

## BOARD ACTION MEMORANDUM

**TO:** NCUA Board

**DATE:** January 28, 2015

**FROM:** Office of the Chief Economist

**SUBJ:** Regulatory Flexibility Act  
Definition of Small Entity; Proposed IRPS  
15-1 & 12 C.F.R. § 791.8.

**ACTION REQUESTED:** Board approval of the attached proposed Rule and Interpretive Ruling and Policy Statement (IRPS).

**DATE ACTION REQUESTED:** February 19, 2015.

**OTHER OFFICES CONSULTED:** N/A.

**VIEWS OF OTHER OFFICES CONSULTED:** N/A.

**BUDGET IMPACT, IF ANY:** No impact.

**SUBMITTED TO INSPECTOR GENERAL FOR REVIEW:** N/A.

**RESPONSIBLE STAFF MEMBERS:** Chief Economist John Worth, Economist Scott Borger, Lead Liquidations Counsel Kevin Tuininga.

**SUMMARY:** To update NCUA's definition of the term "small entity" in the Regulatory Flexibility Act, <sup>1</sup> staff recommends increasing the defining threshold to include federally insured credit unions ("FICUs") with less than \$100 million in assets. The increase from \$50 million to \$100 million will provide for thorough consideration of regulatory relief for FICUs below \$100 million in assets in future rulemakings.

**RECOMMENDED ACTION:** Approve the attached Proposed Rule and IRPS 15-1 with a 60-day comment period.

**ATTACHMENT:** Proposed Rule and IRPS 15-1.

---

<sup>1</sup> The RFA generally requires federal agencies to determine whether a proposed or final rule will have a significant economic impact on a substantial number of small entities and, if so, prepare an analysis that describes the proposed or final rule's impact on small entities, including any significant alternatives that minimize the impact. 5 U.S.C. §§ 603, 604, & 605(b).