

Supporting Statement For OMB 83-1

A. Justification

1. Sections (f)(1) and (2) of the Privacy Act of 1974, 5 U.S.C. § 552a, require the Appraisal Subcommittee of the Federal Financial Institutions Examination Council ("ASC") to adopt regulations implementing that Act. Subpart C of 12 CFR part 1102 for this purpose. The subpart provides an individual with a uniform, efficient process for obtaining, reviewing, amending and correcting ASC records pertaining to that individual.
2. The information is used by the ASC and its staff in determining whether to grant to an individual access to records pertaining to that individual and whether to amend or correct ASC records pertaining to that individual. As discussed above, the ASC is required to adopt a rule of this kind to implement the Privacy Act. Subpart C enables individuals to know how to exercise their rights under the Privacy Act.
3. We expect one half of the four annual requests to be filed via Internet email.
4. Not applicable.
5. Not applicable.
6. Without subpart C, the ASC would be in violation of Federal law and individual Privacy Act rights would not be sufficiently protected.
7. No special circumstances exist.
8. A 60 Day Notice of Intent to Request Emergency Reinstatement of Collection of Information; Opportunity for Public Comment was published on October 29, 2007, at 72 F.R. 61165.
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. Under subpart C, individuals can make Privacy Act requests in person or by mail. All persons must make written requests, however. Requesters, where practicable, should identify the system of records and provide his or her identification number or other identifier. Each individual must provide his or her full name, address, date of birth and the subject matter of the record. Individuals also will be required to provide for identification purposes a signed and notarized statement attesting to his or her identity, when the requester cannot personally appear at the ASC's offices. If access to records is being sought, the sworn statement must include representations that subject records pertain to the individual and that the individual is aware that willingly or knowingly requesting or obtaining records pertaining to an individual under false pretenses is a criminal offense. If the ASC's Privacy Act Officer denies a request for access or for amendment or correction, the individual generally can appeal the adverse ruling by applying for an order of the ASC's Executive Director. That application must be in writing and must describe the record at issue and set out the proposed amendment or correction and the reasons for them. If the Executive Director denies the request, then the individual may file a written statement of disagreement with the Executive Director.

There are over 80,000 appraisers throughout the United States who are State licensed or certified, and each of them theoretically can exercise his or her rights under the Privacy Act. Experience since the initial adoption of this subpart has shown that at most, we will receive four requests from four respondents annually. Each response is estimated to take 4.25 hours, resulting in a total annual burden of 17 hours.
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.

17. Not applicable.

18. Not applicable.

B. Collections of Information Employing Statistical Methods

Not Applicable.