



March 16, 2026

Ms. Melane Conyers-Ausbrooks
Secretary of the Board
National Credit Union Administration
1775 Duke Street
Alexandria, VA 22314

RE: Nondiscrimination Requirements
(Docket No. NCUA-2026-0034; RIN 3133-AF85)

Dear Ms. Conyers-Ausbrooks:

On behalf of its member credit unions, the Cooperative Credit Union Association, Inc. ("Association") appreciates the opportunity to comment on the National Credit Union Administration (NCUA) Board's proposed rule on Nondiscrimination Requirements. This proposed rule is one of four proposals issued as "Round Three" of the NCUA Deregulation Project. The Association is the state trade association representing nearly 170 state and federally-chartered credit unions located in the states of Delaware, Massachusetts, New Hampshire, and Rhode Island, which further serve over 4.4 million consumer members. The Association developed these comments in consultation with our members.

The Association supports the Board's proposal to remove Section 701.31 from its rules and regulations and urges the Board to finalize it as proposed. Section 701.31 "summarizes" Fair Housing Act requirements for federal credit unions even though the Fair Housing Act and other federal nondiscrimination laws are administered by different agencies, including the Department of Housing and Urban Development (HUD) with respect to the Fair Housing Act as well as the Consumer Financial Protection Bureau (CFPB) in relation to the Equal Credit Opportunity Act as implemented by Regulation B. We agree with the Board that Section 701.31 is duplicative of these other laws that independently apply to federal credit unions, as well as that Section 701.31 was only intended to summarize these requirements rather than create new substantive law.

It is important to note that the legal nondiscrimination requirements of the Fair Housing Act and the Equal Credit Opportunity Act for federal credit unions will remain unchanged by this rulemaking. Federal credit unions, as member-owned cooperatives chartered to promote thrift and provide their members with financial services at fair rates, also have little incentive to discriminate against their member-owners, who participate in the credit union's corporate governance including electing its board of directors.

While federal credit unions' nondiscrimination requirements under the Fair Housing Act and Equal Credit Opportunity Act will remain unchanged, this amendment will

reduce regulatory burdens on federal credit unions by eliminating a redundant rule that is potentially inconsistent with the regulations of other federal agencies and/or court decisions interpreting those statutes. As the Board notes, Section 701.31 was intended to summarize the requirements of these statutes administered by other federal agencies, but NCUA's updates to this regulation have not kept pace with recent interpretations of the laws Section 701.31 summarizes.

Moreover, since NCUA does not have rulemaking authority under the Fair Housing Act or the Equal Credit Opportunity Act, it is also appropriate from an administrative procedure standpoint to rescind this regulation.

Thank you for the opportunity to comment on the NCUA Board's proposed rule on Nondiscrimination Requirements. If you have any questions or desire further information, please do not hesitate to contact the Association at (508) 481-6755 or govaff-reg@ccua.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald McLean". The signature is fluid and cursive, with a large initial "R" and a long horizontal stroke at the end.

Ronald McLean
President/CEO
Cooperative Credit Union Association, Inc.
rmclean@ccua.org