



The National Association of State Credit Union Supervisors

May 11, 2026

Melanie Conyers-Ausbrooks Secretary
of the Board
National Credit Union Administration
1775 Duke Street
Alexandria, VA 22314-3428

RE: Comments on Proposed Rule – 12 CFR Part 749: Records Preservation Program and Appendices – Record Retention Guidelines; Catastrophic Act Preparedness Guidelines

Dear Ms. Conyers-Ausbrooks:

On behalf of the National Association of State Credit Union Supervisors¹ (NASCUS), thank you for the opportunity to comment on NCUA's proposed amendments to Part 749 regarding records preservation. NASCUS appreciates the Board's continued efforts to review and modernize existing regulations under its current deregulation initiative.

NASCUS supports the proposed amendments, as they provide increased flexibility and reduce unnecessary prescriptive requirements while still allowing for appropriate oversight through applicable state law and existing governance frameworks. Given NASCUS's nationwide footprint, our credit union members routinely face a wide range of natural disasters and catastrophic events that can disrupt operations and damage physical records. Therefore, our members understand the importance of maintaining effective records preservation programs and being prepared to restore vital member services following a catastrophic event.

NASCUS believes the proposal appropriately reflects the significant operational and technological changes that have occurred since many aspects of the regulation were last substantively updated. Credit Unions today maintain records across a far broader and more complex regulatory and operational environment, with areas such as Bank Secrecy Act compliance, vendor management, and cyber security. NASCUS believes appropriately modernizing Part 749 can help provide operational flexibility and regulatory clarity while continuing to support safe and effective service to credit union members.

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.



The National Association of State Credit Union Supervisors

NASCUS recognizes the significant operational responsibility associated with maintaining records preservation programs, particularly for smaller credit unions with limited staffing and resources. Historically, maintaining both physical and electronic records has created ongoing operational responsibilities and costs related to storage, preservation logs, and record retrieval processes. NASCUS appreciates aspects of the proposal intended to modernize and streamline these expectations in a manner that better reflects current recordkeeping practices while still preserving appropriate oversight expectations.

Below are NASCUS's responses to the questions asked within the proposed rule

1. Definitions of "Vital Member Services" and "Vital Records"

NASCUS supports the proposed definitions and believes they help clarify the purpose and scope of Part 749 in a manner that better reflects modern operational and recordkeeping practices. Clearer definitions may also assist credit unions in tailoring records preservation programs more appropriately to the services and records most critical to business continuity and member service restoration efforts.

2. Records Preservation Log Requirements

NASCUS supports the Board's efforts to modernize and streamline records preservation log requirements, particularly with respect to the shift toward electronic recordkeeping and digital storage solutions. The proposed flexibility around electronic log maintenance and older record retention practices may help reduce unnecessary administrative burden while still preserving appropriate oversight expectations.

3. Proposed Removal of Appendix A and Appendix B

NASCUS supports the proposed removal of Appendix A and Appendix B and agrees these materials are more appropriately treated as guidance rather than binding regulatory requirements. This may help reduce unnecessary regulatory complexity and allow credit unions the flexibility to develop records preservation and catastrophic preparedness programs appropriate for their operational structure and risk profile.

4. Legal Counsel Consulting

NASCUS believes that any reference to consultation with legal counsel around record retention timeframes should remain clearly optional within the final rule and should not create an implied supervisory expectation for institutions when establishing record retention practices.



The National Association of State Credit Union Supervisors

5. Rescinding Part 749 Entirely

NASCUS appreciates the Board’s consideration of whether certain aspects of Part 749 could potentially be addressed outside of the regulatory framework. However, we believe Part 749 continues to serve a key role in establishing baseline expectations related to records preservation, business continuity, and restoration of vital member services following catastrophic events. Accordingly, NASCUS does not support rescinding Part 749 entirely.

Conclusion

We commend NCUA’s recognition of the dual chartering system and the importance of maintaining a balanced approach in applying federal expectations to FISCUs.

NASCUS supports NCUA’s efforts to reduce outdated, redundant, and overly prescriptive regulations and maintaining the strength of the dual chartering system. NASCUS appreciates the Board’s consideration of these comments and would be happy to discuss them further at your convenience.

Sincerely,

-signature redacted for electronic publication -

Craig Money

Vice President, Regulatory Affairs

NASCUS