



The National Association of State Credit Union Supervisors

February 9, 2026

Melane Conyers-Ausbrooks
Secretary of the Board
National Credit Union Administration
1775 Duke Street
Alexandria, VA 22314

RE: Comments on Proposed Rule – 12 CFR Part 748, Guidelines for Safeguarding Member Information & Guidance on Response Programs for Unauthorized Access to Member information and Member Notice.

Dear Ms. Conyers-Ausbrooks:

On behalf of the National Association of State Credit Union Supervisors¹ (NASCUS), I appreciate the opportunity to comment on the NCUA's proposed amendments to **Part 748** regarding the safeguarding of member information and response programs for unauthorized access to member information.

Support for Regulatory Relief

The proposals to remove Appendix A and B from the Code of Federal Regulations and issue nonbinding guidance through letters to credit unions reflects an appropriate recognition that the Gramm-Leach-Bliley Act (GLBA)² standards are intended as guidance rather than prescriptive rules. Clarity on this point reinforces the understanding that credit unions have the flexibility to tailor their information security programs to their size, complexity, and risk profile.

Key Observations and Recommendations

NASCUS supports the Board's efforts to provide regulatory relief and clarity regarding regulatory expectations under Part 748. In addition, we submit the following observations and recommendations for NCUA's consideration to further achieve the goals of clarifying regulatory obligations and reducing confusion among federally insured credit unions.

¹ NASCUS is the professional association of the nation's forty-five state and territorial credit union regulatory agencies that charter and supervise over 1,800 state credit unions. NASCUS membership includes state regulatory agencies, state chartered and federally chartered credit unions, and other important stakeholders in the state system. State-chartered credit unions hold approximately half of the \$2.4 trillion assets in the credit union system and are proud to represent nearly half of the 145 million members. The remaining six states lack state-chartered credit unions.

² 15 U.S.C. § 6801 et seq.

Accessibility and Consistency of Guidance

While separating guidance from the regulation provides clarity as to the regulatory text, we urge NCUA to also consider additional steps that can be taken to ensure credit unions of all sizes and complexity can easily access guidance, including awareness that guidance that can help contextualize regulatory and supervisory expectations exists. In discussing these proposed changes with NASCUS, several credit union stakeholders noted that while clearly distinguishing between guidance and regulation was important, they appreciated that co-locating the guidance with the regulation simplified access to both making their compliance efforts more efficient. Removing the guidance from Part 748 provides relief for credit unions by eliminating potential confusion as to strict regulatory requirements, but if credit unions are unaware guidance exists to help them understand compliance obligations, or have to spend an inordinate amount of time searching to determine if guidance exists, then the benefits of the regulatory relief are diminished by the inefficient use of credit union compliance time and resources. For example, a search on NCUA’s website for “Information Security” and “Letters to Credit Unions” produces dozens of results. While this might not be problematic for more robust compliance teams, or credit unions with “Reg Tech” software, it can present a challenge for other credit unions.

In the request for comments, NCUA also sought input if there were other regulations referencing the appendices for Part 748. We note that in addition to other regulations, NCUA should review all active guidance to ensure cohering changes are made to older, but still active, guidance that might refer a reader to the (in the future) non-existent appendices. For example, NCUA’s IT Security Compliance Guide remains incorporated in active guidance Letter to Credit Unions 06-CU-07 (April 2006), Both the Letter to Credit Unions and the Compliance Guide contain references to Part 748 Appendix A and Appendix B.³

Ensure Appropriate Vetting and Transparency of the Guidance

While we agree that guidance should not be considered binding regulation, we urge NCUA to ensure that any future form the guidance takes is developed with transparency and stakeholder input and retains the essential elements currently in Appendix A and B—risk assessment, written information security programs, incident response protocols, vendor management, board oversight, response program development and appropriate notifications. These components are foundational to sound cybersecurity governance and should remain clearly articulated.

In addition, we recommend NCUA adopt a formal process for regular reviewing, and soliciting stakeholder feedback, on active guidance. As NCUA itself notes in the supplemental

³ See <https://ncua.gov/regulation-supervision/letters-credit-unions-other-guidance/it-security-compliance-guide-credit-unions>.

material, including the guidance within the text of Part 748 carried the advantage for stakeholders of subjecting the guidance to the triennial regulatory review process as well as the decennial Economic Growth and Regulatory Paperwork Reduction Act⁴ (EGRPRA) process.

Conclusion

NASCUS appreciates NCUA's commitment to providing clarity regarding safeguarding member information and promoting a risk-based approach to cybersecurity while clarifying regulatory requirements from supervisory guidance. We look forward to continued collaboration to ensure that regulatory frameworks remain effective, flexible, and consistent across state and federal systems.

Thank you for considering our comments. Please do not hesitate to contact us with any questions or to discuss these recommendations further.

Sincerely,

-signature redacted for electronic publication -

John J. Kolhoff
Senior Vice President,
Policy and Supervision
NASCUS

⁴ 12 U.S.C. § 3311 (Section 2222 of the Act).