



The Electronic Payments Resource®

May 13, 2009

TO: ACH RulesBook Subscribers

FROM: Dennis Simmons, AAP
President/CEO of SWACHA-The Electronic Payments Resource®

RE: 2009 ACH Rulesbook – Supplement #1-2009 – Rules Audit Enhancement Rule; Updated NACHA Operating Guidelines on OFAC Compliance

Since the publication of the 2009 edition of the *ACH Rules*, NACHA's Voting Membership has approved one additional amendment to the *NACHA Operating Rules (Rules)*. This amendment, which will become effective December 18, 2009, will refine and clarify existing *Rules* compliance audit requirements for all Participating DFIs, with specific provisions for ODFIs and RDFIs. These revisions will result in more effective annual audits, which will promote improved *Rules* compliance and higher quality transaction processing. Compliance with the revised audit provisions is not mandatory until the 2010 audit year; however, earlier adoption of these audit provisions is encouraged for all DFIs to mitigate areas of potential risk caused by non-compliance with the *Rules*. The specific details of the changes resulting from these amendments are outlined within the attached documents.

This Supplement #1-2009 also updates the *NACHA Operating Guidelines* related OFAC compliance. NACHA developed recommendations and guidance for Gateway Operators and RDFIs for processing inbound IAT debits in accordance with OFAC requirements. This guidance, which was originally issued in December 2008, was in response to a number of requests that NACHA had received from ACH Network participants that are considering how they will handle such debits, and that wish to do so in a manner that is as automated as possible.

Effective March 5, 2009, OFAC revised its requirements and expectations regarding the handling of inbound IAT debits. As a result, NACHA's previous guidance on processing inbound IAT debits, which was designed to meet OFAC's original expectations, is no longer valid. The chapter on OFAC compliance within this supplement replaces that found in Section IV, Chapter IV - OFAC Compliance of the 2009 *NACHA Operating Guidelines*.

Please include supplement #1 - 2009 with your 2009 edition of the ACH Rules to ensure that your rulebook is up to date. The online version of the ACH Rules will also be updated to incorporate this information. This supplement is available for download from our website www.swacha.org, under the tab Resources, then Rules Updates.

Document available for download:

Supplement #1-2009 – April 9 2009.pdf

I want to encourage you to take advantage of another valuable benefit, access to the Rules via Internet. All owners of a print version of the 2008 *NACHA Operating Rules* may register for access to the ACH Rules Online by using the unique identification number from the back inside cover of your copy of the rules book. The ACH Rules Online may be accessed through our website, www.swacha.org, under the tab Resources, then ACH Rules Online.

The staff at SWACHA is dedicated to providing you with critical information to keep you informed of changes that impact your operations. SWACHA members are entitled to many benefits, including The Payments Answerline™. Assistance with questions on rules interpretations, technical issues and other payments guidance is available from our Accredited ACH Professionals (AAP) on staff at 800-475-0585.