

BOARD ACTION MEMORANDUM

TO: NCUA Board

DATE: September 29, 2017

FROM: Office of General Counsel

SUBJ: Final Rule – Part 746, Subpart B –
Appeals Procedures

ACTION REQUESTED: Board approval to issue the attached Final Rule creating new Part 746, Subpart B – Appeals Procedures.

DATE ACTION REQUESTED: October 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: Ross Kendall, Special Counsel to the General Counsel.

SUMMARY: This final rule, creating a new Part 746, Subpart B, will establish procedures to govern appeals to the Board and will apply to agency regulations that currently have their own embedded appeals provisions. The final rule will replace those provisions with a uniform, comprehensive set of procedures that will apply in cases in which a decision rendered by a regional director or other program office director is subject to appeal to the Board. The procedures are intended to result in greater efficiency, consistency, and better understanding of the way in which matters under the covered regulations may be appealed to the Board.

RECOMMENDED ACTION: Recommend the Board adopt the final rule, with an effective date of January 1, 2018.

ATTACHMENT: Final rule.