

September 10, 2015

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

Re: Federal Deposit Insurance Corporation Notice of Proposed  
Rulemaking (RIN 3064-AE37)

Dear Mr. Feldman:

Community National Bank is headquartered in Midland, TX. We have \$1,176,980,000 in assets and 11 branches. We are part of a reciprocal deposit placement network. We have found reciprocal deposits to be an important source of contingent liquidity.

We welcome the opportunity to comment on the Federal Deposit Insurance Corporation (FDIC) Notice of Proposed Rulemaking (NPR) proposing changes to the FDIC's deposit insurance assessment regulation for small banks. In particular, we would like to comment on how this proposal would affect Community National Bank.

In short, we strongly urge the FDIC to continue to separate the treatment of reciprocal deposits from that of traditional brokered deposits in setting assessments. Reciprocal deposits are stable sources of core funding that do not present the risks and other characteristics of traditional brokered deposits. The separate treatment of reciprocal deposits from that of traditional brokered deposits in the current assessment system recognizes the differences between the two types of deposits. Reciprocal deposits are not just another form of wholesale funding and should not be treated as such.

When it established the current system in 2009, the FDIC recognized that reciprocal deposits "may be a more stable source of funding for healthy banks than other types of brokered deposits and that they may not be as readily used to fund rapid asset growth." Nothing has changed since then. Traditional brokered deposits are "hot"; reciprocal deposits are not.

Further, as the FDIC's proposal itself points out, the premium assessment for an institution is supposed to reflect the risks posed by its assets and liabilities. Those risks must be specific and should be measurable.

Reciprocal deposits do not present any of the risks and concerns that traditional brokered deposits do: instability, risk of rapid asset growth, and high cost. On the contrary, our reciprocal deposits come from local customers. We typically have a relationship with our customers that goes far beyond merely accepting their deposits. We set reciprocal deposit interest rates based on local rates. Our experience is that reciprocal deposits would be just as “sticky” with the bank as our primary customer’s deposits. For all these reasons, they add to our bank’s franchise value.

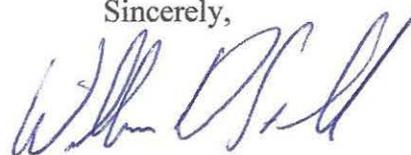
The FDIC in its proposal gives no justification for treating reciprocal deposits like traditional brokered deposit: no facts, no figures, no analysis. Rather, it arbitrarily lumps the two together. In doing so, it would penalize banks that use them by, in effect, taxing them. Such a tax would be unnecessary and unfair. The FDIC’s proposal would punish our bank for using one of the few tools we have to compete against the mega-banks doing business in our area. Although Community National Bank does not currently reciprocate the deposits employed into these off balance sheet accounts, we do count these deposits as contingent liquidity since we would be able to receive a cash injection in short order in an amount that would commensurate with what we have currently deployed one way. This available liquidity is a material component of our contingent funding plan and as such, this proposal would have a significant negative impact to the liquidity management model.

Again, we strongly urge you to retain the current system’s exclusion of reciprocal deposits from the definition of “brokered” for assessment purposes.

So that we do not have to revisit this issue later, we also strongly urge the FDIC to support legislation to explicitly exempt reciprocal deposits from the definition of brokered deposit in the Federal Deposit Insurance Act.

Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'William Stovall', written in a cursive style.

William Stovall  
CEO

cc:

The Honorable John Cornyn  
517 Hart Senate Office Building  
United States Senate

Washington, D.C. 20510

The Honorable Ted Cruz  
404 Russell Senate Office Building  
United States Senate  
Washington, D.C. 20510

The Honorable K. Conaway  
2430 Rayburn House Office Building  
United States House of Representatives  
Washington, D.C. 20515

The Honorable Martin J. Gruenberg  
Chairman  
Federal Deposit Insurance Corporation  
550 17th St., NW  
Washington, DC 20429