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VIA E-MAIL: regs.comments@federalreserve.gov

September 29, 2008

Ms. Jennifer J. Johnson
Secretary
Board of Governors of the
Federal Reserve System

20 Street and Constitution Avenue, Northwest
Washington, DC 20551

Re: Docket No. R-13 25 - Proposed Rule on Reimbursement of Financial
Records

Dear Ms. Johnson:

The Credit Union National Association (CUNA) appreciates the opportunity to comment on the Federal Reserve Board's (Board's) proposed rule to amend Regulation S, the Right to Financial Privacy Act, which determines the rates and conditions in which a government agency must reimburse a financial institution for costs incurred in producing consumer financial records in response to government requests. These amendments update the fees that may be charged by financial institutions and incorporates recent advances in electronic document productions. By way of background, CUNA represents approximately 90% of our nation's 8,100 federal and state-chartered credit unions, which serve 91 million members.

Summary of CUNA's Comments

- CUNA supports these changes that will update and modernize the costs incurred in producing financial records, although we believe the fees for microfiche duplication should not be eliminated at this time.
- Each position description, which will be updated periodically based on changes in the Bureau of Labor Statistics (B L S) survey data, should include the term "or equivalent" as this should eliminate the need to amend these rules if the B L S decides to change the position names and descriptions in the future.

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CUNA supports these changes that will update the fees and costs incurred in producing financial records and agree that they accomplish the goal of modernizing the current fee structure by reflecting the increased costs of producing these records and the changes in technology that have occurred in recent years. These changes include a new "per electronic production" charge of \$5, instead of the previous "per diskette" charge, that will cover the cost of all electronic media or email transmissions.

In the proposal, the Board requested comment as to whether the current fees for microfiche duplication are outdated and should be eliminated as part of this proposal. These fees should not be eliminated at this time as we believe there are credit unions that still retrieve and produce records in this manner. We anticipate that this method of producing records will eventually end for all financial institutions over time, but we do not believe this will occur in the near future.

The proposal will also implement a mechanism to update these reimbursement rates periodically, based on changes in the B L S survey data. We support this approach but suggest that each position description in the proposal add the term "or equivalent" as this should eliminate the requirement to amend these rules if the B L S changes these position names and descriptions in the future.

Thank you for the opportunity to comment on the proposed rule to amend Regulation S, the Right to Financial Privacy Act. If you have questions about our comments, please contact Senior Vice President and Deputy General Counsel Mary Dunn or me at (202) 638-5777.

Sincerely,

signed. Jeffrey P. Bloch
Senior Assistant General Counsel