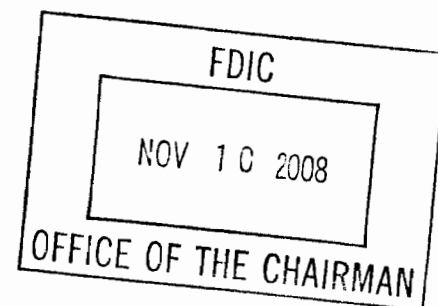


0008-838

**NATIONAL
DISABILITY RIGHTS
NETWORK**
Protection & Advocacy for Individuals with Disabilities



November 3, 2008

Sheila Bair
Chair, Federal Deposit Insurance Corporation

Dear Chairman Bair:

As the Executive Director of the National Disability Rights Network (NDRN) I write you today to express NDRN's, and the Protection and Advocacy and Client Assistance Program systems we represent, concerns about the potential unintended consequences to the Interest on Lawyers Trust Accounts (IOLTA) program associated with your announced Temporary Liquidity Guarantee Program (TLGP). We urge you to make an accommodation as you implement your interim rules to ensure that the critical resources generated by the IOLTA program to provide legal representation to the impoverished are not adversely affected.

The National Disability Rights Network (NDRN) is the nonprofit membership organization for the federally mandated Protection and Advocacy (P&A) Systems and Client Assistance Programs (CAP) for individuals with disabilities. Collectively, the P&A/CAP network is the largest provider of legally based advocacy services to people with disabilities in the United States. IOLTA funds have been critical to a large number of P&A/CAP programs to support legal advocacy for individuals with disabilities that meet the poverty threshold.

IOLTA funds for P&A/CAP programs have achieved meaningful results for thousands of Americans with disabilities who, by virtue of such programs, have had reports of abuse and neglect investigated and a champion for systemic change to prevent further incidents; have had an advocate for basic rights; and to ensure accountability in health care, education, employment, housing, transportation, and within the juvenile and criminal justice systems for individuals with disabilities. Without this source of funding, the citizens ably served by these programs would be deprived of important rights, services, and protections.

IOLTA programs have been adopted by the highest courts or legislatures of all states, under their supervisory powers to regulate the legal profession, for the purpose of helping meet the enormous need for legal assistance that confronts low-income individuals, families and communities across the Nation. Endorsed by the Conference on Chief Justices and the American Bar Association, IOLTA

programs are an essential part of our civil justice system and strive to achieve "Equal Justice Under Law," the laudable objective carved in stone over the entrance to the Supreme Court.

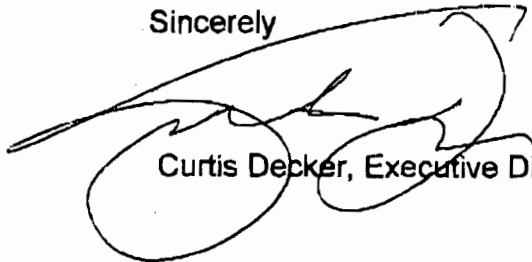
IOLTA is the second largest resource available nationally to ensure that the promise of equal justice is made available to all Americans, regardless of their income. The need for legal advice and representation has never been more critical, as legal aid offices across the country are being besieged by additional requests resulting from the severe economic downturn.

NDRN urges the FDIC to consider IOLTA accounts as non-interest bearing accounts under the terms of the TLGP. This position is supported by the very structure of IOLTA. No attorney or client have any expectation of receiving interest on the short-term escrow accounts that are accumulated to support the provision of legal assistance to the poor. Any accumulated interest is mandated by law in every state to serve the public interest.

If the FDIC cannot consider IOLTA accounts to be non-interest bearing, we would ask in the alternative that an exception be made in the TLGP interim rules providing unlimited deposit insurance to IOLTA accounts.

We appreciate your consideration of our request on such short notice.

Sincerely



Curtis Decker, Executive Director