

From: Carl Schultz  
Subject: Electronic Fund Transfers

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Comments:

Dear Representative,

in the past 8 years I have lived in Europe, and have transacted all my personal banking accounts under European and national laws. I enjoy the full disclosures the European laws require for bank customers to agree to all terms of the contracts governing personal accounts. The European provisions are similar to the provision now in considerations known as "Opt-In" under Docket No. R-1343. In all cases I am aware of the fees and charges the bank will take from my account before I make any transaction.

I have not been penalized for the massive fees that I experienced with banks in America. The reasons that the banking industry gives as the "Good Samaritan" does NOT serve the end customer. Banks service customer transactions and have enjoyed creating transaction fees that benefit at first the bank and last the customer.

I encourage you to consider your own personal accounts of the hundreds of dollars you have paid to banks for fees that provided no service to your house during the past year. A failed transaction should not be penalized with multiple fees compounded together, such as over the credit-limit fee, and late-payment fee (based on some complex percentage calculation or "minimum fee"), and finally the oblique "returned transaction fee".

The banking industry cannot be expected to legislate and control its own industry. You need to provide the strong provisions, controls, compliance, and regulations that make banks strong businesses in service of the customer. The banks need to return providing better class service to the small and medium financial status customers that make the majority of the voting republic.

- \* Regulate banks to comply with simpler disclosures under all new and account changes.
- \* Regulate banks to comply with "legible print and language" that any person can read and have a reasonable opportunity to understand the contract. Banks are literally hiding the account fees in complex legal terms in statements that can only be read with a magnifying glass.
- \* Regulate banks to comply with "opt-in" provisions and allow no "automatic inclusion" or "opt-out" provisions in consumer contracts.
- \* Regulate banks to comply with a flat fee definition. Allow no fees based on some complex percentage that includes an automatic adjustment to interest rate of the entire contract.
- \* Banks should not be allowed to include a provision that allows them to adjust interest rates based on a consumer report about a business transaction that has no interest to the bank business. American consumers are severely penalized with the banks allowances to adjust interest rates because the consumer has some transaction problems with another unrelated bank or business.

Banks should encourage Americans to save more money with the banks

through the savings and investment accounts benefiting both the customers and the banks. The business models the banks have used in the past years to charge excessive and hidden fees have not stabilized the banking industry. The banking industry need to realize their flawed business model through regulation and compliance, and provide better benefits to the customers to increase their capital basis and net worth. Regulating the current banking fee models would benefit the customers and banks with increased quality of services and better balance sheets.

I have experienced a better way to work with banks in Europe. This American believes that all Americans should demand changes with the banking industry in America to provide a better solution in stabilizing the private banking industry.

Sincerely,  
Carl Schultz  
US Citizen,  
Cologne, Germany