From: Domigene Yellets [mailto:dyellets@fayconatl-bank.com]
Sent: Thursday, March 05, 2009 5:03 PM
To: Comments
Subject: Assessments - Interim Rule - RIN 3064-AD35

The smaller community banks are being lumped into the same category with the Wall Street investment firms and big banks that have caused these economic problems. We don't make subprime loans and have not caused the mortgage problems that have begun the downturn in our economy. Why are we being penalized? Why weren't the regulatory agencies assessing the risk of these loans & investments all along and making sure the economy was not negatively impacted? The regulators of these banks have failed in their duty to protect the banking system, and have allowed the larger, more risky banks to practically ruin our economy and banking system. Why are "bad" banks too big to fail?? And why shouldn't big banks with risky loan and investment practices pay a higher FDIC premium? We have risk-based capital standards, and the FDIC premiums should be the same. It is just like health and life insurance – if you are seriously ill your premiums will be higher. The responsible banks should bear the consequences – not the community banks that are not causing the problem.

The community banks who were well regulated, who care about their community and customers, have adequate or high capital, and do not make risky investments or loans should not be penalized to help those banks who did make risky investment and loans, were apparently poorly regulated, and who chose to give huge salaries and bonuses to the executives who caused this problem. These banks have already either failed or have already received huge amounts of taxpayer money to help them, and a lot of them still have paid millions of dollars in salaries and bonuses. The executives who made these bad business decisions did not care about the risks – the only thing that mattered was their greed. These banks and executives should be held accountable for their actions with higher FDIC premiums and more stringent regulation. We obeyed the rules, and seemingly are being penalized by having to pay much higher FDIC premiums.

The special assessment will impact my bank's profitability for 2009 and probably for many years to come, since the door is open for additional "special" assessments. This could further weaken community banks' capital levels and lessen the amount of funds available for lending. This could cause even further closures of banks with marginal capital, and weaken consumer confidence in our banking system.

Respectfully,

Mrs. Domigene Yellets
Controller
Fayette County National Bank