

SUPPORTING STATEMENT
Notice Regarding Assessment Credits
(OMB No. 3064-0151)

A. JUSTIFICATION

1. Circumstances that make the collection necessary

Section 7(e)(3) of the Federal Deposit Insurance Act (12 USC 1817(e)(3)), as amended by the Federal Deposit Insurance Reform Act of 2005, requires that the FDIC provide by regulation an initial, one-time assessment credit to each “eligible” insured depository institution (or its successor) based on the assessment base of the institution as of December 31, 1996, as compared to the combined aggregate assessment base of all eligible institutions as of that date, taking into account such other factors as the Board determines to be appropriate. The one-time credits must, with certain exceptions, be applied by the FDIC to the maximum extent allowed by law to the assessments imposed on such institution that become due for assessment periods beginning after the effective date of the one-time credit regulations until such time as the credit is exhausted. For assessments that become due for assessment periods beginning in fiscal years 2008, 2009, and 2010, the FDI Act provides that credits may not be applied to more than 90 percent of an institution’s assessment.

For an institution participating in a transaction that results in the transfer of one-time assessment credits or the institution's 1996 assessment base, the information collection would occur when the institution provides notice to the FDIC seeking recognition of that transfer. Although most such transactions occurred during the first year following the effective date of the final rule (12 CFR Part 327, effective November 11, 2006), the FDIC anticipates that up to 15 such transactions will occur in subsequent years.

2. Use of the Information Collected

Institutions are required to notify the FDIC of transactions resulting in the transfer of the one-time assessment credit so that the FDIC can accurately track such transfers, apply available credits appropriately against institutions' deposit insurance assessments, and determine an institution's 1996 assessment base if the transaction involved both the base and the credit amount. The need for credit transfer information will expire when the credit pool has been exhausted.

3. Consideration of the use of improved information technology

Respondents may use any technology they wish to notify the FDIC.

4. Efforts to identify duplication

There is no duplication.

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

This is a one-time notice. Less frequent collection would make it impossible for the FDIC to accurately track the transfer of credits, apply available credits appropriately against institutions' deposit insurance assessments, and determine an institution's 1996 assessment base.

7. Special circumstances necessitating collection inconsistent with 5 CFR part 1320

No special circumstances exist.

8. Consultation with persons outside the agency

On March 27, the FDIC published a Federal Register notice (74 FR 13434) seeking public comment for a 60-day period on renewal of the information collection. No comments were received in response to the notice. A second notice (74 FR 26402), seeking public comment for a 30-day period was published on June 2, 2009.

9. Payment to respondents

Not applicable.

10. Confidentiality

There are no confidentiality issues.

11. Information of a Sensitive Nature

None.

12. Burden estimate

Number of respondents: 15 banks

Total estimated time per response: 2 hours

Total estimated annual burden: 15 respondents x 2 hours = 30 hours

13. Estimate of annualized costs to respondents

Not applicable.

14. Estimate of annualized costs to the government

Not applicable.

15. Analysis of change in burden

The current burden estimate reflects an adjustment of -970 hours based on a decrease in the number of respondents from 500 to 15.

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

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.