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NATIONAL CREDIT UNION ADMINISTRATION
Washington, D.C. 20456

Jan. 23, 1989

Office of General Counsel

Mr. Bill Buckel
1641 Hess Blvd.
Columbus, OH 43212

Re: Petition for Changes to Bylaws (Your October
19, 1988, Letter)

Dear Mr. Buckel:

You submitted a petition for several changes to the Standard Federal Credit Union Bylaws ("Bylaws") issued by the National Credit Union Administration. A particular Federal credit union ("FCU") must submit any nonstandard amendments to the Bylaws that it wishes to adopt to the appropriate NCUA Regional Office for approval. The petition procedure applies only to the NCUA Regulations; it does not apply to the Bylaws. We have, however, forwarded your suggested changes to our Office of Examination and Insurance. That Office is involved in the publication of the Bylaws and the standard amendments thereto.

Section 108 of the FCU Act (12 U.S.C. §1758) provides:

Bylaws. - In order to simplify the organization of Federal credit unions the Board shall from time to time cause to be prepared a form ... of bylaws, consistent with this chapter, which shall be used by Federal credit union incorporators, and shall be supplied to them on request. [T]he incorporators shall also submit proposed bylaws to the Board for its approval.

In accordance with Section 108 of the FCU Act, each FCU's bylaws must be approved by the NCUA Board. The Bylaws (NCUA Publication 8001) and the FCU Standard Bylaw Amendments and Guidelines (NCUA Publication 8001A) have been approved by the NCUA Board. Any nonstandard

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amendments that a particular FCU wishes to adopt must be submitted to the NCUA for approval. Such submissions are handled by the NCUA Regional Office where the FCU is located.

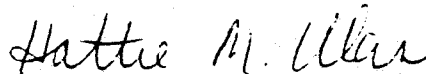
NCUA's Rules and Regulations ("Rules") are found at 12 C.F.R. Parts 700 through 795. Section 791.8(c) of the Rules (12 C.F.R. §791.8(c)) addresses public participation in the rulemaking process and provides, in part:

Interested persons may also petition the Board for the issuance, amendment, or repeal of any rule by mailing such petition to the Secretary of the Board at the address given in this section.

The Bylaws are not required to be made a part of the Rules. The Bylaws are presently not a part of the Rules. Hence, they are not subject to the petition requirement of Section 791.8(c).

NCUA's Office of Examination and Insurance has, in the past, prepared the Bylaws and the FCU Standard Bylaw Amendments and Guidelines for issuance by the NCUA Board. We have forwarded your suggested changes to that Office for their review.

Sincerely,



HATTIE M. ULAN
Acting Assistant General Counsel

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