

MARCH 22, 2004

CREDIT UNION

NEWS Watch



Legislation, Regulation, and Innovation from the Credit Union National Association

House Vote Spells Reg Relief for CUs

By a vote of 392-25, the U.S House of Representatives on March 18 passed the CUNA-backed Financial Services Regulatory Relief Act of 2003 (H.R. 1375), which significantly decreases the amount of regulatory red tape credit unions face in serving their members.

It is the first major change to the Federal CU Act since 1998.
(Continued on page 2)

Changes Coming for NewsWatch

Coming soon, you'll notice a few changes to CUNA's *Credit Union NewsWatch*...the newsletter that shows your dues at work. You'll find a revised design and layout to help you more quickly find the information you need. And it will be in brilliant color.

FDIC's Powell 'Out of Line,' Says Mica

CUNA President/CEO Dan Mica said it once and said it again—FDIC Chairman Donald Powell “continues to be out of step with the Bush Administration, and out of line as a regulator.”

the Federal Treasury.

Powell made similar remarks to attendees of an America's Community Bankers meeting on March 9.

“It seems to us that the American public deserves something more than a cheerleader for the banking industry at the helm of the fund overseeing the safety of the public's savings in banks,” observed Mica.

Mica pointed out that Powell likely does not know—or does not care to acknowledge—that not-for-profit credit unions return \$5 to their members in lower costs for every \$1 realized in tax savings.

Powell also seems to ignore the fact that more banks are converting to Subchapter S and Limited Liability Corp. status, which allows them to bypass taxation at the corporate level and pass through the tax liability to their shareholders, said Mica. ♦

“It seems to us that the American public deserves something more than a cheerleader for the banking industry...”

—Dan Mica,
CUNA President/CEO

Mica took aim at comments Powell made March 16 at an Independent Community Bankers Association meeting in San Diego. Powell said credit unions should pay taxes because of the growing number of credit unions with more than \$1 billion in assets, increased credit union advertising, and the additional tax revenue for

HIGHlights

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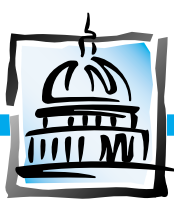
Bankers told, “If CUs have advantage, switch”

Page 7 House Democratic leader: CU tax “bad for consumers”

BANK TO CREDIT UNION CONVERSIONS:

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The Official Conversion Counter as of 3/22/04



House Vote Spells Reg Relief for CUs

(Continued from page 1)

“Our thanks to the House for passing H.R. 1375,” said CUNA President/CEO Dan Mica. “Especially to Financial Services Committee Chairman Mike Oxley (R-Ohio), and the bill’s chief sponsors, Reps. Shelley Moore Capito (R-W.Va.) and Mike Ross (D-Ark.) for recognizing the need to unburden credit unions from regulations that stand in their way of offering more efficient services to members. We are hopeful that the Senate will follow suit.”

After the bill’s passage, Mica noted, “credit unions take special pride in the legislation because of the bankers’ opposition to it.”

Meanwhile, Mica said credit unions continue to encourage support for The CU Regulatory Improvements Act (CURIA—H.R. 3579), which “includes additional provisions that address even greater needs for credit unions and their nearly 85 million members.” ♦



What H.R. 1375 Means to CUs

- Allows credit unions to expand check cashing and money transfer services to anyone who is eligible to become a member;

- Excludes member business loans made by federally insured credit unions to non-profit religious organizations from the arbitrary cap of 12.25% of total assets;

- Allows a minimal charge for leases of land on federal facilities for credit unions;

- Gives NCUA more flexibility to adjust the usury ceiling, making it easier for credit unions to serve the underserved;

- Lifts the numerical limitation on employee groups from voluntary mergers of healthy credit unions;

- Authorizes credit union boards to expel disruptive and dangerous members without meeting the current requirement of two-thirds vote of membership present;

- Provides credit unions with additional authority to make safe and sound conservative investments;

- Expands the lending authority of credit unions from 12-year maturity limitations to 15-years;

- Allows privately insured credit unions to become members of a Federal Home Loan Bank;

- Removes the prohibition on banks from paying interest on business checking accounts and would allow the Federal Reserve to pay interest on so-called “sterile” reserves; and

- Extends a Federal Reserve fee study to include a comparison of fees of banks and credit unions, the latter being included for the first time. ♦

Attention Turns To CURIA

The passage of the regulatory relief bill means the House Financial Services Committee can turn its attention to the CUNA-backed CU Regulatory Improvements Act (CURIA—H.R. 3579), according to CUNA Vice President of Legislative Affairs Gary Kohn. “We expect hearings to happen sometime in April.”

Ten more House members have become CURIA co-sponsors, bringing the total number to 33.

Among its provisions, CURIA increases the limit on credit union member business loans (MBLs) from 12.25% of assets to 20% of assets, and reforms the prompt corrective action system to take into account more accurate risk assessments.

CURIA was introduced Nov. 21 by Reps. Ed Royce (R-Calif.) and Paul Kanjorski (D-Pa.). The other original co-sponsors of the bill are Reps. Steve LaTourette (R-Ohio) and Carolyn Maloney (D-N.Y.). All four are senior members of the House Financial Services Committee. The new co-sponsors include:

- Rep. James Gibbons (R-Nev.)
- Rep. Raúl Grijalva (D-Ariz.)
- Rep. Anne Northup (R-Ky.)
- Rep. Frank Pallone (D-N.J.)
- Rep. Louise McIntosh Slaughter (D-N.Y.)
- Rep. Steven Rothman (D-N.J.)
- Rep. Tim Ryan (D-Ohio)
- Rep. Robert Simmons (R-Conn.)
- Rep. Bart Stupak (D-Mich.)
- Rep. Lynn Woolsey (D-Calif.)





NCUA Board Looks at FACT Act Rules

During its monthly meeting on March 19, the NCUA Board tackled a short agenda, which consisted of staff briefings about two rules that will be issued under the Fair and Accurate Transactions (FACT) Act. The rules affect medical information and negative information disclosure requirements.

The FACT Act permanently extends the federal preemptions for credit reporting under the Fair Credit Reporting Act, and creates a number of new consumer protections to help prevent identity theft and assist consumers victimized by this crime.

The act contains new restrictions on information sharing and creates a new federal commission that will coordinate financial education efforts at the national, state and local levels.

CUNA continues to work with NCUA and other regulators on the implementation of the act, according to CUNA Associate General Counsel Mary Dunn.

The next NCUA Board meeting is April 15th. ♦



For More,
CLICK HERE
[RegWatch
www.cuna.org](http://www.cuna.org)

Check 21 Changes Supported

In a letter to the Board of Governors of the Federal Reserve System, CUNA said it supports proposed changes to the rules as required by The Check 21 Act, which goes into effect on Oct. 28.

The act is designed to facilitate the electronic exchange of checks by making processing of electronic checks voluntary and not mandatory.

Among the provisions supported by CUNA and its Payment Systems Subcommittee:

- Treating all substitute checks as the legal equivalent of the original check;
- Requiring a reconverting bank to print the Magnetic Ink Character Recognition (MICR) information on every substitute check; and
- Ensuring that the reconverting bank, collecting bank and returning bank can repair a MICR line on a substitute check without incurring additional liability under the Check 21 Act.

The letter also requested that the Federal Reserve Board meet with CUNA regarding the affect of potential MICR errors on smaller financial institutions, such as credit unions. ♦

Seeking Credit Union Comment...

These issues are open for comment by the general public. Credit unions are asked to submit a copy of their comments to CUNA:

- **Alternative Forms of Privacy Notices**
Agency: NCUA
Due date: March 29
- **Study of Biometrics**
Agency: Treasury
Due date: April 1
- **Collateralized Mortgage Obligations**
Agency: NCUA
Due date: April 2
- **Share Insurance Expanded**
Agency: NCUA
Due date: April 26
- **Agency Review to Reduce the Burden of Consumer Protection Rules**
Agency: NCUA
Due date: May 4

For More,
CLICK HERE
[Regulatory Affairs
www.cuna.org](http://www.cuna.org)

SBA Solicits CU Advice

Representatives from credit unions, regulators, and trade associations met with the U.S. Small Business Administration (SBA) at CUNA's Washington, D.C., office on March 12 to develop ideas for providing small businesses more access to loans.

According to CUNA Associate General Counsel Mary Dunn, the purpose of the meeting was to discover:

- What credit unions can do to support proper funding for the SBA's 7(a) and other loan programs;
- What barriers exist that deter credit unions from participating in SBA programs; and
- What more can be done to let small businesses know that credit unions are a resource for business capital.

A letter summarizing the group's ideas and suggestions would be distributed to SBA and NCUA, said Dunn. ♦

For More,
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CUNA Center for Professional Development

2004 Calendar

An Experience that's nothing

DIRECTORS & VOLUNTEERS

Strategic Planning Institute
May 2 - 5
San Francisco, CA
Room rate: \$170 sgl/dbl
Reg fee: \$1,095

Volunteer Leadership Institute
November 14 - 17
St. Thomas, U.S. Virgin Islands
Reg fee: \$1,195
Guest program: \$199

Supervisory and Audit Committee Conference
December 7 - 10
Las Vegas, NV
Room rate: \$99 sgl/dbl
Reg fee: \$795

FINANCE & ECONOMICS

CU Finance for Non-Financial Managers and Volunteers
October 3 - 6
Ft. Lauderdale, FL
Room rate: \$139 sgl/dbl
Reg fee: \$1,195

eSchool
CU Finance for Non-Financial Managers and Volunteers
Starts May 4
Reg fee: \$1,195

Economics and Investments Conference
July 25 - 28
Baltimore, MD
Room rate: \$179 sgl/dbl
Reg fee: \$1,095

Financial Management School: Parts I & II
August 8 - 13
Denver, CO
Room rate: \$139 sgl/dbl
Reg fee: \$1,595

Financial Management Update
November 14 - 17
San Diego, CA
Room rate: \$165 sgl/dbl
Reg fee: \$1,095

Tenth Annual CUNA CFO Council Conference and Roundtable
May 16 - 19
San Diego, CA
Room rate: \$189 sgl/dbl

HUMAN RESOURCE MANAGEMENT

Human Resource Management School: Parts I & II
September 19 - 24
Denver, CO
Room rate: \$139 sgl/dbl
Reg fee: \$1,295

CU University Workshop
October 10
St. Pete Beach, FL
Room rate: \$150 sgl/dbl
Suite: \$200
Plus \$8 resort fee
Reg fee: \$425

Experience Learning Live
October 10 - 14
St. Pete Beach, FL
Room rate: \$150 sgl/dbl
Suite: \$200
Plus \$8 resort fee
Reg fee: \$795

Tenth Annual CUNA HR Training & Development Council Summit
April 18 - 21
Miami Beach, FL
Room rate: \$169 sgl/dbl

LEADERSHIP & MANAGEMENT

Branch Management Institute: Part I
March 28 - April 1
Palm Springs, CA
Room rate: \$159 sgl/dbl
August 22 - 26
San Francisco, CA
Room rate: \$170 sgl/dbl
Plus \$6 resort fee
Reg fee: \$1,295

Branch Management Institute: Part II
October 10 - 14
Tempe, AZ
Room rate: \$159 sgl/dbl
Reg fee: \$1,295

Executive Boot Camp
October 17 - 20
Blaine, WA
Room rate: \$145 sgl
Suite: \$225
Reg fee: \$1,795

CUNA Management School
July 18 - 29
Madison, WI
Reg fee: \$1,995

World-Class Customer Service Executive Institute
October 31 - November 4
New Orleans, LA
Room rate: \$215 sgl/dbl
Reg fee: \$1,595

Leadership Development Institute
September 12 - 17
St. Pete Beach, FL
Room rate: \$129 sgl/dbl
Suite: \$179
Plus \$8 resort fee
Reg fee: \$1,495

Management Essentials for Supervisors: Parts I & II
November 7 - 12
San Diego, CA
Room rate: \$165 sgl/dbl
Reg fee: \$1,295

LENDING & COLLECTIONS

Business Services and Lending Conference
May 12 - 14
San Francisco, CA
Room rate: \$170 sgl/dbl
Reg fee: \$795

Business Lending Institute: Parts I & II
July 19 - 22
Madison, WI
Room rate: \$135 sgl/dbl
Reg fee: \$1,195

Business Lending Institute: Advanced
July 22 - 23
Madison, WI
Room rate: \$135 sgl/dbl
Reg fee: \$425

Certified Financial Counselor School: Part I
December 5 - 10
Tempe, AZ
Room rate: \$155 sgl/dbl
Reg fee: \$1,295

Collections and Bankruptcy Introduction
October 17 - 22
Baltimore, MD
Room rate: \$179 sgl/dbl
Reg fee: \$1,295

Collections and Bankruptcy Update
June 6 - 10
San Francisco, CA
Room rate: \$170 sgl/dbl
Reg fee: \$1,195

Consumer Lending Schools: Part I & Update
October 11 - 15
St. Pete Beach, FL
Room rate: \$150 sgl/dbl
Suite: \$200
Plus \$8 resort fee
Reg fee: \$1,295



TRAINING ON DEMAND

Don't miss out on our monthly eLearning options for all staff.

Check the Web site or call for the latest schedule.

short of extraordinary!

eSchool

Consumer Lending Foundations
Starts May 4
Reg fee: \$1,195

Advanced Mortgage Lending Strategies School
May 16 - 19
San Antonio, TX
Room rate: \$179 sgl/dbl
Reg fee: \$1,095

SBA Introduction and Packaging Workshop
May 17 - 19
San Francisco, CA
Room rate: \$170 sgl/dbl
Reg fee: \$795

Tenth Annual CUNA Lending Council Conference
November 14 - 17
New Orleans, LA
Room rate: \$199 sgl/dbl

MARKETING & SALES

Business Development School: Parts I & II
September 12 - 17
Baltimore, MD
Room rate: \$179 sgl/dbl
Reg fee: \$1,295

Marketing Management School: Parts I, II & III
June 13 - 18
San Diego, CA
Room rate: \$165 sgl/dbl
Reg fee: \$1,295

Customer Relationship Management Conference
May 16 - 18
San Antonio, TX
Room rate: \$179 sgl/dbl
Reg fee: \$795

Sales and Service Culture Institute and Advanced Sales and Service Culture Institute
November 14 - 17
St. Pete Beach, FL
Room rate: \$154 sgl/dbl
Suite: \$204
Plus \$8 resort fee
Reg fee: \$1,195

REGULATORY COMPLIANCE

Compliance Fundamentals Seminar
April 24 - 25
St. Pete Beach, FL

Regulatory Compliance: Introduction
April 25 - 30
St. Pete Beach, FL

Regulatory Compliance School: Update
April 25 - 29
St. Pete Beach, FL
Room rate: \$172 sgl/dbl
Suite: \$222
Plus \$8 resort fee

Compliance Fundamentals Seminar
September 18 - 19
Tempe, AZ

Regulatory Compliance: Introduction
September 19 - 24
Tempe, AZ

Regulatory Compliance School: Update
September 19 - 23
Tempe, AZ
Room rate: \$139 sgl/dbl
Reg fee: \$500 (Seminar)
Reg fee: \$1,295 (Introduction)
Reg fee: \$1,195 (Update)

eSchool

Compliance Fundamentals Seminar
Starts June 2
Reg fee: \$500

eSchool

Regulatory Compliance School: Update
Starts October 6
Reg fee: \$1,195

SECURITY & RISK MANAGEMENT

Robbery and Fear Seminar
April 18
St. Pete Beach, FL

Security and Fraud: Update
April 18 - 21
St. Pete Beach, FL

Security and Fraud: Introduction
April 18 - 23
St. Pete Beach, FL
Room rate: \$172 sgl/dbl
Suite: \$222
Plus \$8 resort fee

Robbery and Fear Seminar
September 26
Las Vegas, NV

Security and Fraud: Introduction
September 26 - October 1
Las Vegas, NV
Room rate:
Sat. arrival - \$139 sgl/dbl
Sun - Fri - \$109 sgl/dbl
Reg fee: \$395 (Seminar)
Reg fee: \$1,295 (Introduction)
Reg fee: \$1,095 (Update)

OPERATIONS & TECHNOLOGY

Ninth Annual CUNA Technology Council Summit
August 25 - 28
Baltimore, MD
Room rate: \$179 sgl; \$189 dbl

Seventh Annual CUNA COO Council Conference
September 26 - 29
New Orleans, LA
Room rate: \$165 sgl; \$189 dbl

CONFERENCES

CUNA Future Forum
October 24 - 27
Honolulu, HI
Room rate:
\$191 Garden View
\$217 Ocean View
Reg fee: \$795

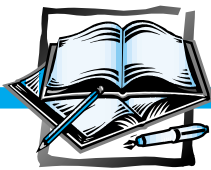
The National Association of Community Credit Unions (NACCU) Sixth Annual Credit Union Forum
October 3 - 6
Phoenix, AZ
Room rate: \$215 sgl/dbl



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CUNA's Assistance Program for Banks Converting to Credit Unions

Bankers insist credit unions are competing on a playing field increasingly tilted toward their advantage. However, to date, no bank is known to have switched to a credit union. Why? Let's give bankers the benefit of the doubt: Maybe bankers simply never have been shown how to convert.

In that spirit, CUNA offers a new program to guide banks to the structure of not-for-profit financial cooperatives.

Bankers can simply complete the form below and fax it to CUNA, which will provide information about becoming a credit union, as well as what state and federal agencies can help.

And to track the droves of banks we're certain will take advantage of the program, each edition of *NewsWatch* will report the number of banks trading their charter for that of a credit union. What's more, *NewsWatch* proudly will publish the formerly-known-as-banks' names so other credit unions can welcome them into the movement!

BANK TO CREDIT UNION CONVERSIONS:

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The Official Conversion Counter as of 3/22/04

YES! I'd like more information about converting my bank to a credit union!

I believe credit unions have a sweet deal by competing for customers on a playing field increasingly tilted toward their advantage. In switching from a bank, I understand my newly formed credit union:

- Must shift focus of operations from maximizing shareholder profits to meeting member needs.
- Must open its board of directors to democratic elections in which each depositor receives one vote. The majority of those directors would serve as volunteers (unpaid).
- Can only raise capital through retaining a portion of the income stream.
- Must limit commercial loans to 12.25% of total assets.
- Must start calling customers "members," and treating them as co-owners.
- CEO would have to take a substantial pay cut, and miss out on stock options.

Please send additional materials, as well as state and national contact information, to:

Bank name: _____ Contact name: _____

City: _____ State: _____ Zip: _____

Bank charter # _____ Fax completed form to CUNA at: 202-638-7716

Bankers Told 'If CUs Have Advantage, Switch'

In a letter published in the March 12 *American Banker*, CUNA Chairman Dick Enswailer told bankers that if they really think credit unions have a competitive advantage, let them switch charters and become credit unions. He called on bankers to stop distorting the facts about credit unions and to "get off our backs."

Enswailer, who also is president/CEO of the Texas CU League, noted the average banks' size of nearly \$1 billion in assets dwarfs that of the average credit union, which has \$65 million in assets.

He suggested the banking industry distorts this fact by use of the term "community bank" to "entice all of us (but especially those on Capitol Hill) with the notion that the nation's banking industry is typified by small-time operations on the Main Streets of America."

Enswailer pointed to the bankers' earnings and asked, "What possible threat could credit unions' pose to the nation's banks?"

The FDIC's Quarterly Banking Profile showed insured banks and thrifts in 2003 earned a record \$120.6 billion, easily surpassing the previous record total of \$105.1 billion set in 2002, wrote Enswailer.

He noted that return on assets (ROA) for the nations banks reached a record level in 2003 of 1.40%. Credit unions, by contrast, posted ROA of 1.00% last year, and averaged 0.99% ROA over the past five years. ♦





House Dem. Leader: CU Tax 'Bad for Consumers'

Taxing credit unions would be bad for consumers, responded House Democratic Whip Steny Hoyer (D-Md.) to comments made by House Ways and Means Chairman Bill Thomas (R-Calif.), who cited credit unions among the groups whose tax-preferred status should be examined to "determine if the 'societal good' that they provide warrants their special treatment."

"Credit unions are tax exempt because they are focused on service and not on profit," said

Hoyer in a March 5 statement. "They are owned by their membership and are run democratically."

Hoyer reminded that President Bush's top economic advisor, Treasury Secretary John Snow, has stated that the administration opposes credit union taxation.

"What exactly has changed that these service-oriented organizations should now be taxed, as suggested by a leading Republican?" asked Hoyer. "In fact nothing has changed, and taxing not-for-profit

credit unions is still bad for consumers."

CUNA and the Maryland CU League formally thanked Hoyer for his support.

"The Maryland league recognizes that Congressman Hoyer is a long-time friend of consumers," said Mike Beall, president/CEO of the Maryland CU League. "He also understands that more than 2 million Marylanders benefit from their credit unions." ♦



CUNA: Bankers' Disclosure Rhetoric False

Banker rhetoric is erroneous or misleading about NCUA's new rule on additional disclosures in credit union conversions, CUNA told the chairman of the Senate Banking Committee.

In a March 11 letter to Sen. Richard Shelby (R-Ala.), CUNA noted that correspondence sent to him by a group of 22 state banking industry groups undermines the integrity of the credit union regulator.

"This is unfortunate but not unusual for these banking groups, which have a history of attacking the federal credit union regulator as part of their general assault on credit unions," stated the letter from CUNA President/CEO Dan Mica.

CUNA also pointed out it supports NCUA's recent conversion regulation, noting that it is in the best interest of members to be fully informed of a conversion to mutual savings bank charter.

"In seeking to deprive credit union members of useful information, the state banker groups have taken a position that is not only hostile to credit unions but also anti-consumer," CUNA stated. ♦



Top 20 Political Action Committee (PAC) Contributors to Federal Candidates, 2003-2004*

PAC Name	Total Amount
National Assn of Realtors	\$1,448,800
Wal-Mart Stores	\$1,265,500
Assn of Trial Lawyers of America	\$1,038,999
National Assn of Home Builders	\$1,023,500
Laborers Union	\$984,500
Carpenters & Joiners Union	\$970,000
Intl Brotherhood of Electrical Workers	\$968,700
United Parcel Service	\$955,035
National Auto Dealers Assn	\$931,100
Machinists/Aerospace Workers Union	\$902,000
SBC Communications	\$879,616
National Beer Wholesalers Assn	\$872,000
Credit Union National Assn	\$863,526
American Fedn of St/Cnty/Munic Employees	\$790,689
Service Employees International Union	\$770,500
American Bankers Assn	\$749,268
United Auto Workers	\$710,100
Air Line Pilots Assn	\$705,000
American Postal Workers Union	\$654,500
Teamsters Union	\$638,950

Totals include subsidiaries and affiliated PACs, if any.

*For ease of identification, the names used in this section are those of the organization connected with the PAC, rather than the official PAC name. For example, the "Coca-Cola Company Nonpartisan Committee for Good Government" is simply listed as "Coca-Cola Co."

Source: Data released by Federal Election Commission on March 4, 2004.



Share Compelling CU Stories at Future Forum

Every day credit unions go above and beyond the call of duty in delivering financial services to members. Now it's time to share the compelling stories of credit unions with others.

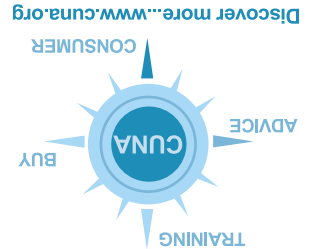


CUNA's 2004 Future Forum, which will be in Hawaii in October, will share credit unions' inspirational stories about how a member's life was

affected by the credit union or how a member changed the credit union.

At last year's CUNA Future Forum in Reno, Nev., many attendees were moved by the stories told by David Landis as he portrayed U.S. Sen. George Norris, who was instrumental in signing the Federal CU Act in 1934. Seventy years later, credit unions are still encouraging and motivating members to fulfill their dreams.

The most interesting, inspiring, or even funny credit union stories will be featured at the Future Forum. Credit union stories can be written, e-mailed, or even videotaped. Stories are due May 15, and should be sent to: Attention: Lynne Bjorgo, CUNA Future Forum, P.O. Box 431, Madison, WI 53701-0431. ♦



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