

GC/CJL:bhs
03-0411

TO:

FROM: Sheila A. Albin, Associate General Counsel

SUBJ: Nonstandard Bylaw Amendment,

DATE:

You have asked for our comments on your decision to approve a federal credit union's (FCU's) request to amend its bylaws to raise the possible number of seats on the supervisory committee from five to seven. The FCU cannot amend its bylaws as requested because the Federal Credit Union Act sets the maximum number of supervisory committee members at five. 12 U.S.C. §1761(b). The FCU requested the change because its supervisory committee needs assistance in performing its responsibilities. We note that the Federal Credit Union Bylaws provide that "the committee may employ and use such clerical and auditing assistance as may be required to carry out its responsibilities . . . and may request the board to provide compensation for such assistance." FCU Bylaws, Art. X, Section 3.