

## BOARD ACTION MEMORANDUM

**TO:** NCUA Board

**DATE:** Sept. 29, 2017

**FROM:** Office of General Counsel

**SUBJ:** Final Rule – Part 746, Subpart A –  
Supervisory Review Committee;  
Procedures for Appealing Material  
Supervisory Determinations

**ACTION REQUESTED:** Board approval to issue the attached final rule creating new part 746, Subpart A – Procedures for Appealing Material Supervisory Determinations.

**DATE ACTION REQUESTED:** Oct. 19, 2017.

**OTHER OFFICES CONSULTED:** N/A.

**VIEWS OF OTHER OFFICES CONSULTED:** N/A.

**BUDGET IMPACT, IF ANY:** Minimal.

**SUBMITTED TO INSPECTOR GENERAL FOR REVIEW:** Yes.

**RESPONSIBLE STAFF MEMBER:** Benjamin M. Litchfield, Staff Attorney.

**SUMMARY:** New part 746, Subpart A amends and codifies NCUA procedures for appealing material supervisory determinations to the NCUA Supervisory Review Committee to enhance due process and to be more consistent with the practices of the federal banking agencies. The final rule also expands the number of supervisory determinations appealable to the SRC and provides credit unions with the opportunity for additional review by the Director of the Office of Examination and Insurance.

**RECOMMENDED ACTION:** Recommend the Board approve the final rule effective on January 1, 2018.

**ATTACHMENT:** Final rule.