

certain kinds of mechanisms that keep these insti...that tend to keep these institutions on line are kept in place. And I think that the discoverability of documents and the knowledge that documents are discoverable is one of those things that helps keep an institution on the straight and narrow. All right, going back to what the bill says, it says, compliance review documents are confidential and not discoverable, okay, what's a compliance review document? Well, you have to go back to the definition of what a compliance review document is. It means documents prepared for or created by a compliance review committee. Does that clarify it for you? Think about that for a minute, though. So you've got this committee over here, and any document they, themselves, prepare or that they ask to have prepared for them, no matter what it deals with, okay, that's going to be a compliance review document even if it has nothing to do with compliance review. Therein lies a little misnomer in this bill. It is called compliance review document but it is only a compliance review document, but it is...but it is any document that is created for a compliance review committee. Well, you might say the compliance review committee is limited to compliance review matters. Is it? Well, when you read down under the definition of a compliance review committee it means an audit committee, a loan review committee, or a compliance committee appointed by the board of directors of a depository institution. My argument to you is that under the category of one of these three committees, if I were the executive director of one of these institutions, I would say whatever information I wanted to develop have one of these committees develop it because if it is developed by the committee, or at the direction of the committee, or for the committee, it is a compliance review document and not discoverable by the attorneys. Very, very broad and broad in a direction that is very questionable. So, what does my amendment do? A little bit hard to read but there is a process, and by the way, this whole process comes out of another bill submitted to the Natural Resources Committee by the business community, had to do with environmental audits and compliance with environmental laws, and we are going to be working with that this summer, had some very good ideas in it because business does need some protections in certain ways. But they, in their proposal, the Chamber of Commerce's proposal to the Natural Resources Committee, they didn't go quite as far as this bill, and they put into the bill a mechanism whereby a hearing could be had as to whether a document was properly withheld from discoverability, and what they did, they provided for what's called an in-camera hearing, and that in-camera