	Board must ensure that policy for implementing FHA does not tolerate illicit discrimination in any transaction relating to residential real-estate.	FHA
17.	Financial Education Program for the Board of Directors	Implement a policy that makes available training for enhancing the financial knowledge of the directors.	NCUA Letter to Credit Unions, Re: Duties of Federal Credit Union Boards of Directors; NCUA Regulation §701.4, Letter No. 11-FCU-02 (Feb. 2011); 12 CFR pt. 701.4.
18.	Fiduciary Duties Policy	Adopt policy that specifies the fiduciary duties of the Board of Directors.	12 CFR §701.4
19.	Foreclosure and Repossession Policy	Adopt policy to address mortgage foreclosure concerns.	NCUA Accounting Manual for FCUs; See NCUA Letter to Credit Unions, Re: Residential Mortgage Foreclosure Concerns. Letter No. 11-Cu-01 (Jan. 2011).
20.	Flood Disaster Protection Act Policy or National Flood Insurance Act Compliance Policy	Adopt policy for implementing National Flood Insurance act.	FDPA; 12 CFR pt. 760
21.	Homeowner's Protection Act (HOPA)	Adopt HOPA compliance policies because NCUA may enforce HOPA.	HOPA
22.	Home Mortgage Disclosure Act Policy	Adopt policy for implementing HMDA when collecting and maintaining accurate data of covered loans/applications.	Reg. C
23.	Interest Rate Risk Policy	Adopt policies as part of the Asset Liability Policies of the credit union.	12 CFR pt. 741
24.	Investment Policy	Adopt policies re: liquidity, investment objectives, cash deposits, etc.	12 CFR pt. 703.3
25.	Loan Participation Policy	Adopt policies re: member loan participation policies and procedures.	12 CFR pt. 701.22(b,c)
26.	Management Officials Interlocks Act Compliance Policy	Adopt compliance policy for Interlocks Act.	12 U.S.C. 1823(k), 3207; 12 CFR pt. 711.4-.6
27.	Office of Foreign Asset Control (OFAC) Policy and Procedure	CU's must monitor all financial transactions performed by or through in order to detect entities/ persons subject to OFAC laws and regulations.	Various OFAC laws and regulations.
28.	Privacy Policy	Adopt policy re: non-disclosure of nonpublic information.	12 C.F.R. pt. 716

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29.	Preservation of Consumer Claims and Defenses Policy (Holder in Due Course)	Board must adopt policy for implementing the Preservation of Consumers' Claims and Defenses Rule.	FTC Holder in Due Course Rule – 12 C.F.R. pt. 433.2
30.	Purchasing & Payment Authorization Policy	As part of the security policy, CUs must maintain policy for verifying identities of members.	12 CFR pt. §748
31.	Service-members' Civil Relief Act Policy	Adopt policy for implementing SCRA.	See Compliance Manual; 50 U.S.C. App. § 526.
32.	Real Estate Settlement Procedures Act	Adopt policy for implementing RESPA and Reg. X. This includes explaining coverage of regulation, exemption, and disclosure requirements.	24 CFR pt. §3500; Reg. X
33.	Records Preservation Program and Record Retention Policy	Adopt vital records preservation program and document retention policy.	12 CFR pt. § 749
34.	Reimbursement for Providing Financial Records Policy	Adopt policy for implementing Reg. S for collecting expenses associated with assembling and copying subpoenaed members' records.	Reg. S
35.	Reserves on Transaction Accounts	Adopt policy for implementing Regulation D.	Reg. D.
36.	Risk-Based Lending Policies (See also, Concentration Risk Policy)	Policies that define parameters of risks assumed and internal controls; manage risks; implement information systems or monitoring information.	See NCUA Letter to Credit Unions, Re: Risk-Based Lending, Letter No. 99-CU-05 (June 1999).
37.	Secure and Fair Enforcement for Mortgage Licensing Act (SAFE Act) Compliance Policies	Establish written policies providing basic framework for compliance with SAFE Act.	12 CFR pt. § 761 and Appendix A; NCUA Letter to Credit Unions, RE: Compliance Deadline for SAFE Act, Letter No. 10-CU-13 (Aug. 2010).
38.	Security Program	Each CU must institute a written security program to protect CU from robberies, etc.	12 CFR pt. § 748
39.	Third Party Vendor Policy (Indirect Lending Policies)	Adopt comprehensive policies re: indirect lending, including underwriting and monitoring.	NCUA Letter to Credit Unions, Re: Indirect Lending and Appropriate Due Diligence, Letter No. 10-CU-15 (Aug. 2010).
40.	Truth in Saving Act Compliance Policy	Adopt policy for implementing Truth in Savings Act, this includes adopting policies related to activities like: <ul style="list-style-type: none"> <li>• Account opening disclosures</li> <li>• Dividend calculations</li> <li>• Subsequent disclosures</li> <li>• Member inquiries</li> <li>• Training</li> <li>• Record retention</li> <li>• Advertising</li> <li>• Monitoring</li> </ul>	12 CFR pt. § 707.2
41.	Truth in Lending Act	Adopt policy for implementing Truth in Lending Act.	Reg. Z