

Issue Update

More than 90 years ago, Congress enacted the Federal Credit Union Act, giving credit unions a mission to provide basic consumer financial services to those of modest means connected through some common bond within a well-defined community, such as employees of a company or parishioners of a church. This mission limited credit unions' potential membership and together with their not-for-profit status and cooperative structure, justified an exemption from federal corporate taxes and certain reporting requirements.

The credit union industry has evolved dramatically over the past few decades, with America's entire population now eligible for membership. The expansion of the common bond and field of membership – largely a result of the Credit Union Membership Access Act of 1998 and subsequent actions taken by the National Credit Union Administration (NCUA) – have pushed credit unions away from their mission and eliminated the justification for their preferential tax and regulatory treatment.

Why It Matters

Justifying Tax Subsidy. The \$2.3 trillion credit union industry receives a \$32.2 billion tax subsidy to provide basic consumer financial services to under-resourced groups and communities. However, unlike most tax-exempt non-profits, tax-exempt credit unions have no community benefit reporting requirements and do not file IRS Form 990. With few reporting and disclosure requirements, credit unions have little accountability as it relates to their use of taxpayer resources.

Serving LMI Communities. Community Reinvestment Act (CRA) requirements have historically not applied to credit unions as their field of membership limitations ensured they were focused on the specific groups they were chartered to serve. Although NCUA-approved field of membership expansions have since granted credit unions access to the entire country, the CRA exemption remains. This incongruity deprives low- and moderate-income communities of investment and a number of states have enacted state-level CRA requirements for state-chartered credit unions in the absence of congressional action.

Recommended Action Items

- **Tell Congress to Hold a Hearing on the Credit Union Industry and Modify its Tax Exemption.** Congress last convened a hearing on credit unions in 2005; oversight is necessary to determine whether 21st-century credit union industry activities, like acquiring banks, align with its tax treatment.
- **Urge Congress to Require Metrics Around Credit Union Service to LMI Communities.** Congress should scrutinize whether credit unions are meeting their statutory objective of serving low- and moderate-income communities in a robust, demonstrable way.
- **Oppose Further Expansion Efforts.** Congress should oppose legislation seeking to expand credit union powers and enhance its oversight of credit union service organizations.