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Mark J. Tenhundfeld

Director
Office of Regulatory
Policy
American Bankers
Association
1120 Connecticut Ave., NW
Washington, DC 20036
Phone: 202-663-5042
mtenhund@aba.com

Krista Shonk

Senior Regulatory Counsel
Regulatory Affairs
America's Community
Bankers
900 19th Street, NW
Ste. 400
Washington, DC 20006
Phone: 202-857-3187
kshonk@acbankers.org

Via Electronic Delivery

November 27, 2007

Office of the Comptroller of the Currency
250 E Street, SW
Mail Stop 1-5
Washington, DC 20219

Jennifer J. Johnson
Secretary
Board of Governors of the Federal
Reserve System
20th Street & Constitution Avenue, NW
Washington, DC 20551

Regulation Comments
Chief Counsel's Office
Office of Thrift Supervision
1700 G Street, NW
Washington, DC 20552

Robert E. Feldman
Executive Secretary
Attention: Comments
Federal Deposit Insurance Corporation
550 17th Street, NW
Washington, DC 20429

Mary Rupp
Secretary to the Board
NCUA
1775 Duke Street
Alexandria, VA 22314

Re: Notice of Proposed Guidance on Garnishment of Exempt Federal
Benefit Funds (OCC: Docket ID OCC-2007-0015; Board: Docket No.
OP-1294; OTS: ID OTS-2007-0018)

Dear Sir or Madam:

The American Bankers Association and America's Community Bankers¹
appreciate the opportunity to comment on recently proposed guidance
regarding insured depository institutions' responses to garnishment

¹ ABA and ACB will merge December 1, 2007. Following that merger, the combined association will unite community, regional and money center banks and holding companies, as well as savings associations, trust companies and savings banks under one association that works to enhance the competitiveness of the nation's banking industry. ABA's members -- the majority of which are banks with less than \$500 million in assets and have a median asset size of \$125 million -- will represent 95 percent of the industry's \$11.5 trillion in assets and employ nearly 2 million men and women.

orders affecting accounts with federal benefit funds.² We commend the Agencies for attempting to address the difficult situation where creditors have a court order to receive payment, consumers have a statutory entitlement to protection, and banks are caught in the middle.

We note, however, that there are several factors that make the problem significantly more complicated than may first appear, raising several questions about the guidance as currently proposed. For instance --

- These situations often involve yet another layer of complexity, namely, ensuring that key payments such as child support and alimony are made.³ A judgment debtor that receives federal benefit payments is protected from garnishment as a general matter. However, if the debt being collected is for child support, alimony, or one of the other exceptions created by Congress, then the account may be garnished.
- The fungibility of money makes it impossible to know which funds came from which source once the funds are commingled in an account. Coding the source of an electronic direct deposit can help identify that an account receives federal benefit funds, but does not help with determining, for example, how far back in the account history the bank needs to look or what to do about benefit funds that are commingled with other funds of the benefit recipient or a joint accountholder. Nor does it help identify benefit funds deposited by paper check.
- Banks can be held liable for the entire amount of a debt that a creditor is seeking to collect on if the bank fails to comply with a garnishment order.⁴
- State garnishment laws vary greatly from state to state in terms of whether garnishment is one-time or continuing, how much time the bank has to respond, what information the garnishing creditor is required to provide to the customer, and other matters. States also

² The proposed guidance was published by the Office of the Comptroller of the Currency, the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of Thrift Supervision, and the National Credit Union Administration (collectively, the Agencies) on September 28, 2007 (72 Fed. Reg. 55273).

³ Federal benefit payments may be subject to a number of exceptions. For instance, the Social Security Administration website (<http://www.ssa.gov/deposit/DDFAQ898.htm>) explains that --

- Section 207 of the Social Security Act (42 U.S.C. 407) protects Social Security benefits from assignment, levy, or garnishment. However, the law provides five exceptions:
1. Section 459 of the Act (42 U.S.C. 659) allows Social Security benefits to be garnished to enforce child support and/or alimony obligations;
 2. Section 6334 (c) of the Internal Revenue Code (26 U.S.C. 6334 (c)) allows benefits to be levied to collect unpaid Federal taxes;
 3. Section 3402 (P) of the Internal Revenue Code allows beneficiaries to elect to have a percentage of their benefits withheld and paid to the Internal Revenue Service to satisfy their Federal income tax liability for the current year;
 4. The Debt Collection Act of 1996 (Public Law 104-134) allows benefits to be withheld and paid to another Federal agency to pay a non-tax debt the beneficiary owes to that agency; and
 5. The Tax Payer Relief Act of 1997 (Public Law 105-34) authorizes the Internal Revenue Service to collect overdue federal tax debts of beneficiaries by levying up to 15 percent of each monthly payment until the debt is paid.

⁴ See, e.g., *McMahan & Company v. Po Folks, Inc.*, 206 F.3d 627, 632; 2000 U.S. App. LEXIS 3498 at 12; 2000 FED App. 0083P (6th Cir.) (applying Kentucky law, the court stated “Under Kentucky law, a violation of a garnishment order imposes liability in the amount of the judgment.”).

have their own set of exemptions which vary from state to state and differ from federal exemptions.

- Garnishments are not the only form of legal process banks receive. For example, in addition to alimony and child support orders mentioned above, banks also receive state and federal tax levies, writs of execution, and unemployment levies for overpayments of state unemployment benefits.
- Banks receive large numbers of garnishments and other forms of legal process that need to be processed quickly and efficiently in order to avoid liability to the creditor, which is costly to the bank and can leave very little time for anything but the basic account research needed to determine if there is an account and, if so, whether funds are available.

Banks are eager to see that disputed funds go to the appropriate person, and they understand the hardships that can arise when an account is frozen. However, given the competing equities involved and given the punitive consequences for an action taken in good faith that someone may second-guess, banks have little choice but to preserve the funds while entitlement is sorted out.

We recognize that banks, as holders of disputed funds, will be affected by whatever solution is designed, and we would welcome the opportunity to explore alternatives with the banking agencies that would achieve the guidance's objectives in a more effective way.

Background

If a bank receives a court order for garnishment on an account that has both “exempt” funds (*i.e.*, benefit payments that are exempt from garnishment) and non-exempt funds, the bank has several options for how to respond, all of which have significant downsides. For example, the bank may—

- Obey the court order and permit the account to be garnished. This may result in a conflict with state or federal law, because Social Security benefits and other federal payments may be exempt from the particular garnishment or legal process the bank has received.
- Not obey the court order, because there is no easy way to differentiate between exempt and non-exempt funds. This can result in the bank being held in contempt of court and liable for the full amount of the debt—not an option that any bank likes to follow.
- Place a hold on the amount of garnished funds in the account, or remove the amount of the garnished funds from the account, until all the parties involved are able to resolve the issue. This situation prevents customers from freely accessing exempt funds and can result in significant hardships for individuals. It also requires the bank to expend time and money to mediate in a situation in which it is involved solely because it holds property that is the object of a dispute between third parties.
- Put money into the registry of the court and let the creditor and consumer resolve the dispute. Banks typically wait the maximum time permitted under state law to do this in order to enable the customer to file exemptions or other claims with the court.

Given the potential liability arising from the first two options, banks typically will place a hold on the account and then turn the funds over to the court at the end of the time period required to do so. This may prevent customers from accessing needed funds during the days or weeks it may take to resolve the matter, but it typically provides the customer with whatever time state law permits to raise exemptions or other claims with the court.

Discussion of proposed guidance

We understand and support the Agencies' attempts to ensure that bank customers are better positioned to exercise their defenses to garnishments of exempt federal payments. However, the problem stems from a number of problems not caused by banking laws, including difficulties in identifying accounts that receive benefits, the lack of clear rules at the federal and state level addressing how far back in the account history the bank must search, and how to treat benefit funds that are commingled with other funds. The banking agencies' approach understandably uses the tools available to the agencies and the institutions they regulate. But these tools do not reach the most significant problems and complexities that are involved here.

The recommended practices, and our related concerns, are set out below.

Recommended practice: Promptly notify a consumer when a financial institution receives a garnishment order and places a freeze on the consumer's account.

We believe that most (if not all) banks inform their customers when the customers' accounts are garnished or rely on state-mandated notices from the creditor to the customer in states which have such requirements. A bank's response to a garnishment will depend in part on the applicable law of the jurisdiction and, in at least some jurisdictions, the determination that has been made that sufficient notice is provided by virtue of (a) the customer being part of the legal proceeding that gave rise to the judgment (and thereby receiving notice of the judgment in a way that has been deemed adequate by the appropriate jurisdiction) and (b) the customer receiving a notice of the garnishment from the creditor. If the notice in those jurisdictions is inadequate, it is up to the governmental entity that sets the rules governing debt collection to change the law governing notices. This is, as the Agencies have recognized, an area that traditionally falls within the purview of the states.⁵

If the Agencies nevertheless proceed with guidance that encourages all banks to provide notice, then we encourage the Agencies to provide a form notice that institutions may use. It would be helpful for the notice to state that customers need to contact the court and/or creditor to resolve the dispute. This would minimize, but not eliminate altogether, the problems that can arise when banks provide notice of a garnishment. As is discussed in further detail below, any notice about a garnishment is fraught with potential problems for a bank that issues it. However, a form notice, coupled with a safe harbor for those banks that use it, would be helpful.

⁵ *See, e.g.*, 12 CFR 7.4008(e)(4) and 7.4009(c)(2)(iv) (OCC rules governing lending and the applicability of state law to national bank operations, respectively).

Recommended practice: Provide the consumer with information about what types of federal benefit funds are exempt, including SSA and VA benefits, in order to aid the consumer in asserting federal protections.

While we understand the desire to make sure consumers are informed about their rights, we are concerned about deputizing banks to achieve the objective in the context of disputes between third parties over federal payments. The recommended practice would impose a duty that banks are ill-equipped to fulfill and would be likely to raise consumers' expectations inappropriately.

Advice about defenses to garnishment borders on legal advice, thus raising issues about the propriety of engaging in the recommended practice. Even if providing the information about exemptions stops short of the unauthorized practice of law, it raises questions about whether the bank will be seen as having assumed a fiduciary duty to the customer to ensure that the customer is aware of his or her defenses against garnishment. Not only would such a fiduciary duty go beyond any duty a bank currently has in connection with a deposit account, but it would also be wholly inappropriate to change the law in this fashion. Customers must bear the ultimate responsibility to know their legal rights. Furthermore, states often have their own list of exemptions, and any notice of exemptions created and supplied by the bank would presumably have to identify in some way those state exemptions, which vary from state to state, thus creating further complexity and expense for the bank in the context of a dispute where the bank is simply caught in the middle between two other parties.

Concerns about the role that banks play perhaps could be minimized by the banks using an Agency-supplied form notice that contained a list of federal exemptions, heavily qualified to emphasize that the list is illustrative and may not be relied upon by consumers and does not identify any possible exemptions that may be available to the consumer under state law. This also may lessen litigation risk for the bank, although it would not insulate the bank from all potential liability (particularly involving cases of frivolous lawsuits filed to extract a quick settlement). Moreover, a question persists whether any such notice would be beneficial on balance. A bank customer seeing a list of exempt payments – regardless of how heavily qualified – reasonably may assume that any type of payment not on the list may be garnished, thus prompting the customer not to assert a right that is otherwise available. Another customer may see a federal payment that is on the “exempt list” and incorrectly assume that there are no exceptions to the exemptions. Moreover, such an Agency-created list may be inconsistent with notices required to be provided under state law and thus create greater confusion for the customer.

It is a virtual certainty that any list of exemptions and exceptions thereto would prompt questions from customers. A logical place to turn for answers would be the source of the list, *i.e.*, the bank. However, we do not believe that it is the banks' place to be providing legal advice or predictions of court interpretations, not to mention the time, training, and other expense that a bank would have to incur to be able to respond in some fashion to such questions. While banks strive to provide excellent customer service for matters related to their customers' accounts, the proposed guidance would effectively place banks in the role of a court, determining which funds are exempt and which are not. This would tie up considerable bank resources, would further mire bank employees in disputes about property to which the bank has no claim, and would

create the very real risk that customers, having relied to their detriment on well-intentioned advice with which a court later disagrees, would wind up suing the banks when the banks were only trying to do the right thing.

In short, the proposed guidance would raise expectations on the part of bank customers that the banks cannot, and should not be asked to, meet. The problems identified by the agencies raise an important policy issue that is more appropriately addressed by other governmental agencies. A better approach would be for those agencies that issue federal benefit payments to do what they can to improve consumer awareness. Educational outreach, perhaps in the form of materials posted on agency websites or provided in notices given to consumers, could improve consumers' understanding of their rights and how to exercise them.

Recommended practice: Promptly determine, as feasible, if an account contains only exempt federal benefit funds such as SSA or VA benefits.

We appreciate the recognition on the part of the Agencies of how difficult this recommended practice may be. In fact, it will be impossible for many accounts and very difficult to ascertain in those situations where it is possible to do so.

Some suggest that it is easy for banks to identify exempt benefit payments because these payments are identified by a certain code that accompanies the electronic deposit. It is true that senders of electronic payments include “batch header codes” that identify the sender, the type and amount of payment, and so on. However, this option currently is of limited utility in solving the problems the guidance attempts to address. As a threshold matter, it is predicated on *every* payor of exempt federal benefits *consistently and correctly using* a standardized description of the payment and informing all insured depository institutions of that description. To our knowledge, there is nothing obligating federal benefit payors to do so today, and even if some agencies generally do so as a practical matter, banks need the certainty of mandated standardized coding in order to be able to rely on programming that reads that coding.

Attached is a sample collection of “batch header codes” that senders of payments use to describe the payments that one ABA member received in a recent day. As is evidenced by the information in the “Description” column, there is an initial issue simply in determining which federal payments are exempt. For instance, there are 3 payments on the attached report that are from the Veterans Administration;⁶ while only one of them appears to be protected from garnishment, it is impossible to be certain based on the information provided by the batch header codes. Similarly, there are 3 payments that appear to be Social Security payments⁷ and 1 additional payment that appears to be Social Security supplemental income.⁸ While banks learn from experience that some of these codes are in fact for federal benefit payments, reliance on that type of experience will not pick up everything and will not eliminate the guesswork that

⁶ The three payments are from “VA ED CH30,” “VA MGIBSR,” and “VA BENEFIT,” appearing on lines 78-80, respectively, on the attached report.

⁷ See lines 75-77 on the attached.

⁸ See line 81.

must underlie any programming to such codes as presently provided. In order for codes to be part of the solution, all senders of exempt payments must adopt and use consistently a standardized batch header code that clearly identifies a payment as exempt and inform all depository institutions which codes apply to which exempt funds.

Even if this were to happen, however, it would only answer the first question of whether an account has received payments that might be exempt from garnishment. Other questions would have to be answered before a determination could be made that the funds are, in fact, exempt. These questions include the following:

- **Commingled funds.** How can a bank determine which funds are exempt and which are not in an account that commingles both types of deposits? The fungibility of money makes it impossible to trace funds back to a particular deposit in any situation other than one where there has been solely one source of deposits, and being certain that an account has only one source of deposits would require a review of the entire transaction history of the account back to when the account was first opened.
- **Period of review.** How far back must a bank look to determine whether funds are exempt? If an account received exempt benefit payments and non-exempt payments, then, assuming that the account does not become entirely depleted, a question necessarily persists from the date exempt funds are deposited concerning whether a withdrawal or debit involves solely exempt funds, solely non-exempt funds, or some combination thereof. One may make assumptions about the source of funds based, for instance, on a “last-in, last-out” method, but such assumptions are imperfect ways to deal with uncertainty, are very time-consuming to determine in a situation where the bank has to respond within short deadlines, and provide no defense to compliance with a garnishment order unless state law actually contains such rules that the bank can rely on.
- **Paper checks.** Is there a way to obtain the benefits of a coding system if the customer makes a deposit of a paper check? The coding system proposed currently would not work in situations involving paper checks.
- **Joint accounts.** How is entitlement to funds determined when federal benefits are deposited into a joint account? Our members tell us that the majority of accounts receiving exempt federal benefit funds are joint accounts, thus complicating the question of entitlement to the funds.
- **Deposits into others’ accounts.** What about a situation where funds are deposited into an account held in the name of a person other than the payment recipient (such as a representative payee)? In such a situation, if an account were garnished and the accountholder claimed an exemption, there would be no way to verify if that accountholder was the beneficiary of the exempt benefit.
- **Exceptions to garnishment protection.** Even if all of the issues noted above were to be resolved, there would remain the possibility that the debt giving rise to the garnishment or levy might stem from child support, alimony, or some other obligation that overrides the protections against garnishment under either federal or state law. How can a bank be certain that the debt is not such an obligation without digging into the facts? This takes time, and a premature release of funds can wind up hurting those who are entitled to strong protections available under our laws.

In short, without knowing all the facts surrounding a garnishment, it simply is impossible to know for sure whether the funds are exempt. Releasing funds before the facts are sorted out risks undermining the protections for children, single mothers, and others, and it can result in significant liability for the bank. A simple, bright-line rule, with safe harbors, is needed to achieve the objectives of the guidance.

Recommended practice: Notify the creditor, collection agent, or relevant state court that the account contains exempt funds in cases in which the financial institution is aware that the account contains exempt funds.

This practice is predicated on a bank knowing that an account receives exempt funds and actually still contains exempt funds. For the reasons discussed above, it is virtually impossible for a bank to be certain that funds are exempt. Banks with more sophisticated programming and system resources may be in a position to inform courts when the banks receive garnishment orders in connection with accounts that *are likely* to have exempt funds. However, many banks do not currently have the systems and other capabilities to do even this; many rely on the customer to tell them and the courts whether they believe that certain funds are exempt.⁹ Given that this is a dispute involving potentially protected funds, it is reasonable for a bank to assume that the accountholder who claims the protection will be informing interested parties of his or her rights. Indeed, the Social Security Administration advises recipients of benefits as follows: “If a creditor tries to garnish your social security check, inform them that unless one of the five exceptions apply, your benefits can not be garnished. You also may want to provide this same information to your financial institution and seek legal assistance if you believe it is needed.”¹⁰

Recommended practice: If state law or the court order will permit a freeze not to be imposed if the account is determined to contain only exempt federal benefit funds, act accordingly if that determination is made.

As with other recommended practices in the proposed guidance, this one is predicated on the faulty assumption that banks will be able to determine reliably when an account contains only exempt funds. However, if a bank somehow is able to make this determination, the recommended practice is unobjectionable. In those states where state law gets around this problem by specifying statutory exemption amounts for accounts that receive benefit funds, without requiring tracing or other forms of sorting out benefit from non-benefit funds, this can more easily be accomplished.

Recommended practice: Minimize the cost to a consumer when the consumer’s account containing exempt federal benefit funds is frozen, such as by refraining from imposing overdraft, NSF, or similar fees while the account is frozen or refunding such fees when the freeze has been lifted.

⁹ *E.g.*, TEX. CIV. PRAC. & REM. CODE § 63.008 places on the judgment debtor the responsibility of preventing or limiting a financial institution’s compliance with a writ of garnishment.

¹⁰ <http://www.ssa.gov/deposit/DDFAQ898.htm>.

Banks frequently will refund NSF fees imposed when exempt funds are frozen, particularly for the time period prior to when the customer receives notice that the account has been garnished. Thus, this recommended practice is unlikely to change how many banks currently operate with respect to those fees.

We have concerns, however, with a recommendation that banks waive other fees imposed to recover the costs of freezing an account and dealing with the related issues. This “best practice” would require depository institutions either to absorb the costs associated with freezing or garnishing an account or to pass those costs on to other customers. Neither is an equitable result.

Banks must manually determine whether there is an account of the garnishee and if so, whether there are enough funds in the account to satisfy the garnishment even before the bank would be able to make any determination that all or some portion of such funds are covered by an exemption. This is a very cumbersome process that must be done whenever a creditor seeks to freeze a customer’s deposit account. Identifying exempt benefit payments is particularly challenging when dealing with accounts that do not receive benefit payments via direct deposit. In these situations, institutions must review images of the deposit tickets and the benefit checks that are deposited into the account. This is a manual, time-consuming, and costly process.

One of our large members estimates that it receives over 50,000 orders *per month* to impose liens, levies, and garnishments on its customers’ accounts. Banks incur, for example, court costs; employee costs for the time spent identifying accounts and reviewing account activity and responding to customer inquiries; and costs related to the preparation and sending of customer notices and creditor communications. All of these costs must be borne by someone. The proposed guidance, by recommending that fees be waived for customers whose accounts are garnished, suggests that one group of customers – namely, those whose accounts are not garnished – should subsidize another. The Agencies have consistently (and appropriately) refused to dictate to banks what fees may be charged and in what amounts, and we encourage them to follow that approach here.

A “best practice” of waiving fees when an account is frozen also works at odds with another government initiative, namely, efforts to encourage recipients of federal benefit payments to have the payments directly deposited into bank accounts rather than continue to receive paper checks via the mail. This effort was embarked upon for several reasons, including a desire to cut costs to the federal government and to expedite the transfer of funds to beneficiaries. Similarly, financial policymakers have encouraged banks to offer at least basic banking services to as many people as possible. Banks have responded by providing a variety of account types that feature different products, including low-cost and even no-cost accounts that are designed for people who receive government benefits and people on a fixed income. Through these accounts, customers have access to the convenience and safety of a bank account at a very low cost. However, as with any account, banks typically assess service charges for non-standard services that are provided for the account. This helps sustain these “no frills” accounts as viable products.

Clearly a bank may choose to waive fees for reasons that are consistent with safe and sound banking and with its fiduciary duties to its shareholders and its customer service practices. However, a bank should not feel coerced by other influences to do so. By characterizing a

waiver of fees as a “best practice,” the Agencies effectively would be supplanting their judgment for that of the banks and the marketplace.

Recommended practice: Allow the consumer access to a portion of the account equivalent to the documented amount of exempt federal benefit funds as soon as the financial institution determines that none of the exceptions to the federal protections against garnishment of exempt federal benefit funds are triggered by the garnishment order.

As is discussed above, a bank cannot be certain which funds in a deposit account are exempt and which are not until advised by a court. Even if a bank were to undertake in some measure the impossible task of unscrambling the egg in accounts where exempt funds are commingled with non-exempt funds, the debtor and creditor still would need to go to court in cases where disputes persisted. Thus, this recommended practice, while unobjectionable on its face, is of limited practical utility.

There are better alternatives. One is the approach taken by the State of Connecticut, which directs a bank that has received a garnishment order to leave the lesser of \$1,000 or the amount on deposit on the date the garnishment is served if “readily identifiable” exempt funds have been deposited by direct deposit into the account during the 30-day period prior to service of the garnishment.¹¹ The law also provides immunity to the bank for good faith errors made in complying with the provisions of the statute despite “reasonable procedures maintained by the financial institution to prevent such errors.” This approach enables the customer to have access to funds to live on while the dispute is resolved, and it provides a comparatively simple, clear rule that provides the bank with the protection that it needs.¹² Such an approach, adopted at the federal level and preempting inconsistent state laws, would be a more effective way to strike the appropriate balance between the rights of creditors and debtors, respectively, while building on those steps that banks can actually take to play a constructive role.

Recommended practice: Offer consumers segregated accounts that contain only federal benefit funds without commingling of other funds.

It is not clear that this approach would benefit customers in the long run. Most customers will want to deposit non-exempt funds into a transaction account at some point. The recommended practice would require that the customer maintain two accounts, thereby doubling whatever fees are charged in connection with the accounts and requiring the customer to manage more than one account. The additional expense and effort must be weighed against the benefit – which is likely to be speculative at the time of account opening – of preserving access to exempt funds notwithstanding a garnishment.

Nor could a bank be certain that all funds are, in fact, exempt funds even if the account is set up to accept only exempt funds. First, it is not clear how the bank could prevent a customer from

¹¹ CONN. GEN. STAT. § 52-367b (2007).

¹² See also CAL. CIV. PROC. § 704.080 (2004) (exempting a predetermined amount from a garnishment order when an account has received electronic federal benefit payments during the three months preceding the issuance of the order).

depositing funds that are not exempt. Second, the exceptions to the exemptions noted above for alimony and child support would require a bank to analyze even exempt-fund accounts in an attempt to ascertain what is protected.

Recommended practice: Lift the freeze on an account as soon as permissible under state law.

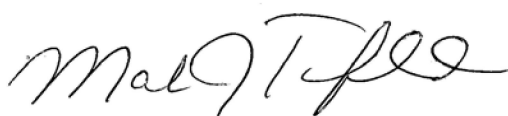
Banks can, and do, lift freezes, or restore funds removed, as soon as permitted. Thus, this recommended practice is unobjectionable, but again depends on the bank being able to determine—notwithstanding the complexities referred to above—that the funds to be unfrozen or restored are in fact exempt.

Conclusion

We commend the Agencies for their efforts to minimize the disruptions to a customer caused when his or her account containing exempt funds is garnished. However, we believe that this is a problem that also requires the efforts of non-banking agencies which provide benefit funds, as well as requiring uniform national rules that will protect banks from liability under state law for failing to turn over exempt funds in response to garnishment orders. The U.S. Treasury, the Social Security Administration, the Veterans Administration, and others who implement statutes that protect benefit payments from garnishment must act to the fullest extent of their authority to assist in identification of benefit funds in standardized ways that will help in addressing this issue.

We appreciate your consideration of our views and would be happy to discuss ways in which the banking industry can play a constructive role in solving these issues.

Respectfully submitted,



Mark Tenhundfeld
Director, Office of Regulatory Policy
American Bankers Association



Krista Shonk
Senior Regulatory Counsel,
Regulatory Affairs
America's Community Bankers

Appendix: Batch Header Code

		*	COMPANY NAME		COMPANY #	SEC	DESCRIPTION				STAT CODE	
1	5	200	DEPT OF EDUCATIO	DOED STUDENT LOAN	[Deleted]	PPD	STDNTLOAN		071120	324	2	101036990000001
2	5	200	DLSP	MBS BATCH		PPD	MBS.DRAFT	112007	071120	324	2	101036880000011
3	5	200	FAA TREAS 220	003050		CCD	EDI MISC		071120	324	2	111036180058260
4	5	200	FHWA TREAS 220	003050		CCD	EDI MISC		071120	324	2	111036180058264
5	5	200	GAO TREAS 220	003050		CCD	EDI MISC		071120	324	2	111036180058257
6	5	200	IRS			CCD	USATAXPYMT	112007	071120	324	2	061036010000001
7	5	200	SAF/FMBMB			PPD	E111907		071119	324	2	051036760000001
8	5	200	US TREAS - EAGLE	AL DHAFRA AFB		PPD	CASH KIOSK	071119	071120	324	2	011736110000170
9	5	200	US TREAS - EAGLE	AL UDEID AFB		PPD	CASH KIOSK	071118	071120	324	2	011736110000128
10	5	200	US TREAS - EAGLE	ANACONDA		PPD	CASH KIOSK	071118	071120	324	2	011736110000033
11	5	200	US TREAS - EAGLE	ARIFJAN		PPD	CASH KIOSK	071118	071120	324	2	011736110000021
12	5	200	US TREAS - EAGLE	BUCA		PPD	CASH KIOSK	071118	071120	324	2	011736110000061
13	5	200	US TREAS - EAGLE	FALCON		PPD	CASH KIOSK	071118	071120	324	2	011736110000113
14	5	200	US TREAS - EAGLE	KNB		PPD	CASH KIOSK	071118	071120	324	2	011736110000060
15	5	200	US TREAS - EAGLE	SLAYER		PPD	CASH KIOSK	071119	071120	324	2	011736110000079
16	5	200	US TREAS - EAGLE	STRIKER		PPD	CASH KIOSK	071119	071120	324	2	011736110000070
17	5	200	US TREAS - EAGLE	TAJI		PPD	CASH KIOSK	071118	071120	324	2	011736110000094
18	5	200	US TREAS - EAGLE	TALIL		PPD	CASH KIOSK	071119	071120	324	2	011736110000136
19	5	200	US TREAS - EAGLE	VIRGINIA		PPD	CASH KIOSK	071118	071120	324	2	011736110000027
20	5	200	US TREAS - EAGLE	WARRIOR		PPD	CASH KIOSK	071118	071120	324	2	011736110000079
21	5	200	US TREASURY	CASHLINK II		CCD	FUNDS CONC		071120	324	2	051036510000001
22	5	200	US TREASURY 220	003050		CTX	EDI MISC		071120	324	2	111036180058299
23	5	200	US TREASURY 310	003050		CTX	EDI MISC		071120	324	2	101036150000078
24	5	200	US TREASURY0303			PPD	SOC SEC		070503	324	2	031036030000012
25	5	200	VAFA TREAS 220	003050		CTX	EDI MISC		071120	324	2	111036180058291
26												
27	5	220	AGRI TREAS 310			PPD	FED SALARY	112007	071120	324	2	101036000000001
28	5	220	AGRV TREAS 310	720564834		CCD	MISC PAY	112007	071120	324	2	101036150000047
29	5	220	ARC TREAS 312			CCD	MISC PAY	112007	071120	324	2	121036500000033
30	5	220	ARCF TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000070
31	5	220	BPD1 TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000032
32	5	220	CBP TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000102
33	5	220	CDC1 TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000196
34	5	220	CDC1 TREAS 310	1586051157		CCD	MISC PAY	112007	071120	324	2	101036150000093
35	5	220	CMWC TREAS 303			CCD	MISC PAY	112107	071121	325	2	031036210000000
36	5	220	COC1 TREAS 303			PPD	FED TRAVEL	112007	071120	324	2	031036000000155
37	5	220	COM4 TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000107
38	5	220	DEA TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000098
39	5	220	DFAS-CLEVELAND	DO SYMBOL 8522		PPD	IATS PAY	111907	071120	324	2	041036000000002
40	5	220	DFAS-CO			CTX	INVOICE		071119	324	2	044036410000001
41	5	220	DJ02 TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000068
42	5	220	DJ02 TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000071
43	5	220	DOJ TREAS 220			PPD	FED TRAVEL	112007	071120	324	2	111036010000006
44	5	220	DOJ TREAS 220			CCD	MISC PAY	112007	071120	324	2	111036180000007
45	5	220	DOLQ TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000124
46	5	220	EDUCATION			CCD	GAPS	071119	071120	324	2	051036360000001
47	5	220	EPA TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000007
48	5	220	FA TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000037
49	5	220	FEMA TREAS 220			PPD	MISC PAY	112007	071120	324	2	111036180000000
50	5	220	GSA TREAS 220			CCD	MISC PAY	112007	071120	324	2	111036180000022
51	5	220	GSA TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000181
52	5	220	GSA TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000052

53	5	220	HRSA TREAS 303	1520821668		CCD	MISC PAY	112007	071120	324	2	031036210000117	
54	5	220	HUD TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000151	
55	5	220	ID TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000080	
56	5	220	ID TREAS 310			PPD	MISC PAY	112007	071120	324	2	101036150000053	
57	5	220	ID TREAS 310	1530197006		CCD	MISC PAY	112007	071120	324	2	101036150000064	
58	5	220	IMMS TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000010	
59	5	220	IRS TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000024	
60	5	220	IRS TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000022	
61	5	220	Just TREAS 303			PPD	FED TRAVEL	112007	071120	324	2	031036000000136	
62	5	220	NIH. TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000127	
63	5	220	NPS TREAS 303			PPD	FED TRAVEL	112007	071120	324	2	031036000000093	
64	5	220	NRC TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000004	
65	5	220	PAY MGT SYSTEM			CCD	HHS PAYMNT	111907	071120	324	2	051036440000003	
66	5	220	POD TREAS 312			CCD	MISC PAY	112007	071120	324	2	121036500000017	
67	5	220	RD TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000000	
68	5	220	Stat TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000051	
69	5	220	SBAD TREAS 312			CCD	MISC PAY	112007	071120	324	2	121036500000076	
70	5	220	SSA TREAS 303	1526004813		CCD	MISC PAY	112007	071120	324	2	031036210000100	
71	5	220	TSA2 TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000090	
72	5	220	TSP TREAS 310			PPD	FED TSP	112007	071120	324	2	101036000000000	
73	5	220	US T TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000120	
74	5	220	US TREAS 303			PPD	SOC SEC		071119	324	2	031036030000001	
75	5	220	US TREAS 310			PPD	SOC SEC		071119	324	2	101036210000002	
76	5	220	US TREAS 312			PPD	SOC SEC		071119	324	2	121036240000003	
77	5	220	US TREASURY 220			PPD	VA ED CH30	112107	071121	325	2	111736870000000	
78	5	220	US TREASURY 220			PPD	VA MGIBSR	112107	071121	325	2	111736880000000	
79	5	220	US TREASURY 220			PPD	VA BENEFIT	112107	071121	325	2	111036190000000	
80	5	220	US TREASURY 303			PPD	RR UI SI	112007	071120	324	2	031736060000000	
81	5	220	US TREASURY 310			PPD	SUPP SEC	112007	071120	324	2	101736130000000	
82	5	220	US TREASURY 312			PPD	CIVIL SERV	112007	071120	324	2	121736140000000	
83	5	220	USCG TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000085	
84	5	220	USDA-FSAKCMOCDSP			CCD	00	071119	071120	324	2	101036100000001	
85	5	220	USGS TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000096	
86	5	220	VAIN TREAS 220			PPD	FEDVAINSUR	112007	071120	324	2	111736910000000	
87	5	220	02 TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000044	
88	5	220	07 TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000030	
89	5	220	11 TREAS 310			PPD	FED TRAVEL	112007	071120	324	2	101036000000046	
90	5	220	11 TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000045	
91	5	220	16 TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000039	
92	5	220	18 TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000017	
93	5	220	20 TREAS 303			CCD	MISC PAY	112007	071120	324	2	031036210000104	
94	5	220	34 TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000041	
95	5	220	36 TREAS 220			CCD	MISC PAY	112007	071120	324	2	111036180000002	
96	5	220	3801000000000000			PPD	FED PAYMNT	071119	071120	324	2	102036550049528	
97	5	220	90 TREAS 310			CCD	MISC PAY	112007	071120	324	2	101036150000033	
98													
99	5	225	AAFES FUNDS CONT	CHECK ORIGATION		ARC	PAYMENT	071119	071120	324	2	041736120073234	
100	5	225	CMS MEDICARE	ACH TRANSACTION		ARC	PAYMENT	071119	071120	324	2	041015670057023	
101	5	225	DEPTOFJUSTICE	ACH TRANSACTION		WEB	DEBT PYMT	071119	071120	324	2	042736144728544	
102	5	225	HCTC	ACH TRANSACTION		ARC	PAYMENT	071119	071120	324	2	041015670057056	
103	5	225	HUD SF UFMIP	ACH TRANSACTION		CCD	PAYMENT	071119	071120	324	2	042736144723697	
104	5	225	IRS FORM 8554	ACH TRANSACTION		ARC	PAYMENT	071119	071120	324	2	041015670057030	
105	5	225	LOC/COP/DRPU	CHECK ORIGATION		ARC	PAYMENT	071119	071120	324	2	041736120073234	
106	5	225	NPDB QUERY	ACH TRANSACTION		CCD	FEE	071117	071120	324	2	042736144714431	

