



Federal Deposit Insurance Corporation

550 17th Street NW, Washington, D.C. 20429-9990

Legal Division

November 26, 2008

Nicholas A. Fraser
Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20530

Dear Mr. Fraser:

The Federal Deposit Insurance Corporation (FDIC) hereby requests approval by December 2, 2008, for revisions to its Temporary Liquidity Guarantee Program collection of information (OMB No. 3064-0166) pursuant to the Office of Management and Budget's (OMB) Paperwork Reduction Act (PRA) emergency processing procedures at 5 CFR § 1320.13.

The FDIC has determined that (1) the collection of information within the scope of this request is needed prior to the time period established under 5 C.F.R. § 1320.10; (2) this collection of information is essential to the mission of the FDIC; and (3) the FDIC cannot reasonably comply with normal clearance procedures because an unanticipated event has occurred and the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information.

As described more fully in the attached Supporting Statement, on October 13, 2008, in response to the unprecedented disruption in credit markets and the resultant effects on the abilities of insured depository institutions to fund themselves and to intermediate credit, the Secretary of the Treasury (after consultation with the President) made a determination of systemic risk following receipt of the written recommendation of the FDIC Board, along with the written recommendation of the Federal Reserve Board, in accordance with section 13(c)(4)(G) of the Federal Deposit Insurance Act (FDI Act). Pursuant to the systemic risk determination, the FDIC Board established the Temporary Liquidity Guarantee (TLG) Program and approved an interim rule on October 23, 2008, which contains information collection requirements subject to the PRA. On November 21, 2008, the FDIC Board approved a final rule to implement the TLG Program (73 FR 72244, November 27, 2008). The TLG Program is comprised of two components, a Debt Guarantee Program and a Transaction Account Guarantee Program.

Under the Debt Guarantee Component of the program, the FDIC will guarantee all newly-issued senior unsecured debt up to prescribed limits issued by participating entities on or after October 14, 2008, through and including June 30, 2009. As indicated in the interim and final rules, the maximum amount of outstanding debt guaranteed for each participating entity at any time is limited to 125 percent of the par value of the participating entity's senior unsecured debt that was outstanding as of the close of business on September 30, 2008, with exceptions to the guarantee limit only at the discretion of the FDIC. The final rule, however, establishes a formal mechanism for applications for exceptions to the guarantee limit, requiring that newly eligible or

participating entities wishing to establish or increase their debt guarantee limits submit a written letter application. In addition, the final rule requires a written letter application from affiliates of an insured depository institution wishing to participate in the debt guarantee program and from non-participating surviving entities in a merger transaction wishing to opt in to either the debt guarantee or transaction account guarantee programs. Each letter application must include the details of the request, a summary of the applicant's strategic operating plan, and a description of the proposed use of the debt proceeds. The information collected in the letter applications is required by the FDIC to evaluate whether to approve an applicant's request to participate in the programs or for an increase in its debt guarantee limit and to determine what conditions, if any, should be attached to a favorable disposition of the request.

The Transaction Account Guarantee Program remains in effect through December 31, 2009. Accordingly, the FDIC plans to follow this emergency request with a request for approval of these revisions that will be processed under OMB's normal clearance procedures in accordance with the provisions of 5 C.F.R. § 1320.10.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. E. Feldman', with a long horizontal flourish extending to the right.

Robert E. Feldman
Executive Secretary

Attachment