
From: Dan Johnson [mailto:dan@paynecountybank.com]
Sent: Thursday, April 02, 2009 3:59 PM
To: Comments
Cc: info@icba.org
Subject: Assessments, RIN 3064-AD35

April 2, 2009

Mr. Robert E. Feldman, Exec. Secretary
Attn: Comments
Federal Deposit Insurance Corporation
550 17th Street, NW
Washington, DC 20429

Re: Assessments, RIN3064-AD35

Sir:

In our opinion, FDIC's recapitalization plan for the DIF utilizing special deposit assessments unfairly penalizes banks that operate conservatively and present a **LOW RISK** to the Fund. Any special assessment levied by FDIC will negatively affect our bank's ability to lend, and will impair our ability to foster local economic and community development that would in turn support America's economic recovery.

We urge the FDIC to consider changing the basis of the special assessment to total assets (minus tangible capital) instead of total domestic deposits in order to more fairly distribute the burden of recapitalization. We also suggest that FDIC explore all alternatives to funding the DIF in lieu of the special assessment. Also, if an assessment must be made, it would be helpful if accounting rules would allow an opportunity for banks to amortize the assessment cost over several years.

For several years now, bank regulators have used the "risk based" model as a tool with which to focus their examinations and enforcement actions. While recognizing that there is some risk-based pricing built into the current premium structure, we think that deposit insurance premiums should more accurately reflect the **true risk** presented by a given bank, including a "look-back" provision to more accurately assess premiums to those banks who may have veiled their true risk position through the use of deceitful accounting practices and malicious financial instruments.

Furthermore, it seems that certain individuals who run public companies—dealing mostly with "other peoples' money"—may exhibit more reckless behavior than those who are stewards of local capital. As such, the stewards of local capital and their beneficiaries on the Main Streets of America should not be unfairly punished for the scandalous deeds of others.

Sincerely,

Lynn Kinder
President & CEO

Daniel A. Johnson
Exec. Vice President and Cashier

CC: Oklahoma Congressional delegation

Daniel A. Johnson
EVP & Cashier / Operations Officer
Payne County Bank
Perkins, OK
direct phone 405.547.4827 / fax 405.547.4877
Dan@PayneCountyBank.com