

From: [James Bohls](#)
To: [Regulatory Comments](#)
Subject: TBA opposes the NCUA's proposed rule to dramatically expand credit unions' authorities for Member Business Loans and Commercial Lending
Date: Wednesday, August 19, 2015 4:43:12 PM

James Bohls
967 County Road 227
Marlin, TX 76661

August 19, 2015

Dear Gerard Poliquin,

Dear Sir:

My name is James L. Bohls, a Senior Vice President & Compliance Officer for the Citizens State Bank in Buffalo, Texas. I began my banking career in July of 1974 and have over 41 years of banking experience in all phases of banking from Operations, Bank Examiner, Loan Officer, Chief Executive Officer and Compliance/BSA Officer. I have always believed that we live in a country of Equal Opportunity, not Unfair Competition and the proposed expansion of Credit Union commercial lending is just not fair to the taxpaying financial institutions in this country. But, there are other concerns as well.

The NCUA's proposal poses serious safety and soundness concerns. NCUA has not established that it is prepared to supervise institutions with expanding business loan portfolios, and the credit union industry has proven ill-equipped to make such loans. At least five credit unions since 2010 have failed at the hands of poorly run business loan programs, accounting for a quarter of all losses to the insurance fund during that period. In 2010, member business loans were the primary or secondary contributing factor for the supervisory concern for nearly half of the credit unions with CAMEL ratings of 3, 4 or 5 that made business loans. The level of delinquent member business loans dramatically rose from 0.53 percent in 2006 to 4.29 percent in 2010; compared to a total loan delinquency of 1.74 percent, this is a clear indication that credit unions, and NCUA itself, were ill-prepared for the additional responsibilities and risks associated with commercial lending. Losses could quickly multiply under this proposed rule.

In addition, relaxing the regulatory standards is contrary to NCUA's charge of protecting the industry's insurance fund, and effectively places the taxpayer at risk. NCUA is willfully ignoring lessons from their history and encouraging credit unions to divert funds from consumer lending to commercial lending.

NCUA is overstepping its regulatory reach by expanding business lending loopholes. This proposal is contrary to congressional intent to limit business lending by credit unions. In 1998, Congress made it clear that credit unions should be focused on consumer lending, not commercial lending. Congress instituted restrictions on business lending deliberately: "to ensure that credit unions continue to fulfill their specified mission of meeting the credit and savings needs of consumers, especially persons of modest means, through an emphasis on consumer rather than business loans." By proposing this rule, the NCUA Board has blatantly disregarded congressional intent. NCUA should not undermine specific limitations by Congress nor expand the taxpayer liability.

Sincerely,
James Bohls