

SUPPORTING STATEMENT
Prohibited Service at Savings and Loan Holding Companies

1 A. JUSTIFICATION

2 1. Circumstances that make the collection necessary

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In order for a prohibited person to obtain or to continue in certain positions with a savings and loan holding company (SLHC), the SLHC or the individual will need to apply to the OTS for an approval order for a case-by-case exemption. OTS does not believe that this requirement is punitive in intent. Rather, the primary criteria in assessing such applications is whether the prohibited person in his/her proposed capacity at the SLHC participates in the major policy making functions of the SLHC or threatens the safety and soundness of the insured depository institution that is controlled by the SLHC, the interests of its depositors, or the public confidence in the institution. The proposed collection of information is not burdensome in nature and pertains to the position at the SLHC to be held by the prohibited person, the prohibited person's level of ownership of the SLHC, the specific nature of the offense involved, evidence of rehabilitation, and other relevant factors.

2. Use of the Information Collected

The information collected, when an SLHC or an individual applies for a case-by-case exemption, will be used by OTS to determine whether to approve or deny the prohibited person's involvement in the affairs of the SLHC.

3. Consideration of the use of improved information technology

The respondents will need to file their applications in writing to OTS.

4. Efforts to identify duplication

1 This information collection is not duplicative within the meaning of the PRA and
OMB regulations.

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5. Methods used to minimize burden if the collection has a significant impact on a substantial number of small entities

This information collection does not have a significant impact on a substantial number of small entities.

6. Consequences to the Federal program if the collection were conducted less frequently

Less frequent collection would not promote safe and sound thrift operations.

7. Special circumstances necessitating collection inconsistent with 5 CFR 1320

OTS is not aware of any special circumstances within the meaning of this paragraph.

8. Consultation with persons outside the agency

Notice of intent to renew this information collection was published in the Federal Register on April 29 2010 (75 FR 22681). OTS has not received any comments.

9. Payment to respondents

OTS provides no payments or gifts to respondents.

10. Confidentiality

OTS will treat the information collected with respect to applications for case-by-case exemptions as confidential provided that the respondent requests in writing with the application how the request is consistent with the standards under the Freedom of Information Act and OTS regulations at 12 C.F.R. Part 505.

11. Information of a Sensitive Nature

None.

12. Burden estimate

Number of respondents: 15
Estimated time per response: 16 hours
Estimated annual burden: 15respondents x 16 hours = 240 hours

13. Estimate of annualized costs to respondents

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Not applicable.

14. Estimate of annualized costs to the government

Not applicable.

15. Analysis of change in burden

OTS is citing a reduction in the inventory burden due to a reduction in the number of respondents.

16. Information regarding collections whose results are planned to be published for statistical use

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The results of these collections will not be published for statistical use.

17. Display of expiration date

Not applicable.

18. Exceptions to certification statement

None.

B. STATISTICAL METHODS

Not applicable.