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B. Dan Berger
President & Chief Executive Officer

National Association of Federally-Insured Credit Unions

March 12, 2020

The Honorable Todd M. Harper
Board Member
National Credit Union Administration
1775 Duke Street
Alexandria, VA 22314

RE: COVID-19 (“Novel Coronavirus”) Relief

Dear Board ^{Todd} Member Harper,

On behalf of the National Association of Federally-Insured Credit Unions (NAFCU), I write to you today to call for the National Credit Union Administration’s (NCUA) urgent assistance in helping credit unions respond to COVID-19 (“novel coronavirus”). NAFCU advocates for all federally-insured not-for-profit credit unions that, in turn, serve nearly 120 million consumers with personal and small business financial service products.

Credit unions across the country are preparing to keep their staff, members, and their families safe while ensuring there is no disruption to vital financial services. We appreciate the NCUA’s efforts, as a member of the Federal Financial Institutions Examination Council, in providing updated interagency guidance on pandemic planning. However, the NCUA needs to address compliance with regulations that credit unions may find difficult or impossible to comply with due to proactive measures they have taken, including adhering to federal government recommendations, for health and safety. Specifically, NAFCU requests the NCUA allow for broad compliance relief for a minimum of 60 days to assist credit unions and not take supervisory action or penalize credit unions for prioritizing the health and safety of their staff, members, and their families safe.

Providing broad compliance relief will allow credit unions to continue to provide financial services to members during this time, while maintaining safety by practicing social distancing. The *Federal Credit Union Act* (FCU Act) includes outdated provisions that may be difficult to comply with during this uncertain time. For example, the FCU Act requires in-person annual and special meetings. Despite the allowance for a hybrid meeting, credit unions must still hold in-person meetings to not disenfranchise members who may not have access to join a virtual meeting. Recently, the Center for Disease Control recommended using videoconferencing for meetings whenever possible. Various state and local governments, including the state of Washington, have recommended halting all large group gatherings.

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NAFCU asks that the NCUA allow credit unions flexibility in determining how best to comply with member meeting requirements, whether that means permitting virtual meetings or flexibility with rescheduling annual meetings, so long the credit union's actions follow the spirit of the FCU Act. Credit unions face the dilemma of non-compliance if they abide by government recommendations and hold virtual-only meetings; however, if a credit union holds an in-person meeting the health and safety of attendees is at risk. Credit unions that decide to delay scheduled member meetings may bear additional costs and time in resending the required notices. This example is just one of the many compliance issues credit unions face in planning for COVID-19.

The NCUA should address compliance issues, such as member meetings, expeditiously by providing additional guidance and not take supervisory action or penalize credit unions for prioritizing the health and safety of their staff, members, and their families. Providing compliance relief for a minimum of 60 days would assist credit unions while ensuring safety. NAFCU appreciates the opportunity to share its members' views on this matter. If I may be of assistance to you in any way, please do not hesitate to contact me directly.

Sincerely,



B. Dan Berger