



June 22, 2007

**VIA EMAIL**

Ms. Mary Rupp, Secretary of the Board  
National Credit Union Administration  
1775 Duke Street  
Alexandria, Virginia 22314-3428

**RE: Proposed Rule on Member Inspection of Credit Union Books, Records and Minutes, 12 CFR Part 701.3.**

Dear Ms. Rupp:

The Wisconsin Bankers Association (WBA) is the largest financial institution trade association in Wisconsin, representing approximately 300 state and nationally chartered banks, savings and loan associations, and savings banks located in communities throughout the state. WBA appreciates the opportunity to comment on the National Credit Union Administration's (NCUA's) proposed rule regarding member inspection of federal credit union (FCU) books, records and minutes.

Under the proposed rule, a small group of members may inspect and copy non-confidential records provided the group has a proper purpose and has completed a petition for such inspection. The purpose of the inspection must be related to the business of the FCU and must be stated in a petition. The petition must also include: a description of the particular records to be inspected; an agreement by members to pay reasonable duplication and search costs; a statement that the members signing the petition have not within the preceding five years sold or offered for sale, and do not intend to sell or offer for sale, any information obtained from the credit union; a statement that the members signing the petition have not within the past five years aided or abetted any other person from procuring any information from the FCU for purposes of sale; the name of one or more members who will represent the petitioners; and the signatures of at least one percent of the FCU's members, with a minimum of 20 members and a maximum of 250 members.

In addition, NCUA has proposed the term "minutes of the proceedings at all meetings of its members, board of directors, and committees of directors" to include any summary or recording of the proceedings and all documents, reports, studies, and visual aids considered by the meeting participants. NCUA has also proposed the term "books and records of account" to mean accounting records.

4721 SOUTH BILTMORE LANE  
MADISON, WI 53718

P. O. BOX 8880  
MADISON, WI 53708-8880

608-441-1200  
FAX 608-661-9381

[www.wisbank.com](http://www.wisbank.com)

WBA does not deny that FCU members have a right to be informed and knowledgeable on FCU matters, and believes those rights are already sufficiently protected by existing regulations. However, WBA believes it is inaccurate to analogize the rights of credit union members to the rights of shareholders of a for-profit-corporation. Yet, that is seemingly how a credit union member would be treated under the proposed rule. WBA sees no valid reason for considering credit union members in this fashion for purposes of document inspection, and therefore believes the proposed rule is unnecessary. Furthermore, WBA contends that the proposal is simply another masked attempt by NCUA to limit the ability of credit unions to choose the charter of their choice by once again throwing up obstacles to make the process of a FCU's conversion to a mutual savings bank more onerous and potentially less desirable.

In conclusion, WBA opposes the proposed rule in its entirety because we do not believe the information available through such books, records and minutes is necessary for credit union members to make decisions they are afforded based upon their status as a member. Rather, WBA believes NCUA's purpose is to create heavier burden on a FCU to deter its conversion to a mutual savings bank. As WBA has stated in past comment letters, it is simply wrong for NCUA to place its own interests before the legitimate business interests of a FCU in an effort to preserve the credit union status. For these reasons, WBA urges NCUA to withdraw its proposed rule.

Once again, WBA appreciates the opportunity to comment on the proposed rule.

Sincerely,

A handwritten signature in black ink that reads "Rose M. Oswald Poels". The signature is written in a cursive, flowing style.

Rose M. Oswald Poels  
Senior Vice President