



WORLD'S FOREMOST BANK®

May 25, 2007

Robert E. Feldman
Executive Secretary
Federal Deposit Insurance Corporation
550 17th Street NW
Washington DC 20429

RE: Comments on Model Privacy Form

Dear Mr. Feldman,

World's Foremost Bank ("WFB") is a credit card bank chartered under the laws of the State of Nebraska. WFB has no branches but issues credit cards to cardholders in all 50 states.

WFB would like to offer the following comments on three questions specifically stated in the Notice of Proposed Rulemaking and then also provide some general comments.

Question A.2

WFB does not feel that the proposed form will allow us to fully or accurately disclose our *privacy policy*.

As a state chartered bank, not only are we subject to federal privacy laws, we are also subject to any individual state's privacy laws that provide their citizens with greater protection than the federal laws. In some cases, we are required to give additional information in our privacy notices. The proposed form currently does not allow for the flexibility to include those additional notices. Therefore, in order to comply with any additional state requirements, we will have to provide an additional, separate notice to our customers and applicants.

In addition, we are concerned with the use of standardized language throughout the form with little flexibility as to what language may or may not be included. While this issue is addressed in Footnote 26, we find it extremely troubling that the agencies are willing to sacrifice accuracy for simplicity. Isn't the purpose of the privacy notice to inform the consumer as to where their personal information is being gathered from and where it may be going? It would seem that the use of standardized language and vague terms reduces the effectiveness of the notice and opens the door to more questions in the consumer's mind – which are ultimately not answered by the privacy policy.

For example, WFB is a limited purpose bank that does not offer any traditional banking services (i.e. – deposit accounts, mortgages, closed-ended credit). However, under the proposed notice, we would be required to state that we may obtain personal information

when a person deposits money, applies for a loan or uses their debit card – which is not true in our case. Not only can this be confusing to the customer, but it may be construed as being misleading as to the nature of our institution, the products we offer and from where we obtain a customer's personal information. Therefore, we respectfully ask that this issue be reconsidered and to allow some flexibility when describing from where an organization obtains a consumer's personal information.

Question A.3.

WFB would like to see an option of putting the opt-out information on the bottom of page one. Currently, the only method WFB offers to its customers to opt-out is through the use of a toll-free telephone number. Therefore, the amount of information that we would provide on the third page is minimal, taking up only about one inch of space (which includes the title and verbiage as to when we will begin sharing information). Rather than wasting a third sheet of paper on such a minimal amount of information, we ask that an option be provided to include the necessary opt-out methods on the bottom of page one, with the understanding that the third page be required if the amount of information needed to explain the opt-out methods available would cause the information on page one to no longer meet the sizing requirements.

Question B.3.

As many companies currently do, WFB utilizes our monthly billing statements to deliver the annual privacy notice to our customers. However, under the current proposal we would not be able to do so due to the fact that the size of the sheet of paper proposed is larger than the maximum size of insert our statement processor will allow us to use. Therefore, WFB would be required to send a separate mailing to our customers.

The maximum size of insert that our processor will allow us to use is 7" x 3 ½" (folded). As we currently do with many other pieces, we print on sheet of paper that is trimmed down to 7" x 10 ½" and create a tri-fold insert in order to meet the sizing requirements. Using the guidelines for type size and style, leading and x-height, we were able to re-create the model form on sheets of paper trimmed down to 7" x 10 ½" and found that it is quite easy to read and easily maintains the layout shown in the proposed rule. We were also able to include the content that would appear on our third page at the bottom of page one without having any impact on the rest of the information provided on the first page.

As with many other companies, we would like to see continued use of the monthly billing statement as a delivery system; therefore, we ask that you take this into consideration before determining the final size requirements. While we only know what our processor's requirements are (7" x 10 ½", folded down to 7" x 3 ½"), we respectfully ask that you work with those organizations that utilize their monthly billing statements as a delivery system for the annual privacy notice prior to the finalization of the rule in order to determine an acceptable document size.

General Comments

As many others have commented, we too would like to see the privacy notice printed on one piece of paper with printing on both sides. While it is noted in the proposed rule that those questioned stated that they "preferred" the version that they could put side-by-side, one question we have is what is the preference based on – a necessity to have the documents side-by-side or was it simply a matter of convenience not to have to turn the page over? Given the fact that hundreds of millions (or more) of annual privacy notices

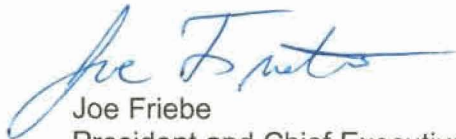
will be printed each year, not to mention the hundreds of millions of initial privacy notices, we believe that the answer should be carefully considered because the impact will be substantial, most notably on the environment.

While we understand the need to ensure the consumer understands what happens with their personal information, we feel that a balance needs to be struck between necessity and convenience. If having the information printed on separate 8 ½" x 11" sheets of paper, one side only, is merely a convenience or a nicety, does it seem reasonable to waste billions of pieces of paper each year? If the information can be presented in an easily readable format that would still allow for the annual notices to be delivered with monthly billing statements rather than require a separate mailing, doesn't it seem reasonable to permit that?

While the format and guidelines outlined in the notice may be considered the ideal format, we respectfully ask the agencies to review the guidelines in light of the substantial economic and environmental impact that such rules will cause and develop guidelines that will not only satisfy the ultimate goal of the model form – ease of understanding – but will do so in a way that does not ultimately cause a severe and long-term negative impact on the environment. By making some minor changes to the proposed guidelines, not only will the consumer's needs still be met but the negative impact on the environment may be reduced substantially.

We appreciate the opportunity to comment with respect to the proposed rules. If there are any questions, I may be contacted directly at (402) 323-4322 or Joe.Friebe@cabelas.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joe Friebe", with a stylized flourish at the end.

Joe Friebe
President and Chief Executive Officer
World's Foremost Bank