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**National Association of Federally-Insured Credit Unions**

June 27, 2018

The Honorable Michael Crapo  
Chairman  
Committee on Banking, Housing,  
& Urban Affairs  
United States Senate  
Washington, DC 20510

The Honorable Sherrod Brown  
Ranking Member  
Committee on Banking, Housing,  
& Urban Affairs  
United States Senate  
Washington, DC 20510

**Re: Title VII of H.R. 5841, the *Foreign Investment Risk Review Modernization Act of 2018***

Dear Chairman Crapo and Ranking Member Brown:

On behalf of the National Association of Federally-Insured Credit Unions (NAFCU), the only trade association exclusively representing the federal interests of our nation's federally-insured credit unions, I write following the resounding House passage of H.R. 5841, the *Foreign Investment Risk Review Modernization Act of 2018* to urge you to include the language from Title VII of the House bill in any bicameral agreement on language resolving the differences between the House and Senate versions of the Committee on Foreign Investment in the United States (CFIUS) legislation.

Title VII of H.R. 5841 would delay the National Credit Union Administration's (NCUA) risk-based capital (RBC) rule from taking effect by two-years, moving the implementation date from January 1, 2019 to January 1, 2021. NAFCU is very supportive of Title VII and believes it is imperative that there is bicameral agreement to advance this bipartisan provision, such as including it as part of the National Defense Authorization Act (NDAA) and CFIUS package, due to the short time period before this harmful rule takes effect. The RBC rule as written will have a negative impact on the industry. Dozens of credit unions stand to see a downgrade in their capital levels and more than 400 credit unions will see a decline in their capital cushions. A two-year delay in the rule would give credit unions more time to prepare and comply, and more importantly, it would give the NCUA time to fix the rule, which they have expressed interest in doing.

Once again, we strongly support the inclusion of Title VII of H.R. 5841 in any bicameral agreement on CFIUS and thank you for your efforts to provide credit unions with regulatory relief. Should you have any questions or require any additional information, please contact me or Allyson Browning, NAFCU's Associate Director of Legislative Affairs, at 703-842-2836 or [abrowning@nafcu.org](mailto:abrowning@nafcu.org).

Sincerely,

Brad Thaler  
Vice President of Legislative Affairs

cc: The Honorable John Cornyn  
The Honorable Tim Scott  
The Honorable Gary Peters