

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

AMERICAN BANKERS ASSOCIATION,	)	
	)	
<i>Plaintiff-Appellee-</i>	)	
<i>Cross-Appellant,</i>	)	
	)	
v.	)	No. 18-5181
	)	(consolidated with
NATIONAL CREDIT UNION	)	No. 18-5154)
ADMINISTRATION,	)	
	)	
<i>Defendant-Appellant-</i>	)	
<i>Cross-Appellee.</i>	)	
	)	

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**NON-BINDING STATEMENT OF ISSUES**

Pursuant to the Court’s order of June 14, 2018, Plaintiff-Appellee-Cross-Appellant American Bankers Association (“ABA”) submits the following non-binding statement of the issues presented for review:

This case concerns a challenge by the ABA to a Final Rule<sup>1</sup> promulgated by Defendant-Appellant-Cross-Appellee National Credit Union Administration (“NCUA”). The Final Rule expands the permissible field of membership for a community credit union, which 12 U.S.C. § 1759(b)(3) limits to “a well-defined local community, neighborhood, or rural district.” The ABA intends to raise the following issue:

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<sup>1</sup> Chartering and Field of Membership Manual, 81 Fed. Reg. 88,412 (Dec. 7, 2016) (“Final Rule”).

Whether the Final Rule's provision that any portion of a Core-Based Statistical Area ("CBSA"), up to 2.5 million people, that excludes the CBSA's urban core is a single "well-defined local community" is arbitrary, capricious, or contrary to law.

Respectfully submitted,

/s/ Robert A. Long, Jr.

Robert A. Long, Jr.

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July 16, 2018

**CERTIFICATE OF SERVICE**

I hereby certify that on this 16th day of July, 2018, I caused the foregoing Statement of Issues to be filed through the Court's CM/ECF system, which will send a notice of filing to all registered CM/ECF users.

/s/ Robert A. Long, Jr.  
Robert A. Long, Jr.