



National Association of Federal Credit Unions
3138 10th Street North • Arlington, Virginia • 22201-2149
703-522-4770 • 800-336-4644 • 703-522-0594

B. Dan Berger
Executive Vice President
Government Affairs

July 18, 2012

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, D.C. 20510

Re: Support and cosponsor S. 3394

Dear Leader Reid and Leader McConnell:

On behalf of the National Association of Federal Credit Unions (NAFCU), the only trade association exclusively representing the interests of our nation's federally chartered credit unions, I write today in support of S. 3394, bipartisan legislation that combines two commonsense initiatives that will greatly assist our nation's credit unions. NAFCU strongly supports S. 3394, introduced by Senate Banking Committee Chairman Tim Johnson (D-SD) and Ranking Member Richard Shelby (R-AL) along with others, which will modernize the Electronic Funds Transfer Act (EFT) by updating the requirements for fee disclosures on ATMs and ensuring that privileged information provided to the Consumer Financial Protection Bureau (CFPB) by a financial institution will be kept confidential. NAFCU is hopeful that this bipartisan package will be quickly passed by the Senate.

As you know from previous correspondence, eliminating the unnecessary placard fee disclosure requirement on ATMs would discourage a large and growing number of frivolous lawsuits. NAFCU represents more than 800 credit unions that are directly involved in providing convenient, reliable ATM services to millions of Americans. Over the last 18 months, both the number and cost of lawsuits associated with the EFT placard provision have risen precipitously. Of note, while the legislation under consideration would eliminate the physical placard fee disclosure, it would keep in place the on-screen disclosure indicating a fee will be charged and giving the consumer an option to cancel the transaction.

NAFCU also strongly supports the provision that would ensure that privileged information provided by a financial institution to the new CFPB will be kept confidential. It is critical that this type of privacy protection from third parties, which currently exists between credit unions and the National Credit Union Administration, is clearly spelled out in the law with respect to the CFPB.

The Honorable Harry Reid
The Honorable Mitch McConnell
July 18, 2012
Page 2 of 2

We urge you and your colleagues to support and cosponsor this important legislation. Thank you for your consideration and should you have any questions or require additional information, please contact me or Brad Thaler, NAFCU's Vice President of Legislative Affairs, at 703-842-2204 or bthaler@nafcu.org.

Sincerely,



B. Dan Berger
Executive Vice President, Government Affairs

cc: Members of the United States Senate