



February 9, 2026

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

RE: Guidance on Response Programs for Unauthorized Access to Member Information and Member Notice (Docket No. NCUA-2025-1305; RIN 3133-AF79)

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 Guidance on Response Programs for Unauthorized Access to Member Information and Member Notice, which is part of NCUA’s Deregulation Project. The Association is the state trade association representing approximately 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.

This proposed rule is one of four proposals issued as “Round One” of the NCUA Deregulation Project which the Association is commenting on. As proposed, NCUA would delete the “Guidance on Response Programs for Unauthorized Access to Member Information and Member Notice,” which is “guidance” currently codified at Appendix B to Part 748 of NCUA rules, that the agency would reissue as other guidance documents such as Letters to Credit Unions.

The Association supports this proposal and urges the Board to finalize it as proposed, which should reduce compliance burdens on federally-insured credit unions (FICUs). In addition, the Association supports the NCUA Deregulation Project’s shift away from overly prescriptive rules and towards a more flexible, principles-based credit union regulatory framework.

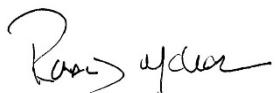
The Association agrees with the Board that “creating a greater separation between binding regulations and nonbinding guidelines outweighs the benefits of the current approach.” Regulations have the force of law, whereas guidance does not have the force of law, as the Board has previously clarified in its “Interagency Statement Clarifying the Role of Supervisory Guidance (Interagency Statement)” codified of Subpart D of Part 791 of NCUA rules. 12 C.F.R. §§ 791.19-791.21 & Appendix A to Subpart D.

We further agree that Letters to Credit Unions are a more appropriate administrative issuance in relation to guidance because it is clearer that NCUA letter guidance does not have the force of law.

We urge the Board to finalize this rule as proposed.

Thank you for the opportunity to comment on the NCUA Board's proposed rule on Guidance on Response Programs for Unauthorized Access to Member Information and Member Notice. 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](mailto:govaff-reg@ccua.org).

Sincerely,



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