

Supporting Statement For SF 83

A. Justification

1. Title XI of the Financial Institutions Recovery, Reform, and Enforcement Act of 1989 requires all federally insured financial institutions to use State licensed or certified appraisers in federally related transactions beginning 1/1/93. Section 1119(b) of Title XI, 12 U.S.C. § 3348(b), allows the Appraisal Subcommittee ("ASC") to waive these requirements temporarily on its own initiative or on request should a State experience scarcities of appraisers leading to significant delays in appraisal services in federally related transactions. 12 CFR 1102, subpart A provides requesters with a uniform, efficient process for obtaining temporary waiver relief from the ASC.
2. The information will be used by the ASC and its staff in determining whether to grant a State temporary waiver relief. A rule to regulate the temporary waiver proceeding process is not statutorily mandated, but would be substantively and administratively desirable. By adopting the rule, all States will know how they can obtain relief from Title XI and will know how to tailor their requests to ensure the most expeditious handling by the ASC.
3. None.
4. Not applicable. Requests for temporary waiver relief under 12 U.S.C. § 3348(b) are unique.
5. The collection of information does not affect small businesses or other small entities.
6. The information is not available until a State experiences the problems discussed in the statute.
6. The information collection directly affects State Appraiser Regulatory Agencies that request temporary waiver relief. Other persons or entities, *e.g.*, banks and federal regulatory agencies, may voluntarily submit information to the ASC, which in essence, request the ASC to initiate a temporary waiver proceeding, which, may result in the granting of a temporary waiver with relief running to the State. A temporary waiver would eliminate Title XI's requirement for federally regulated financial institutions to use State licensed or certified real estate appraisers for the waiver period. Without this collection of information, such relief could not be provided.
7. No special circumstances exist.
8. A 60 Day Notice of Intent to Request Clearance for Extension of Collection of Information; Opportunity for Public Comment was published on October 29, 2007, at 72 F.R. 61165. The rule was discussed during the ASC's State Appraiser Regulators Conferences held in Washington, D.C., during the Fall of 1991, 1992 and 1993, and was discussed informally with several State Appraiser Regulatory Agency representatives over the three years. Most States and territories were represented at the Conferences. The ASC granted only one temporary waiver request under 12 CFR part 1102, subpart A (to the Commonwealth of the Northern Mariana Islands). Relief was granted in early 1993 and was terminated in February 1994. No major problems occurred.
9. Not applicable.
10. All information submitted to the ASC is public unless it can be withheld under provisions of federal law, such as the Freedom of Information and the Privacy Acts.
11. Not applicable.
12. There is a total possible universe of 55 States and Territories that can request and directly receive temporary waiver relief. At a maximum, we expect that one State or Territory may be making such a request each year. We have received no waiver requests in the last ten years. Other entities, such as the thousands of federally-insured banks and credit unions and other federal regulatory agencies, may voluntarily submit information to the ASC respecting shortages and delays occurring in the States and may ask that the ASC investigate the status of the State and exercise its

discretion to initiate a temporary waiver proceeding. No such requests, however, have been received since the inception of the rule.

13. Not applicable.

14. Not applicable.

15. Because this is a reinstatement of an existing rule, the previous hour burden amounts expired. The new hour burden therefore has to be characterized as an increase.

16. Not applicable.

B. Collections of Information Employing Statistical Methods

Not Applicable.