

GC/MFR:bhs

SSIC 6100

95-0923

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FROM: Richard S. Schulman, Associate General Counsel IQ

SUBJ: Nonstandard Bylaw Amendment

(Your September 12, 1995, Memorandum)

DATE: September 19, 1995

You asked for our opinion on a proposed nonstandard bylaw amendment submitted by []. The proposed amendment would permit the FCU's members to vote over the telephone by an electronic balloting system with voice recognition capabilities rather than by mail ballot as provided in Article VI, Section 8 of the FCU Standard Bylaw Amendments.

The FCU Act, NCUA's Regulations and corporate common law do not address this issue. We assume the voting system will incorporate sufficient safeguards to prevent multiple balloting. As the proposed amendments do not violate the FCU Act or the Regulations, we have no legal objection and defer to your judgment as to the safety and soundness of the proposal.