

January 20, 2026

Submitted electronically

Jennifer M. Jones
Deputy Executive Secretary,
Federal Deposit Insurance Corporation,
550 17th Street NW, Washington, DC 20429.

RE: RIN 3064-AG24

Dear Ms. Jones:

On behalf of the American Bankers Association (ABA),¹ we appreciate the FDIC's thoughtful changes in the Interim Final Rule regarding the special assessment collection. The decision to reduce the eighth-quarter rate from 3.36 basis points to 2.97 basis points minimizes overcollection risk while ensuring the Deposit Insurance Fund (DIF) remains fully protected.

While we appreciate the FDIC's efforts to minimize overcollection, we believe further adjustments are warranted to ensure alignment with declining and uncertain loss estimates. As discussed more fully below, we recommend no collection this quarter with a true-up after SVB litigation concludes, or alternatively, collecting only half of the planned eighth-quarter special assessment.

We continue to urge the FDIC bolster its processes to ensure future systemic risk exceptions, resolutions, and special assessments collectively are fair, fact-based, transparent, and predictable.

Long-term Structural Improvements

ABA believes aligning the risk of the deposit insurance fund to the risk-based pricing system would be a positive step forward. We encourage the FDIC to continue its analysis of switching the reserve ratio denominator and publish the results of its analysis for public comment.²

¹ The ABA is the voice of the nation's \$25.1 trillion banking industry, which is composed of small, regional, and large banks that together employ over 2 million people, safeguard \$19.7 trillion in deposits, and extend \$13.2 trillion in loans.

² Chairman Hill Statement, May 2025 "Separate from, but related to, the Restoration Plan, I think we should consider whether insured deposits is the right metric to measure the DIF's exposure to losses. The FDIC moved away from charging assessments on the basis of insured deposits years ago,¹ creating a mismatch in how assessments are charged and how the health of the DIF is measured. One alternative permitted by the FDI Act is to

Recommendation for Further Adjustment

We urge the FDIC to consider deferring collection this quarter, with a true-up to occur after the SVB litigation concludes and receiverships terminate. This approach would ensure precision and fairness, avoiding unnecessary liquidity burdens while aligning with the principle of minimizing overcollection.

Alternative Option: While full deferral is our preferred approach, we recognize the FDIC may seek partial collection to maintain predictability. If the FDIC determines that some collection is necessary, we suggest collecting only half of the originally planned eighth-quarter special assessment, approximately 1.68 basis points instead of 2.97 basis points. This would reduce near-term costs by roughly \$950 million while preserving flexibility for a final adjustment once actual losses are known.

This recommendation is grounded in several key factors:

1. Substantial decline in estimated losses

As of September 30, 2025, the estimated losses attributable to the systemic risk determination have declined to \$16.7 billion, down from prior estimates exceeding \$20 billion, a reduction of roughly \$2 billion this quarter alone. This trend indicates actual losses will continue to decrease as receiverships progress and asset recoveries materialize.

2. SVB holding company deposit claim

The current loss estimate assumes a \$1.7 billion liability related to SVB Financial Trust's deposit claim. However, this claim remains subject to litigation, and any favorable resolution for the FDIC would further reduce losses. In fact, the last quarterly collection (approximately \$1.9 billion) contemplated in the IFR is only slightly greater than the amount under litigation (\$1.7 billion). Collecting the full eighth-quarter assessment now risks overcollection, given this uncertainty.

3. Rule already mitigates undercollection risk

The IFR provides for a one-time shortfall assessment after receivership termination if needed. This mechanism ensures compliance with statutory requirements without imposing unnecessary near-term liquidity burdens on insured institutions.

4. DIF solvency and liquidity are secure

The DIF remains well-capitalized and liquid. Delaying or reducing the eighth-quarter assessment would not compromise its ability to meet obligations. Our understanding is that delaying or reducing the eighth-quarter assessment would not affect the DIF's reserve ratio and should not affect the DIF's liquidity. Instead, it would avoid imposing excess costs on the industry at a time when loss estimates are trending downward.

use the assessment base² rather than insured deposits as the denominator of the reserve ratio,³ and I have asked staff to analyze this option for future consideration.”

To avoid market confusion and ensure transparency, we recommend the FDIC announce any changes to the eighth assessment in the first half of the first quarter, after the filing deadline for 10-Ks.

Conclusion

Avoiding overcollection is not only prudent but consistent with the FDIC's stated objective of aligning assessments with actual losses. We commend the FDIC for its responsiveness and urge consideration of a further reduction or a temporary suspension of the eighth-quarter special assessment. Doing so would align with the declining loss trajectory, pending litigation outcomes, and the statutory framework already safeguarding against undercollection.

We look forward to working with the FDIC to ensure the final approach reflects both statutory requirements and sound policy considerations. Thank you for the opportunity to comment. We would be pleased to discuss these recommendations further. Please don't hesitate to reach out to the undersigned [REDACTED] or [REDACTED].

Sincerely,

Brittany Kleinpaste

Brittany Kleinpaste
VP, Banking & Economic Research
Office of Economics and Research
American Bankers Association