



March 16, 2026

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

RE: Chartering and Filed of Membership Requirements—Interpretive Rulings  
and Policy Statements (IRPS 08-2—Underserved Areas)  
(Docket No. NCUA-2026-0035; RIN 3133-AF81)

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 to rescind Interpretive Ruling and Policy Statement (IRPS) 08-2 on underserved area field of membership expansions. 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 rescind IRPS 08-2 and urges the Board to finalize it as proposed. This action will help federal credit unions promote the financial inclusion of low and moderate-income individuals by reducing the paperwork burdens associated with underserved area expansions. IRPS 08-2 is also redundant because the Board has incorporated it into the federal credit union Chartering Manual codified at Appendix B to Part 701 of NCUA rules and regulations.

In addition, since IRPS are treated as one-off regulations that are not usually codified, their use as an administrative procedure creates regulatory burdens by requiring credit unions to consult the NCUA’s list of IRPS on its website as well as the Code of Federal Regulations and the Federal Credit Union Act to make sure that they are in compliance with all NCUA requirements.

Originally, the agency’s use of IRPS was premised on a statutory exemption in the Administrative Procedure Act from notice and comment rulemaking requirements. *See* 5 U.S.C. § 553(b)(4)(A). However, the NCUA Board’s practice for decades has been to issue IRPS for public notice and comment anyway because IRPS typically include requirements that are binding on the public which courts have held require notice and comment procedures. *See Credit Union Nat’l Assoc. v. NCUA Board*, 573 F. Supp. 586, 592 (D.D.C. 1983) (“Because IRPS 82-2 is not an ‘interpretive rule’, it must be

vacated for failure to comply with the APA's notice and comment requirements.”). Simply from an ease-of-use standpoint, it would be better policy for the agency to publish all its regulations in the Code of Federal Regulations instead of having two sets of sources.

To the extent that IRPS 08-2 contains requirements beyond those codified in the Part 701 Appendix B regulation, this amendment will reduce compliance burdens on federal credit unions by reducing the number of sources they must check to ensure compliance. IRPS 08-2 also includes outdated references from 2008, such as referring to the Community Development Financial Institutions (CDFI) Fund's website as the "My CDFI Fund' Web site" when the CDFI Fund today has an updated website using different nomenclature.

In addition, this action will reduce regulatory burden by putting all federal credit union underserved area chartering requirements in a single place, i.e. in the Chartering Manual codified at Appendix B to Part 701, since this will make the agency's underserved area expansion requirements clearer to applicants.

Thank you for the opportunity to comment on the NCUA Board's proposed rule to rescind IPRS 08-2 and thereby streamline the federal credit union underserved area field of membership expansion process. 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