



September 27, 2010

VIA EMAIL: OverdraftComments@fdic.gov

Federal Deposit Insurance Corporation
550 17th Street, N.W.
Washington, D.C. 20429-9990

RE: Overdraft Payment Programs and Consumer Protection, FIL-47-2010

Dear Sirs and Madams:

The Wisconsin Bankers Association (WBA) is the largest financial trade association in Wisconsin, representing approximately 300 state and nationally chartered banks, savings and loan associations and savings banks located in communities throughout the state. WBA appreciates the opportunity to comment on the overdraft payment supervisory guidance issued by the Federal Deposit Insurance Corporation (FDIC).

WBA strongly believes financial institutions provide overdraft programs in a responsible manner. And while WBA shares FDIC's desire to ensure consumers are provided with accurate and non-misleading consumer deposit account disclosures and account balance information, we believe that the numerous recent revisions to Regulations DD and E and existing federal banking agency overdraft guidance (as mentioned in the supervisory guidance) are sufficient disclosures to inform consumers of a financial institution's overdraft program. WBA believes FDIC's supervisory guidance is duplicative and unnecessary. In addition, WBA does not believe FDIC has the authority to impose such supervisory expectations beyond the scope of existing laws and regulations.

WBA strongly opposes FDIC's prescribed: (1) consumer follow-up requirements; (2) daily limits on consumer costs; (3) supervisory expectations regarding payment order; (4) annual approval of overdraft programs by an institution's board of directors; and (4) expansion of Regulation E consumer opt-out of overdraft coverage for check and ACH transactions. Again, WBA does not believe FDIC has the authority to impose such supervisory expectations beyond the scope of existing laws and regulations.

We also believe that it is important for FDIC to remember that consumers have already been provided account disclosures containing overdraft fee information. Equally important to remember is that consumers are responsible for monitoring their deposit account balances and their withdrawal activity. Furthermore, consumers always have opportunities to contact their financial institution to pose any questions regarding their account including any fees associated with the account.

For these reasons WBA urges FDIC to withdraw its supervisory guidance.

Once again, WBA appreciates the opportunity to comment on the proposal.

Sincerely,

Kristine Clevon
Assistant Vice President - Legal

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