

**Supporting Statement for
OMB Control No. 1557-0184
Municipal Securities Dealers and
Government Securities Brokers and Dealers --
Registration and Withdrawal**

A. Justification.

1. Circumstances that make the collection necessary:

The Securities Act Amendments of 1975¹ and the Government Securities Act of 1986² (Acts) require in part, that all national banks that act as a government securities broker/dealer or a municipal securities dealer notify their appropriate regulatory agency of their broker/dealer activities. This information collection is required to satisfy the requirements of the Acts. Institutions planning to engage in broker/dealer activities must file before beginning these activities.

This submission covers the following forms: MSD, MSDW, MSD-4, MSD-5, G-FIN, and G-FINW.

2. Use of the information:

The forms are completed by all national banks and certain national bank employees that act in a broker/dealer capacity and are submitted to the OCC. The OCC reviews and files the forms and maintains a detailed record of the information. A copy of the form is sent by the OCC to the Securities Exchange Commission, which uses the information to monitor security industry participants. The information must be collected to meet the registration requirements of the Act.

The OCC uses this information to determine which national banks are government and municipal securities broker/dealers and to monitor entry into and exit from government and municipal securities broker/dealer activities by institutions and registered persons. Further, the OCC uses the information in planning required bank examinations. The information contributes to the OCC's understanding of the bank and the scope of bank activities and facilitates OCC supervision and termination of bank broker/dealer activities in case of serious violations of the Act.

3. Consideration of the use of improved information technology:

The forms are simple to prepare and submit and impose only minimal burden. The OCC offers the documents in a word processing diskette to reduce burden and, whenever possible, the OCC responds by electronic mail to document requests from registrants.

1 15 U.S.C. 78a – 80b-17.

2 15 U.S.C. 78o-5.

4. Efforts to identify duplication:

The information obtained in the forms is unique. It identifies the bank as a government and/or municipal securities broker and/or dealer, associated and supervisory personnel, and the types of securities activities. In cases where individuals are registered under both the government and municipal securities laws, the OCC will permit those individuals to submit combined information on the MSD-4 and/or the MSD-5.

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

This information collection does not have a significant impact on a significant number of small entities. Generally, small banks are not involved in those securities activities that require registration. However, the registration requirement does not adjust form or content for differences in the size of registrants. The information collected is the minimum needed to satisfy the requirements of the Act.

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

Reports are required only when the bank initially registers with the OCC, withdraws its registration, or when material changes are noted in personnel or the locations of securities activities. The information is collected as changes occur. The information cannot be collected less frequently due to statutory requirements.

7. Special circumstances necessitating collection inconsistent with 5 CFR Part 1320:

Not applicable. This information is collected in a manner consistent with the guidelines in 5 CFR 1320.6.

8. Efforts to consult with persons outside the agency:

The forms are the result of the OCC's consultation with the Treasury Department, the Municipal Securities Rulemaking Board, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Securities and Exchange Commission.

The OCC published a *Federal Register* notice on November 30, 2009 (74 FR 62635) regarding renewal of this information collection. No comments were received.

9. Payment to respondents:

Not applicable. There is no payment to respondents.

10. Any assurance of confidentiality:

No assurance of confidentiality is provided.

11. Justification for questions of a sensitive nature:

No sensitive questions are asked.

12. Burden estimate:

There are an estimated 26 bank dealers registered with the OCC. The OCC expects to receive 920 various filings per year. The total annual burden for national banks is estimated at 867.25 burden hours. Burden is presented as follows:

26 respondents @ 35.38 responses per year = 920 responses
920 responses @ 0.9427 hour per response = 867.25 burden hours

<u>Form</u>	<u>Responses</u>	<u>Burden per Response</u>	<u>Total Burden</u>
MSD	14	1.5 hours	21.00 hours
MSDW	3	.25 hours	0.75 hours
MSD-4	800	1.0 hours	800.00 hours
MSD-5	75	.25 hours	18.75 hours
G-FIN	26	1.0 hours	26.00 hours
G-FINW	3	.25 hours	0.75 hours
Total:	920		867.25 hours

The OCC estimates the cost of the hour burden to respondents as follows:

Clerical:	10% x 867.25 =	86.73 @ \$20 =	\$
1,734.50			
Managerial/technical:	60% x 867.25 =	520.35 @ \$40=	20,814.00
Senior management/professional:	30% x 867.25 =	260.17 @ \$80=	<u>20,814.00</u>
Total:			\$ 43,362.50

13. Estimates of annualized costs to respondents:

-

Not applicable.

14. Estimate of annualized cost to the Federal Government:

Not applicable.

15. Change in burden:

Former Burden: 33 Respondents @ 37.18 Responses per year = 1,227 Total Responses
1,227 Responses @ 0.9558 Hour Per Response = 1,172.75 Total Burden
Hours

Current Burden: 26 Respondents @ 35.38 Responses per year = 920 Total Responses
920 Responses @ 0.9426 Hour Per Response = 867 Total Burden Hours

Difference: - 307 Total Responses; - 305.75 Total Burden Hours

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

Not applicable. This information will not be published for statistical use.

17. Display of expiration date:

Not applicable.

18. Exceptions to certification statement:

None.

B. Collections of Information Employing Statistical Methods.

Not applicable.