

From: Anna May Nauss
To: [Regulatory Comments](#)
Subject: Anna May Nauss - Comments on Chartering and Field of Membership Proposed Rule
Date: Tuesday, December 3, 2019 2:36:04 PM

Good afternoon,

I am writing in support of the proposed rule to re-adopt the provision which will allow an applicant to designate a combined statistical area as a well defined community. Our credit union has been a victim of the ongoing battle to allow the combined statistical area as a well defined community.

In September 2005, NCUA approved our application for an expanded community charter to include Adams, Cumberland, Dauphin, Perry, Lebanon and York Counties which represents a CSA.

During the period of time we were approved for the expanded charter, we underwent a merger with a credit union in York County effective July 1, 2007. With the merger, we acquired an office, employees and members in York County.

On September 16, 2008, an Order was issued by the United States District Court which returned our community charter to Cumberland County (which was our defined charter prior to the September 2005 approval).

We tried unsuccessfully to retain York County since we had a branch already there. On April 17, 2009, NCUA approved our request to expand our charter to include Cumberland, Dauphin and Perry counties.

In March 2012, we received an Opinion Letter that due to wording in our charter, we would be allowed to admit volunteers in York County. Subsequently during an NCUA exam, we were instructed that we were not able to add members to our field of membership based on performing volunteer work.

On December 18, 2017 – NCUA approved our charter amendment for an expanded community charter to include Adams, Cumberland, Dauphin, Lebanon, Perry and York counties (based on FOM rules adopted by NCUA in 2016).

On April 2, 2018, we received a telephone call that our field of membership had been returned to Cumberland, Dauphin and Perry counties due to a ruling by the D.C. District Court to uphold the ABA's objections to the new rules issued by NCUA for field of membership.

On June 14, 2018, we spoke with an NCUA analyst who recommended pursuing York County as an adjacent area since York County is connected to the Harrisburg MSA.

July 12, 2018, we submitted a charter expansion application to add York County as an adjacent area.

On July 17, 2018, we received a confirmation that our application package had been received. We didn't hear anything and on December 10, 2018, we were contacted that additional information was requested. When we submitted our application on July 12, we were completing the package with 7 areas to be addressed, and in October of 2018, NCUA issued new guidance with 13 areas to be addressed.

We worked to submit the additional information and in June 2019, our package was deferred due to the need for additional information. At that point, we made the decision to await the court ruling on the most recent ABA actions. Thankfully, in August of 2019, the court ruled in favor of NCUA in terms of the combined statistical area. We are still in a waiting period for guidance on how to proceed to again acquire the CSA of Adams, Cumberland, Dauphin, Lebanon, Perry and York counties.

This has been a frustrating and an ongoing back and forth – we can open memberships in York County and then we cannot. When we receive approval, we begin work on bringing in new members and then we need to shut down our efforts. Meanwhile, we have a branch in York County and continue to serve our existing members in York County. We have about 17% of our membership affiliated with our office in York County. In addition, we have two branches in Cumberland County that are within 2 miles of the York County line as well.

Thank you for your efforts in promoting the CSA as a well defined community and we remain hopeful that someday we may be able to actually once again develop our office in York County.

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