

## Jordan, Sheron

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**From:** \_Regulatory Comments  
**Sent:** Monday, May 14, 2007 8:29 AM  
**To:** Jordan, Sheron  
**Subject:** FW: Texas Credit Union League Comments on Proposed Rule Parts 748 and 749

May 11, 2007

Mary Rupp  
Secretary of the Board  
National Credit Union Administration  
1775 Duke St.  
Alexandria, VA 22314-3428

VIA E-Mail to: [regcomments@ncua.gov](mailto:regcomments@ncua.gov).

Re: Texas Credit Union League Comments on Proposed Rule Parts 748  
and 749.

The Texas Credit Union League (TCUL) appreciates the opportunity to comment on the proposed revisions to the National Credit Union Administration's Rules and Regulations Parts 748 and 749 concerning revisions to the records preservation program. The Texas Credit Union League is the official trade association serving nearly 600 federal and state credit unions and more than 7 million credit union members in Texas. This letter reflects the views of our member credit unions.

In general, TCUL supports the proposed changes as published by NCUA in the Federal Register. Texas credit unions have seen, first hand, the chaos and devastation that can occur as a result of a catastrophic event. Lessons have been learned from past events and credit unions have since been making changes to better prepare for the unexpected. TCUL agrees with NCUA that preserving vital records and quickly restoring vital member services is extremely important.

TCUL agrees with the proposed modification in the definition of "catastrophic act". TCUL also agrees with the new definition of "vital records".

Regarding the proposed definition of "vital member services", most credit unions agreed with the proposal. However, one credit union questioned whether "information about an account" is vital; while acknowledging that access to funds is certainly a vital member service.

NCUA requested feedback on the usefulness of providing recommendations to assist federally insured credit unions to prepare for catastrophic acts. Several credit unions that provided feedback to TCUL expressed that the proposed Appendix B to Part 749 was not necessary.

Finally, TCUL is seeks clarification of the language in proposed section 749.3. The last sentence states, "A credit union must maintain or contract with a third party to maintain any equipment or software for its vital records center necessary to access records." One credit union interpreted the proposal to mean that the equipment or software must be stored at the vital records site. The credit union expressed concern regarding the financial burden and privacy risk associated with having the equipment and software stored at the vital records site, if in fact that is required. TCUL respectfully requests clarification regarding the credit union's ability to store equipment or software in a location separate from the vital records site.

### Conclusion

Thank you for the opportunity to comment on the proposed revisions to Parts 748 and 749 of NCUA's rules and regulations. If you have questions about our comments, please feel free to call me at (800)

442-5762 x 8516.

Sincerely,

Suzanne Yashewski

Vice President, Regulatory Compliance & Legal Affairs Texas Credit Union League

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