

fidential supervisory information or any information or material described in subsection (a) that is inconsistent with subsection (a) shall be superseded by the requirements of such provision to the extent State law provides less confidentiality or a weaker privilege.

**(d) Public access to information**

This section shall not apply with respect to the information or material relating to the employment history of, and publicly adjudicated disciplinary and enforcement actions against, loan originators that is included in Nationwide Mortgage Licensing System and Registry for access by the public.

(Pub. L. 110-289, div. A, title V, §1512, July 30, 2008, 122 Stat. 2820; Pub. L. 111-203, title X, §1100(3), July 21, 2010, 124 Stat. 2106; Pub. L. 114-113, div. O, title VII, §703, Dec. 18, 2015, 129 Stat. 3025.)

**Editorial Notes**

**AMENDMENTS**

2015—Subsec. (a). Pub. L. 114-113 inserted “or financial services” before “industry”.

2010—Subsecs. (a), (b)(2). Pub. L. 111-203 substituted “Director” for “Secretary”.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2010 AMENDMENT**

Amendment by Pub. L. 111-203 effective on the designated transfer date, see section 1100H of Pub. L. 111-203, set out as a note under section 552a of Title 5, Government Organization and Employees.

**§ 5112. Liability provisions**

The Bureau, any State official or agency, or any organization serving as the administrator of the Nationwide Mortgage Licensing System and Registry or a system established by the Director under section 5108 of this title, or any officer or employee of any such entity, shall not be subject to any civil action or proceeding for monetary damages by reason of the good faith action or omission of any officer or employee of any such entity, while acting within the scope of office or employment, relating to the collection, furnishing, or dissemination of information concerning persons who—

(1) have applied, are applying, or are licensed or registered through the Nationwide Mortgage Licensing System and Registry; and

(2) work in an industry with respect to which persons were licensed or registered through the Nationwide Mortgage Licensing System and Registry on May 24, 2018.

(Pub. L. 110-289, div. A, title V, §1513, as added Pub. L. 111-203, title X, §1100(8), July 21, 2010, 124 Stat. 2107; amended Pub. L. 115-174, title I, §106(c), May 24, 2018, 132 Stat. 1304.)

**Editorial Notes**

**PRIOR PROVISIONS**

A prior section 5112, Pub. L. 110-289, div. A, title V, §1513, July 30, 2008, 122 Stat. 2820, which barred liability for good faith actions or omissions by certain entities’ officers or employees, was repealed by Pub. L. 111-203, title X, §1100(8), July 21, 2010, 124 Stat. 2107.

**AMENDMENTS**

2018—Pub. L. 115-174 substituted “persons who—” for “persons who are loan originators or are applying for licensing or registration as loan originators.” and added pars. (1) and (2).

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE OF 2018 AMENDMENT**

Pub. L. 115-174, title I, §106(d), May 24, 2018, 132 Stat. 1304, provided that: “This section [enacting section 5117 of this title and amending this section] and the amendments made by this section shall take effect on the date that is 18 months after the date of enactment of this Act [May 24, 2018].”

**EFFECTIVE DATE**

Section effective on the designated transfer date, see section 1100H of Pub. L. 111-203, set out as an Effective Date of 2010 Amendment note under section 552a of Title 5, Government Organization and Employees.

**§ 5113. Enforcement by the Bureau**

**(a) Summons authority**

The Director may—

(1) examine any books, papers, records, or other data of any loan originator operating in any State which is subject to a licensing system established by the Director under section 5107 of this title; and

(2) summon any loan originator referred to in paragraph (1) or any person having possession, custody, or care of the reports and records relating to such loan originator, to appear before the Director or any delegate of the Director at a time and place named in the summons and to produce such books, papers, records, or other data, and to give testimony, under oath, as may be relevant or material to an investigation of such loan originator for compliance with the requirements of this chapter.

**(b) Examination authority**

**(1) In general**

If the Director establishes a licensing system under section 5107 of this title for any State, the Director shall appoint examiners for the purposes of administering such section.

**(2) Power to examine**

Any examiner appointed under paragraph (1) shall have power, on behalf of the Director, to make any examination of any loan originator operating in any State which is subject to a licensing system established by the Director under section 5107 of this title whenever the Director determines an examination of any loan originator is necessary to determine the compliance by the originator with this chapter.

**(3) Report of examination**

Each examiner appointed under paragraph (1) shall make a full and detailed report of examination of any loan originator examined to the Director.

**(4) Administration of oaths and affirmations; evidence**

In connection with examinations of loan originators operating in any State which is subject to a licensing system established by