

BOARD ACTION MEMORANDUM

TO: NCUA Board

DATE: November 19, 2014

FROM: Office of General Counsel

SUBJ: Notice and Request for Comment pursuant to Economic Growth and Regulatory Paperwork Reduction Act of 1996 (EGRPRA)

ACTION REQUESTED: NCUA Board approval of Notice and Request for Comment.

DATE ACTION REQUESTED: December 11, 2014.

OTHER OFFICES CONSULTED: Not applicable.

BUDGET IMPACT, IF ANY: None.

RESPONSIBLE STAFF MEMBER: Ross Kendall, Special Counsel to the General Counsel.

SUMMARY: The EGRPRA statute calls for the Federal bank regulatory agencies and the Federal Financial Institutions Examination Council to conduct a decennial review of their regulations and to eliminate unnecessary regulatory burden, to the extent that can be accomplished consistent with statutory, safety and soundness, and consumer protection considerations. Although not technically included within EGRPRA's definition of an "appropriate Federal banking agency," NCUA elected to participate in the first EGRPRA review and published its first notice of the second decennial review in the *Federal Register* on June 4, 2014.

EGRPRA calls for the categorization of agency rules by type, such as "consumer" regulations or "safety and soundness" regulations. Once the categories have been established, EGRPRA calls for the publication of periodic notices in the *Federal Register*, inviting members of the public and industry representatives to comment on how burden imposed by rules in the particular categories might be reduced or eliminated. NCUA is to review and evaluate the comments and, where permissible consistent with statutory requirements, safety and soundness constraints, and consumer protection obligations, modify or eliminate rules imposing unnecessary or unduly burdensome requirements to the extent that such action is appropriate.

This second notice of the second decennial review solicits comment on three regulatory categories: agency programs, capital, and consumer protection. As specified in the notice, there are five remaining categories, to be published in two separate notices in 2015.

RECOMMENDED ACTION: Recommend the Board approve the Notice and Request for Comment for a 90-day comment period.

ATTACHMENT: Notice and Request for Comment.