

BOARD ACTION MEMORANDUM

TO: NCUA Board

DATE: December 23, 2010

FROM: Office of General Counsel

SUBJ: Final Rule – Truth in Savings
(Part 707)

ACTION REQUESTED: Board issuance of the attached final rule.

DATE ACTION REQUESTED: January 13, 2011.

OTHER OFFICES CONSULTED: None.

VIEWS OF OTHER OFFICES CONSULTED: All Regional Directors and All Office Directors.

BUDGET IMPACT, IF ANY: None.

SUBMITTED TO INSPECTOR GENERAL FOR REVIEW: Yes.

RESPONSIBLE STAFF MEMBER: Justin M. Anderson, Staff Attorney, Office of General Counsel.

SUMMARY: The attached rule clarifies provisions addressing electronic disclosures of overdraft fees, overdraft fee disclosure terminology, and retail sweep accounts. Under the Truth in Savings Act, NCUA is required to promulgate regulations substantially similar to those promulgated by the Federal Reserve within 90 days of the effective date of the Federal Reserve's rules. The attached rule is substantively identical to the Federal Reserve's recent final rule, but contains changes in nomenclature and minor editorial and reference changes. The rule remains unchanged from the interim final rule the Board issued at the July 2010 Board meeting.

RECOMMENDED ACTION: Recommend the Board issue the final rule.

ATTACHMENT: Draft Final Rule.