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By electronic delivery

August 1, 2008

Jennifer J. Johnson, Secretary
Board of Governors of the Federal Reserve
System
20th Street and Constitution Avenue, NW
Washington, DC 20551

Re: Docket Number R-1315
Proposed changes to Regulation DD
Truth in Savings Act
73 Federal Register 28739-19 May 2008

Founders Bank appreciates the opportunity to comment on the amendments to Regulation DD, as proposed by the Board of Governors of the Federal Reserve System. Founders Bank is a full service commercial bank operated under the guidance of the FDIC, in the State of Illinois.

OVERVIEW OF OUR CONCERNS

RIGHT TO OPT OUT

Although we agree with the principles of offering an opt out, we do have a concern with the proposed content and timing requirements. Communication is sent to the customer for every overdraft notice that occurs and our statements do reflect the total overdraft fees for paid and returned items, as well as details of each transaction. We would like to see a change to the proposal allowing an annual notice to be mailed to overdraft customers with no restrictions on sending with a separate mailing, but allowed to be sent with other annual disclosures or a year-end account statement.

In addition, the language in the notice is initially given to the customer when the service is added to the checking account. As with other disclosures there is no annual mailing, reminding customers of the content of those initial disclosures and this should be treated no differently. If we initially disclose to the customer that there are other overdraft services and overdrafts can occur on any amount along with a definition of what an overdraft is, there should be no need to remind them of this information. An additional reminder would make the notice cumbersome and confusing in a time when we are trying to simplify disclosure information to customers ensuring they are fully aware of the features of any products. Shouldn't the focus of this notice be about the options available to opt out and not used to reiterate the product details? We use many other vehicles to describe the product and its features.

PARTIAL OPT OUT

Assigning opt out to select transaction types will only further confuse the customer. If the partial opt out is allowed, a customer will need to be responsible for identifying which transactions would be allowed and which would incur fees. Remaining consistent in the process is really making it easier for the customer and avoids any misunderstanding the customer may have about never being charged an overdraft or NSF fee.

In addition, the technology requirements would be burdensome and cost-prohibitive to our organization and could not be implemented easily.

DEBIT HOLD

If we receive a debit hold, the customer is actively using the card and the reality is that the account will be overdrawn if the funds are not available when the final transaction posts. We have no control over the preauthorization that a merchant would request, including the amount or the number of times they enter the transaction.

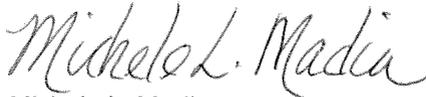
In addition, the technology requirements would be burdensome and cost-prohibitive to our organization and could not be implemented easily. The overdraft analysis that would be required to evaluate an account under this proposal would be difficult because of the complexity related to the retention of the records and the need for constant re-evaluation.

CONCLUSION

Founders Bank recognizes the importance of consumer education and awareness but feel this proposal will make the issues more difficult for the consumer to understand. In addition, given the enormous amount of system enhancements, customer documentation, procedural modification and employee education required to implement the proposals we recommend that this proposal be re-evaluated, based on our comments noted above.

We appreciate your consideration of our comments.

Sincerely,



Michele L. Madia
Senior Vice President



Linda L. Boyer
Vice President of Compliance