



Credit Union National Association

[cuna.org](http://cuna.org)

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Submitted via email: [mbondoc@nacha.org](mailto:mbondoc@nacha.org)

June 28, 2013

Ms. Maribel Bondoc  
Manager, Network Rules  
NACHA - The Electronic Payments Association  
13450 Sunrise Valley Drive, Suite 100  
Herndon, VA 20171

Re: Clarification of Third-Parties in the ACH Network

Dear Ms. Bondoc:

This comment letter represents the views of the Credit Union National Association (CUNA) on NACHA - The Electronic Payments Association's proposal regarding operational issues relating to third parties in the Automated Clearing House (ACH) network. By way of background, CUNA is the nation's largest credit union trade organization, representing America's state and federal credit unions, which serve over 96 million members.

These proposed changes would clarify the definitions, roles, and responsibilities of service providers and senders that are third parties. The revisions are also intended to strengthen NACHA Operating Rules compliance among ACH participants. The proposal addresses these five areas: 1) clear identification of the originator in consumer debit authorizations, 2) third-parties and receiver authorizations, 3) definition of "third-party sender," 4) definition of "third-party service provider," and 5) third-party audit requirements.

We generally support these clarifications, which are technical changes that should be helpful for third-parties as well as for other entities in the ACH network. This would include credit unions that use such entities for processing.

Further, we agree with NACHA that supplemental information in the Operating Guidelines should provide helpful examples regarding the new rules. Additional resources directed to smaller financial institutions for compliance and implementation purposes would also be welcome, and we would be glad to work with you on that effort.



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While financial institutions are not expected to incur additional costs as a result of this proposal, we encourage NACHA to continue to improve and clarify its Operating Rules, and to look for ways to minimize compliance burdens on credit unions and other financial institutions that must follow NACHA standards.

Thank you for the opportunity to comment on this proposal. If you have any questions concerning our letter, please feel free to contact CUNA SVP and Deputy General Counsel Mary Dunn or me at (202) 508-6733.

Sincerely,

A handwritten signature in blue ink that reads "Dennis Tsang". The signature is written in a cursive, flowing style.

Dennis Tsang  
CUNA Assistant General Counsel