

September 27, 2010

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

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

Ladies and Gentlemen:

Thank you for allowing bankers and consumers an opportunity to comment on the Overdraft Payment Programs and Consumer Protection, FIL-47-2010.

As a banker, I support interagency efforts to provide clear direction to banks and lending institutions and examiners on the FDIC's supervisory expectations for the management and oversight of automated overdraft protection programs. The Board of Governors of the Federal Reserve's recent amendments of Regulations E and DD – which went into effect just this summer, required significant adjustments and operational changes. Because these sweeping changes were made in a relatively short period of time, all will benefit from clearer statements of supervisory expectation that confirm the standards and policies established by the new regulations.

However, establishing definitions of “excessive or chronic use” coupled with mandated intervention or requiring caps on the coverage elected by customers in my opinion will be detrimental to the industry for both the consumers and the institutions.

The current state of overdraft services across the industry is unsettled. Consumer response to overdraft practices under the new opt-in rule is entering a new phase. During these initial months following the implementation of the new rules, banks anticipate that many consumers will make changes to their initial opt-in /out choices and that institutions will make additional changes to their products and services.

In conclusion, I feel that the FDIC **should not** impose a new regulatory requirement, “daily limits on consumer costs.”

Sincerely,

Will Lucas
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