



**Federal Deposit Insurance Corporation**  
550 17th Street NW, Washington, D.C. 20429-9990

**Financial Institution Letter**  
**FIL-23-2009**  
**May 22, 2009**

## Special Assessment Final Rule

**Summary:** On May 22, 2009, the FDIC adopted a final rule imposing a 5 basis point special assessment on each insured depository institution's assets minus Tier 1 capital as of June 30, 2009. The amount of the special assessment for any institution will not exceed 10 basis points times the institution's assessment base for the second quarter 2009. The special assessment will be collected on September 30, 2009. An additional special assessment of up to 5 basis points later in 2009 is probable, but the amount is uncertain.

### **Distribution:**

All FDIC-Insured Institutions

### **Suggested Routing:**

Chief Executive Officer  
President  
Chief Financial Officer

### **Related Topics:**

FDIC Operational regulations Governing the Assessment Process, 12 CFR 327.1 to 327.15

### **Attachment:**

Final Rule  
<http://www.fdic.gov/news/board/May22no1.pdf>

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### **Note:**

FDIC financial institution letters (FILs) may be accessed from the FDIC's Web site at [www.fdic.gov/news/news/financial/2008/index.html](http://www.fdic.gov/news/news/financial/2008/index.html).

To receive FILs electronically, please visit <http://www.fdic.gov/about/subscriptions/fil.html>.

Paper copies of FDIC financial institution letters may be obtained through the FDIC's Public Information Center, 3501 Fairfax Drive, E-1002, Arlington, VA 22226 (1-877-275-3342 or 703-562-2200).

### **Highlights:**

- The final rule imposes a special assessment on each insured depository institution's assets minus its Tier 1 capital as reported in its report of condition as of June 30, 2009 and caps the special assessment at 10 basis points times the institution's assessment base for the second quarter 2009 risk-based assessment.
- The special assessment will be collected on September 30, 2009.
- An additional special assessment of up to 5 basis points later in 2009 is probable, but the amount is uncertain.
- The FDIC Board may vote to impose such an additional special assessment if the FDIC estimates that the Deposit Insurance Fund reserve ratio will fall to a level that the Board believes would adversely affect public confidence or to a level that will be close to or below zero.

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## **Deposit Insurance Assessments Final Rule on Special Assessments**

On May 22, 2009, the FDIC Board of Directors (Board) adopted the attached final rule on special assessments.

*Special Assessment:* The special assessment will be calculated as 5 basis points times each insured depository institution's assets minus Tier 1 capital as reported in the report of condition of June 30, 2009. The amount of the special assessment for any institution will not exceed 10 basis points times the institution's assessment base for the second quarter 2009 risk-based assessment. The special assessment will be collected on September 30, 2009, at the same time the regular quarterly risk-based assessment for the second quarter 2009 are collected.

*Further Special Assessments:* The Board may, by vote, impose an additional special assessment in 2009 of up to 5 basis points on assets minus Tier 1 capital on all insured depository institutions if the Board believes that the reserve ratio of the DIF is estimated to fall to a level that would adversely affect public confidence or to a level which shall be close to or below zero. Any such additional special assessment will not exceed 10 basis points times the institution's assessment base for the corresponding quarter. The latest possible date for imposing an additional special assessment under the final rule would be December 31, 2009, with collection on March 30, 2010.

An additional special assessment in 2009 is probable.

*Examiner Guidance:* The FDIC will issue guidance to FDIC examiners following the adoption of this rule instructing them to assign component and composite ratings without regard to payment of the special assessment.

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Director  
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