

June 3, 2008

Barbara L. Beccles, Esq., President
NLRB Federal Credit Union
1099 14th Street, N.W., Suite C-300
Washington, D.C. 20005

Re: Allotment of Space in Federal Buildings.

Dear Ms. Beccles:

You have asked if the 95% condition for the allotment of space to credit unions in federal buildings is applied to the credit union's total membership or only the number of members who actually use the allotted space. The 95% is applied to the number of members who actually use the allotted space.

Under the Federal Credit Union Act, a federal agency may allot building space to a credit union at no charge for rent or services if "at least 95 percent of the membership of the credit union to be served by the allotment of space" are, or were at the time of admission to membership, federal employees or their family members. 12 U.S.C. §1770. This language was enacted in 1993 and amended previous language requiring at least 95 percent of a credit union's membership be composed of federal employees and their family members. National Defense Authorization Act for Fiscal year 1994, Pub. L. No. 103-160, §2854 (1993) (codified as amended at 12 U.S.C. §1770). The 95% requirement applies to those who would be served by the allotment of space.

Sincerely,

/S/

Sheila A. Albin
Associate General Counsel

GC/LKD:bhs
08-0447