

October 26, 2006

**MEMORANDUM TO:** Office of the Executive Secretary

**FROM:** John V. Thomas  
Acting Deputy General Counsel  
Federal Deposit Insurance Corporation

**SUBJECT:** Meeting With Representatives of Merrill Lynch

Please include this memorandum in the public file on the Notice of Proposed Rulemaking on Risk-Based Assessments and in the public file for the Notice and Request for Comment: Industrial Loan Companies and Industrial Banks.

On October 25, 2006, representatives of Merrill Lynch Bank USA and related entities (Merrill Lynch) met with Chairman Bair and staff. This memorandum memorializes that meeting. Merrill Lynch's representatives reiterated their views, previously expressed in a September 22, 2006 comment letter on the proposed rule on Risk-Based Assessments. In addition, Merrill Lynch's representatives also summarized some of the views, previously expressed in an October 10, 2006 comment letter regarding Industrial Loan Companies and Industrial Banks.