

**1st Bank**

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January 17, 2006

Regulation Comments
Chief Counsel's Office
Office of Thrift Supervision
1700 G Street NW
Washington, DC 20552

RE: **OTS No. 2005-40**
RIN 1550-AB98

Dear Sir/Madam:

I just read an article pertaining to the advance notice of proposed rulemaking (ANPR) addressing the risk-weighted capital requirements for banks.

I have made the observation, based on approximately 40 years of banking, that the banking rule-making bodies only have "one paintbrush and one bucket of paint." All banks seem to have to abide by the same or similar regulations regardless of the following:

- the risk each size institution represents to the FDIC and the financial industry;
- the number of staff available, or lack thereof, to comply with regulations, including their competency;
- the cost to comply as a percent of assets, since assets produce the gross profit to cover overhead costs;
- if it is a rural bank or a metropolitan bank.

My point is this: Please make regulations that relate to the true risk that an institution's size and geographic location present to the national financial industry.

Sincerely,

A handwritten signature in cursive script that reads "John L. Franklin".
John L. Franklin
President & CEO

JLF/wc



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FACSIMILE TRANSMITTAL FORM

DATE: January 18, 2006 Cover Sheet plus 1 pages

TO: Regulation Comments No. 2005-40

Chief Counsel's Office

Office of Thrift Supervision

Phone No. _____

Fax No. 202-906-6518

FROM: John L. Franklin, President & CEO

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- WILL NOT BE SENT BY MAIL

MESSAGE: _____

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