

**From:** Paul Airhart [pairhart@ssbwingate.com]  
**Sent:** Friday, September 24, 2010 2:55 PM  
**To:** Overdraft Comments  
**Subject:** FIL-47-2010

Sirs,

My name is Paul Airhart. I work at a Security State Bank, Winters, Texas, a 34 million dollar bank that has served this area for over 50 years. We employ fifteen full time employees at our two locations and serve the banking needs of approximately fifteen hundred people in this area. We have built our business and our reputation on excellent service and our willingness to invest in our customers and our community. If our customers felt as though we were taking advantage of them, I don't believe they would bank with us.

Our bank has administered a fair and reasonable overdraft service for many years. We have adhered to the established best practices as outlined by FDIC as well as spent an enormous amount of time and money complying with the recent opt in requirement by the FRB. This proposal seems to be in direct conflict with the FRB Opt In directives that we just addressed. Furthermore, we have always counseled our customers about alternatives to overdrafts and I feel confident that our customers understand our program and that it is NOT predatory.

I would like to suggest that proper enforcement of the existing best practices which are already in place would be much more effective than adopting this proposal. Our customers are becoming confused by the constant regulatory changes as we contact them to opt in or out, change their statements, or something else on a continual basis. I would like to suggest that the FDIC try to focus on the individual institutions that have continued to cause this concern and not subject everyone to this regulatory burden. Never before has the term "One Size Fits All" been more important as the recent economic crisis has clearly demonstrated that all banks do not have the same business practices and should not be subjected to the same regulatory burdens.

We know our customers and their needs and they appreciate our willingness to work with them on an individual basis. Overdraft protection is second only to debit cards as the most requested service at our bank. Our customers understand the program and want the protection our program offers. Also, by far the participants are not just people with limited financial resources. They are people from all ethnic and economic backgrounds.

The new proposal concerning the six overdrafts, in a rolling 12-month period is counter to existing Regulation DD requirements that require us provide overdraft information to our customers on a year to date basis. There has been no explanation of how this proposal was devised and there is no evidence that it has any merit whatsoever. It will only increase costs to the bank and ultimately to the customer, and not only those that use overdraft services.

I have been working with our bank for thirty years. Overdrafts have always been a part of the banking business and will most likely be in the future. Not all banks are the bad guys taking advantage of our customers through deceptive practices and charges. Let the customers and the courts decide who is at fault in this situation instead of adding even more confusion and cost to the situation. If FDIC proceeds with this effort as proposed, I have no doubt the very people you are

trying to protect will be charged even more for their overdrafts by check collection companies and payday type lenders as many overdraft programs are abandoned and checks are returned.

Sincerely,

Paul Airhart  
Security State Bank  
Winters, Texas