



regulatory advocacy

Via: [regcomments@ncua.gov](mailto:regcomments@ncua.gov)

December 1, 2008

Ms. Mary Rupp  
Secretary to the Board  
National Credit Union Administration  
1775 Duke Street  
Alexandria, VA 22314-3428

Re: Regulatory Flexibility and the Ownership of Fixed Assets

Dear Ms. Rupp:

On behalf of the Credit Union National Association, I appreciate the opportunity to provide comments on the proposed rule that would permit a Reg-Flex federal credit union to have up to six years to at least partially occupy land it has acquired for future expansion, without seeking a waiver. By way of background, CUNA represents approximately 90% of our nation's 8,200 state and federal credit unions which serve about 91 million members.

CUNA is pleased to support these regulatory changes, which amend 12 CFR 701 and 742. Under NCUA's current rules, if a federal credit union purchases unimproved land to expand its facilities and does not fully occupy the premises within one year, it must at least partially occupy the premises within three years or obtain a waiver from NCUA. The proposed changes would permit a Reg-Flex federal credit union to have up to six years without seeking a waiver.

We believe this change is reasonable and will assist well-run credit unions in managing their fixed-asset portfolios. We also agree that federal credit unions should retain their ability to request a waiver of the partial occupancy requirement under the fixed assets rule.

Thank you again for the opportunity to express our views.

Sincerely,  
Mary Mitchell Dunn  
Senior Vice President and  
Deputy General Counsel