

From: [Brian Fogg](#)
To: [Regulatory Comments](#)
Subject: Prompt Corrective Action Risk-Based Capital Comment Letter
Date: Tuesday, May 27, 2014 2:50:06 PM

Dear Secretary of the Board Poliquin,

I fully support the adoption of legislation which requires credit unions to achieve increased capital levels based on the risks associated with more complex operations. However, complexity is NOT determined by assets size. The proposed rule should be amended to remove the \$50 million asset level definition of complexity. Instead, the definition of complex should be based on the credit union's types of assets and the scope of its operations.

As a very well capitalized credit union we have been victimized by the foolhardy management of other credit unions whose operations caused their failure. Those costs were ultimately passed on to surviving credit unions. Properly crafted legislation is needed to prevent the same from occurring in the future. NCUA needs to revise its proposed rule and to focus on truly getting it right.

Within the financial services industry, America's credit unions are a shining example of properly serving consumers. Increased capital levels for those credit unions choosing to take on risky operations and/or assets is prudent, but the regulations must be well crafted or will otherwise cause damage to credit unions AND to their members.

Brian L. Fogg, CEO
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Sincerely,

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