



June 28, 2010

VIA EMAIL: regs.comments@ots.treas.gov

Regulation Comments, Chief Counsel's Office
Office of Thrift Supervision
Attention: OTS-2010-0008
1700 G Street, NW.,
Washington, DC 20552
Docket ID: OTS-2010-0008

**RE: Supplemental Guidance on Overdraft Protection Programs; Docket ID:
OTS-2010-0008.**

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 proposed Supplemental Guidance on Overdraft Protection Programs (Guidance) issued by the Office of Thrift Supervision (OTS).

WBA strongly believes financial institutions provide overdraft programs in a responsible manner; a position also shared by OTS as stated in its proposal. And while WBA shares OTS' 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 outlined in the proposal) are sufficient disclosures to inform consumers of a financial institution's overdraft program. WBA believes OTS' current proposal is duplicative and unnecessary.

WBA is also concerned that the overdraft practices identified by OTS in the proposal as potential violations of section 5 of the Federal Trade Commission Act are overly broad. We are concerned that such vagueness makes compliance with the proposal extremely difficult and will result in aggressive examination by OTS beyond the limited scope of the FTC Act.

We also believe that it is important for OTS 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 OTS to withdraw the proposal.

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

Sincerely,


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