

REFERENCE MATERIAL

(Statutes, Regulatory Guidance, Supervisory Memorandums, Select Legal Opinions)

INFORMATION TECHNOLOGY

CITE	APPLICABLE TO:			
	ALL STATE BANKS	NON- FED MEM	STATE FED MEM	REF ONLY
LAWS, RULES, AND REGULATION Texas Finance Code Texas Administrative Code 7 TAC §3.24 - Notice of Computer-Security Incident 7 TAC §17.5 – Notice of Cybersecurity Incident FDIC Laws & Regulations FDIC Rules and Regulations, Part 364, Appendix B, Section III FDIC Rules and Regulations, Part 364, Appendix B, Section II FDIC Rules and Regulations, 304.3(d) “Notification of Performance of Bank Services” Federal Reserve Laws & Regulations 12 CFR 233 , Prohibition on Funding of Unlawful Internet Gambling (Regulation GG) U.S. Code 12 U.S.C. 1867 , Section 7(c)(2), Bank Service Company Act (BSCA)				
POLICY ISSUANCES Department of Banking Industry Notice 2026-02 – The Fundamentals of Cyber Hygiene for Financial Institutions (3/9/26) Industry Notice 2025-05 – Cyber Hygiene Awareness Fact Sheets and Board Questions (7/9/25) Industry Notice 2025-01 - Cybersecurity Threats: Actions to Take Today (1/24/25) Industry Notice 2024-07 Federal Financial Institutions Examination Council Announces the Sunset of the Cybersecurity Assessment Tool (CAT) (8/29/24) Industry Notice 2023-04 - Ransomware Self-Assessment Tool Version 2.0 for Mitigating the Risks of Ransomware (10/25/23)	✓ ✓ ✓ ✓ ✓			

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<u>Industry Notice 2022-05</u> – Amendment to Rule Requiring Notification of a Computer Security Incident by a Texas State-Chartered Bank (8/22/22)	✓			
<u>Industry Notice 2020-13</u> - Self Assessment Tool for Mitigating the Risk of Ransomware (10/13/20)	✓			
<u>Industry Notice 2020-07</u> - Increased Cyber Activity During Times of Crisis (4/8/20)	✓			
<u>Industry Notice 2020-05</u> - Business Continuity Planning Considerations – COVID-19 (3/30/20)	✓			
<u>Industry Notice 2020-01</u> - Requirements for a Cybersecurity Incident Report filed by a Texas State-Chartered Bank or Trust Company (2/6/20)	✓			
<u>Supervisory Memorandum 1029</u> -Risk Management of Account Takeovers (9/30/2019) Attachment: <u>Best Practices for Reducing the Risks of Corporate Account Takeovers</u> (9/30/19)	✓			
<u>Industry Notice 2015-8</u> Cybersecurity Assessments & the FFIEC Cybersecurity Assessment Tool (8/15/2015)	✓			
SM 1020 - IT Examination Frequency and Ratings	✓			
Industry Notice 2013-03 - <u>Executive Officer Oversight of Cyber-crime Risks</u> (11/01/2012)	✓			
Legal Opinion 95-53 - An out-of-state affiliate may conduct wire transfers as agent for a state bank without being considered a branch of the bank. (12/12/1995) (Found in the Law & Guidance Manual)	✓			
FDIC Issuances				
<u>FIL-52-2023</u> Information Technology Risk Examination (InTREx) Procedures (9/29/23)	✓			
<u>FIL-29-2023</u> Interagency Guidance on Third-Party Relationships: Risk Management (6/6/23)	✓			
<u>FIL-50-2022</u> Updated FFIEC Cybersecurity Resource Guide for Financial Institutions (10/27/22)	✓			
<u>FIL-12-2022</u> Computer-Security Incident Notification Implementation (3/29/22)	✓			

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<u>FIL-74-2021</u> <i>Computer-Security Incident Notification Final Rule (11/18/21)</i>	✓			
<u>FIL-59-2021</u> <i>Agencies Issue Guide to Help Community Banks Evaluate Fintech Relationships (8/27/21)</i>	✓			
<u>FIL-55-2021</u> <i>Authentication and Access to Financial Institution Services and Systems (8/11/21)</i>	✓			
<u>FIL-52-2020</u> <i>FFIEC Joint Statement on Risk Management for Cloud Computing Services (4/30/20)</i>	✓			
<u>Press Release</u> <i>FDiTech Releases New Guide to Help 'FinTechs' Connect with Banks (2/24/2020)</i>				✓
<u>FIL-3-2020</u> <i>Heightened Cybersecurity Risk Considerations (1/16/2020)</i>	✓			
<u>FIL-19-2019</u> <i>Technology Service Provider Contracts (4/2/2019)</i>	✓			
<u>FIL-16-2018</u> <i>FFIEC Issues Joint Statement: Cyber Insurance and Its Potential Role in Risk Management Programs (4/10/2018)</i>	✓			
<u>FIL-68-2016</u> <i>FFIEC Cybersecurity Assessment Tool – Frequently Asked Questions (10/18/2016)</i>	✓			
<u>FIL-37-2016</u> <i>FFIEC Issues Statement on Safeguarding the Cybersecurity of Interbank Messaging and Payment Network (6/7/2016)</i>	✓			
<u>FIL-49-2014</u> <i>Technology Alert: GNU Bourne-Again Shell (Bash) Vulnerability (09/29/2014)</i>	✓			
<u>FIL 16-2014</u> <i>Technology Alert: OpenSSL "Heartbleed" Vulnerability (04/11/2014)</i>	✓			
<u>PR-28-2014</u> <i>FDIC Urges Financial Institutions to Utilize Available Cyber Resources (04/10/2014)</i>	✓			
<u>FIL 13-2014</u> <i>Technology Outsourcing: Informational Tools for Community Bankers (04/07/2014)</i>	✓			
<u>FIL 10-2014</u> <i>ATM and Card Authorization Systems (04/02/2014)</i>	✓			
<u>FIL-11-2014</u> <i>Distributed Denial of Service (DDoS) Attacks (04/02/2014)</i>	✓			

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<u>FIL 43-2013</u> <i>FDIC Supervisory Approach to Payment Processing Relationships With Merchant Customers That Engage in Higher-Risk Activities (09/27/2013)</i>	✓			
<u>FIL-3-2012</u> <i>Payment Processor Relationships- Revised Guidance (01/31/2012)</i> <u>Guidance</u>	✓			
<u>FIL-35-2010</u> <i>Unlawful Internet Gambling Enforcement Act – Examination Guidance and Procedures (06/30/2010)</i>	✓			
<u>FIL-4-2009</u> <i>Risk Management of Remote Deposit Capture (01/14/2009)</i>	✓			
<u>FIL 127-2008</u> <i>Guidance on Payment Processors Relationships (11/07/2008)</i>	✓			
<u>FIL-32-2007</u> <i>Identity Theft – FDIC’s Supervisory Policy on Identity Theft (04/11/2007)</i>		✓		
<u>FIL-27-2005</u> , <i>Response Programs for Unauthorized Access to Customer Information and Customer Notice (4/01/2005)</i>		✓		
<u>FIL-7-2005</u> , <i>Fair and Accurate Credit Transactions Act of 2003, Guidelines Requiring the Proper Disposal of Consumer Information (02/2/2005)</i>		✓		
<u>FIL-121-2004</u> <i>Computer Software Due Diligence Guidance on Developing an Effective computer Software Evaluation Program to Assure Quality and Regulatory Compliance (11/16/2004)</i>		✓		
<u>FIL-43-2003</u> <i>Guidance on Developing an Effective Software Patch Management Program (05/29/2003)</i>		✓		
Federal Reserve Issuances				
<u>Press Release</u> – <i>Agencies Approve Final Rule Requiring Computer-Security Incident Notification (11/18/21)</i>	✓			
<u>SR 21-16</u> <i>Community Bank Access to Innovation Through Partnerships with FinTech Companies (9/9/21)</i>				✓
<u>SR 13-19</u> <i>Guidance on Managing Outsourcing Risk (12/05/2013)</i>			✓	
<u>News Release</u> - <i>FinCEN, Federal Reserve Finalize Rule Amending Definitions of "funds transfer" and "transmittal of funds" in the Bank Secrecy Act (12/3/2013)</i>	✓			

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<u>SR 13-1</u> Supplemental Policy Statement on the Internal Audit Function and Its Outsourcing (1/23/13)	✓			
<u>Reg GG Compliance Guide</u> – Prohibition on Funding Unlawful Internet Gambling				✓
<u>SR 10-11</u> Interagency Examination Procedures for Reviewing Compliance With the Unlawful Internet Gambling Enforcement Act of 2006 (05/20/2010)	✓			
<u>Press Release- Agencies Extend Compliance Date for Final Rule to Implement Unlawful Internet Gambling Enforcement Act</u> (11/27/2009)	✓			
<u>SR-08-7</u> Interagency Examination Procedures for the Identity Theft Red Flags and Other Regulations under the Fair Credit Reporting Act (10/10/2008)	✓			
<u>Press Release – Final Rule Covering Payroll Card Accounts Under Regulation E</u> (8/24/2006)		✓		
<u>Press Release - Final Amendments to Regulation E</u> (Electronic Fund Transfer Act) (12/30/2005)	✓			
FFIEC Issuances				
<u>Press Release:</u> Financial Regulators Update Examiner Guidance on Financial Institutions' Information Technology Development, Acquisition, and Maintenance (8/29/24)	✓			
<u>Announcement 2022-01</u> Update to Cybersecurity Resource Guide for Financial Institutions (10/3/22)	✓			
<u>Press Release:</u> FFIEC Issues Guidance on Authentication and Access to Financial Institution Services and Systems (8/11/21)	✓			
<u>Press Release:</u> FFIEC Issues Statement on Risk Management for Cloud Computing Services (4/30/20)	✓			
<u>Press Release:</u> FFIEC Highlights Pandemic Preparedness Guidance (3/6/20)	✓			
<u>Press Release:</u> Financial Regulators Revise Business Continuity Management Booklet to Stress to Examiners the Value of Resilience to Avoid Disruptions to Operations (11/14/19)	✓			
<u>Press Release:</u> FFIEC Encourages Standardized Approach to Assessing Cybersecurity Preparedness (8/28/19)	✓			
<u>Press Release</u> FFIEC Releases Statement on OFAC Cyber-Related Sanctions (11/5/2018)	✓			

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<u>Cybersecurity Resource Guide for Financial Institutions</u> (4/2018)				✓
<u>Press Release</u> FFIEC Issues Joint Statement: Cyber Insurance and Its Potential Role in Risk Management Programs (4/10/2018)	✓			
<u>Press Release</u> FFIEC Release Update to Cybersecurity Assessment Tool (05/31/2017) <u>Cybersecurity Assessment Tool</u>	✓			
<u>Press Release</u> – FFIEC Issues Frequently Asked Questions Guide on the Cybersecurity Assessment Tool (10/17/2016)	✓			
<u>Press Release</u> - FFIEC Issues Statement on Safeguarding the Cybersecurity of Interbank Messaging and Payment Network (6/7/2016)	✓			
<u>Press Release</u> – Financial Regulators Release Revised Management Booklet (11/10/2015)	✓			
<u>Press Release</u> – FFIEC Releases Statement on Cyber Attacks Involving Extortion (11/3/2015)	✓			
<u>Press Release</u> – FFIEC Releases Two Statements: Compromised Credentials and Destructive Malware (03/30/2015)	✓			
<u>Press Release</u> - Financial Regulators Release New Appendix to Business Continuity Planning Booklet Appendix J: Strengthening the Resilience of Outsourced Technology Services (2/6/2015)	✓			
<u>Press Release</u> - FFIEC Releases Cybersecurity Assessment Observations, Recommends Participation in Financial Services Information Sharing and Analysis Center (11/3/2014)	✓			
<u>Press Release</u> - FFIEC Launches Cybersecurity Web Page Promotes Awareness of Cybersecurity Activities (06/24/2014) <u>FFIEC Cybersecurity webpage</u>	✓			
<u>Press Release</u> - FFIEC Promotes Cybersecurity Preparedness for Community Financial Institutions (05/07/2014)	✓			
<u>Press Release</u> - Financial Regulators Issue Final Guidance on Social Media (12/10/2013)	✓			
<u>Financial Regulators Release Statement on End of Microsoft Support for Windows XP Operating System</u> (10/07/2013)	✓			
<u>Press Release</u> - Financial Regulators Release Guidance for the Supervision of Technology Service Providers (11/06/2012)	✓			
<u>FFIEC Releases Statement on Outsourced Cloud Computing</u> (07/10/2012)	✓			

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<u>FFIEC Releases Supplemental Guidance on Internet Banking Authentication</u> (06/28/2011)	✓			
Financial Regulators Release Guidance on <u>Risk Management of Remote Deposit Capture Activities</u> (01/14/2009)	✓			
<u>FFIEC IT Booklets</u> (Various)	✓			
<u>FFIEC Releases Guidance on Pandemic Planning</u> (12/12/2007)	✓			
<u>Frequently Asked Questions on Authentication in an Internet Banking Environment</u> (08/15/2006)	✓			
Comptroller of the Currency Issuances				
<u>OCC Bulletin 2021-33</u> <i>Electronic Fund Transfer Act: Supplemental OCC Examination Procedures on Remittance Transfer Amendments; Summary of Amendments; and Rescissions</i> (8/2/2021)				✓
<u>OCC Bulletin 2017-21</u> <i>Third Party Relationships – Frequently Asked Questions to Supplement OCC Bulletin 2013-29</i> (06/07/2017)				✓
<u>OCC Bulletin 2014-43</u> <u>Electronic Fund Transfer Act</u> – Comptroller’s Handbook Revision and Rescission (08/28/2014)				✓
<u>OCC Bulletin 2014-41</u> <u>Merchant Processing</u> - Revised Comptroller’s Handbook Revision and Rescission (08/20/2014)				✓
<u>OCC 2013-39</u> <i>Social Media: Consumer Compliance Risk Management Guidance</i> (12/17/13)				✓
<u>OCC 2013-29</u> <i>Third-Party Relationships – Risk Management Guidance</i> (10/30/2013)				✓
<u>OCC Bulletin 2011-27</u> <i>Prepaid Access Programs – Risk Management Guidance and Sound Practices</i> (06/28/2011)				✓
<u>OCC 2008-16</u> <i>Information Security: Application Security</i> (05/08/2008)				✓
<u>OCC 2008-12</u> <i>Risk Management Guidance: Payment Processors</i> (04/24/2008)				✓
<u>Bulletin 2006-39</u> <i>Automated Clearing House Activities: Risk Management Guidance</i> (09/01/2006)				✓

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CITE	ALL STATE BANKS	NON- FED MEM	STATE FED MEM	REF ONLY
OTHER RELATED MATERIAL				
<i>Press Release</i> <i>State Financial Regulators Update Nonbank Ransomware Self-Assessment Tool (10/15/24)</i>				✓
<i>Press Release</i> <i>FinCEN Analysis Reveals Ransomware Reporting in BSA Filings Increased Significantly During the Second Half of 2021 (11/01/22)</i>				✓
<i>FIN-2021-A004</i> <i>Advisory on Ransomware and the Use of the Financial System to Facilitate Ransom Payments (11/8/21)</i>	✓			
<i>Press Release</i> : <i>FinCEN Issues Report on Ransomware Trends in Bank Secrecy Act Data Between January 2021 and June 2021 (10/15/21)</i>				✓
<i>FIN-2019-A005</i> <i>Updated Advisory on Email Compromise Fraud Schemes Targeting Vulnerable Business Processes (7/16/2019)</i>				✓
CSBS <i>Cybersecurity 101</i> (7/11/19)				✓
<i>FSSCC Financial Sector Cybersecurity Profile</i> (10/2018)	✓			
<i>NACHA Announces Approval of Rule that Establishes Third-Party Sender Registration Requirements</i> (8/22/2016)				✓
<i>Eighth Circuit Holds Bank That Complied with Reasonable Security Procedures Not Responsible for Loss of Funds From Fraudulent Payment - Choice Escrow and Land Title , LLC v. BancorpSouth Bank</i> (06/22/2014)				✓
<i>FRB-Community Banking Connections-First Quarter 2014</i> Features articles on Bank Strategies in the New Year, Cybersecurity, Mobile Banking and More (April 2014)				✓
<i>Antitrust Policy Statement on Sharing Cybersecurity Information</i> (04/10/2014)				✓
Government and government-sponsored resources:				✓
• <i>United States Computer Emergency Readiness Team</i> (US-CERT) • <i>U.S. Secret Service Electronic Crimes Task Force</i> (ECTF) • <i>FBI InfraGard</i> • <i>Regional Coalitions</i> • <i>Information Sharing and Analysis Centers</i> (ISACs)				

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<i>NIST Releases Framework for Improving Critical Infrastructure Cybersecurity (February 2014)</i>	✓			
<i>Mobility On Hold: Get Back on Track with Mobile Risk Mitigation (10/2013)</i>				✓
<i>FinCEN's FIN 2012-A010 - Risk Associated with Third Party Payment Processors (10/22/2012)</i>	✓			
<i>Fraud Alert – Cyber Criminals Targeting Financial Institution Employee Credentials to Conduct Wire Transfer Fraud (09/17/2012)</i>	✓			
<i>Frequently Asked Questions – Practices to Reduce the Risks of Corporate Account Takeover (1/2012)</i>	✓			
<i>“Practices for Reducing the Risks of Corporate Account Takeover” Presentation slides from Webinar hosted by IBAT and TBA, Moderated by SWACHA on January 25, 2012 (1/2012)</i>	✓			
<i>FDIC Supervisory Insights-Summer 2011 - "Managing Risks in Third-Party Payment Processor Relationships" (07/21/2011)</i>	✓			
<i>Fraud Advisory for Businesses: Corporate Account Takeover (2009)</i>				✓
<i>NACHA Corporate Account Takeover Resource Center</i>	✓			
<i>ACH Operations Bulletin - Corporate Account Takeovers Can Lead to Fraudulent Transactions (December 2, 2009)</i>	✓			
<i>ACH Operations Bulletin – Unlawful Internet Gambling Transactions (01/12/2009)</i>	✓			