

YOUNG, SHERON

From: _Regulatory Comments
Sent: Monday, August 15, 2005 9:10 AM
To: YOUNG, SHERON
Subject: FW: Comment on Proposed Rule 796

[Please adobe to Web](#)

-----Original Message-----

From: CEO@NBCU.ORG [mailto:ceo@nbcu.org]
Sent: Wednesday, August 10, 2005 9:31 AM
To: _Regulatory Comments
Subject: Comment on Proposed Rule 796

I have reviewed the proposed "Post-Employment Restrictions For Certain NCUA Examiners."

What is the reason for the proposal? Do you have a number of examiners that resign and take executive positions at credit unions with which they examine? Is this regulation to protect your employment stability as an organization?

I see no value to this proposal in the scheme of things. We cannot regulate indentured servitude. Exclusivity contracts for a year in related fields limit a person from putting future value on their own current senior level work experience unless you intend to provide examiners with contractual employment that gives them guarantees as well as you (NCUA). Examination information and the methodology of examinations is public and/or learned knowledge from credit union personnel. NCUA's supervisory program and its parameters cannot possibly be compromised in the exercise of utilizing the same or similar techniques of review to protect a credit union. If there is a concern of confidentiality regarding credit unions other than the one to which the examiner would be working for, simply require a gag order or confidentiality agreement in writing that follows current law in place. Further, the proposal seems too vague and the following provides for a subjective decision making process allowing some examiners to move on and forcibly restrict others who NCUA may deem key personnel to themselves as indicated next: "The proposed rule authorizes the NCUA board to grant waivers if the Chairman certifies that granting the waiver would not affect the integrity of the supervisory program and the proposal states that few examiners will be deemed senior examiners."

Sincerely,

Helen V. Edwards
President and C.E.O.

ceo@nbcu.org
www.nbcu.org

Norristown Bell Credit Union
1407 Erbs Mill Road
Blue Bell, PA 19422
Phone (610) 275-8440
Fax (610) 275-6473

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