

August 9, 2006



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

Dear Mr. Feldman:

**Subject: Advertisement of Membership
RIN 3064-AD05**

As a community banker, I appreciate the opportunity to comment on the Advertisement of Membership (12 CFR Part 328) regulation that was issued on July 17, 2006. The combination of the insured banks and savings association official FDIC log is a welcome change. However, I have three concerns regarding the purposed changes to the Advertisement of Membership regulation.

The first is the effective date of six months after publication would be too short of a time frame to change all promotional materials and publications that contain the official FDIC symbol in a cost effective way. I think a year would be a more reasonable time frame. *Therefore, I recommend an effective date of one year after the final rule is published in the federal register.*

The second concern is regarding section 328.3 Official Advertising Statement is the general requirement that "Each institution shall include the official advertising statement in all advertisements that either promote deposit products and services or generally promote banking services offered by the institution". What does "generally promote banking services" mean? Does it mean deposits, loans, safe deposit boxes, travel checks, or any one of a multitude of non-deposit products banks offer? Loans and safe deposit boxes are banking services that are currently exempt from the official advertising statement. In the purposed regulation they have been removed from the exemption list. The phrase "generally promote banking services" is too vague of a phrase. *I recommend that the phrase "generally promote banking services" be clarified to include what banking services are being referenced or the official advertising statement only be required in advertisements for deposit products. In addition, loans and non-deposit products should remain as an exemption in the final regulation.*

The third concern is the removal of bank supplies such as stationary, envelopes, deposit slips, check, drafts, signature cards, deposit passbooks, certificate of deposits, etc from the list of exemptions from the official advertisement requirements. Removing these exemptions would create a burden and additional regulatory costs on institutions for no apparent consumer value. Bank supplies are designed for specific purposes which include functionality, branding and marketing. Regulating materials, that do not represent "sales" or "advertising" of FDIC insured products, does not seem to serve a purpose for the consumer. I am not aware of any issues at our institution or peer banks related to FDIC insurance and our deposit tickets or drive-in window envelopes. This requirement seems to be a solution looking for a problem that does not exist. *I recommend that this exemption remain in the final regulation.*

I thank you for your consideration of these concerns and hope that the final revision of the Advertisement of Membership regulation will address them in a meaningful way.

Sincerely,

A handwritten signature in black ink, appearing to read 'Doug Mitchell', is written over a large, stylized, circular flourish.

Doug Mitchell
Chief Banking Officer
Summit Financial Group
300 North Main Street
Moorefield, WV 26836