

BOARD ACTION MEMORANDUM

TO: NCUA Board

DATE: February 20, 2009

FROM: Office of General Counsel

SUBJ: Proposed Rule Part 707

ACTION REQUESTED: NCUA Board's approval to issue a proposed rule under the Truth in Savings Act (TISA) concerning the permissibility of electronic disclosures and disclosures regarding overdraft fees and account balances. 12 C.F.R. Part 707.

DATE ACTION REQUESTED: March 19, 2009.

OTHER OFFICES CONSULTED: All Regional Offices, Asset Management & Assistance Center, Office of Examination & Insurance, Office of Corporate Credit Unions, and Office of Small Credit Union Initiatives.

VIEWS OF OFFICES CONSULTED: Concur.

SUBMITTED TO INSPECTOR GENERAL FOR REVIEW: Yes.

BUDGET IMPACT, IF ANY: None.

RESPONSIBLE STAFF MEMBERS: Moissette I. Green, Staff Attorney, Office of General Counsel.

SUMMARY: As required by TISA, NCUA is proposing to amend its TISA rule and official staff interpretation to align it with the Federal Reserve Board's Regulation DD. Specifically, the rule would amend the provisions and provide guidance on the electronic delivery of disclosures. Additionally, NCUA is proposing to amend the rule and the official staff commentary to require all credit unions to disclose aggregate overdraft fees on periodic statements. The proposed rule also addresses balance disclosures credit unions provide to members through automated systems.

RECOMMENDED ACTION: The Board approve the proposed rule with a 60-day comment period.

ATTACHMENT: Proposed rule.