

SUPPORTING STATEMENT
INTERAGENCY CHARTER AND FEDERAL DEPOSIT INSURANCE APPLICATION
(OMB No. 3064-0001)

INTRODUCTION

The FDIC is requesting renewal of the above-captioned collection of information. The information in this collection is used by the FDIC when it decides whether to provide deposit insurance to financial institutions that request it. It is also used by the Office of Comptroller of the Currency (OCC) and Office of Thrift Supervision (OTS), under separately-approved control numbers, for charter applications. The current approval for this FDIC collection will expire on May 31, 2010.

A. JUSTIFICATION

1. Circumstances and Need

Section 5 of the FDI Act (12 U.S.C. 1815) provides that any depository institution engaged in the business of receiving deposits other than trust funds, upon application and examination by the FDIC and approval by its Board of Directors, may become an insured depository institution. Before approving the application, the Act requires the FDIC Board of Directors to consider certain factors which are listed in Section 6 of the Act (12 U.S.C. 1816). These factors include: the financial history and condition of the depository institution, the adequacy of its capital structure, its future earnings prospects, the general character and fitness of its management, the risk it presents to the FDIC Insurance Fund, the convenience and needs of the community to be served, and the consistency of its corporate powers.

2. Use of Information Collected

The information is used by the FDIC as a basis for analyzing the proposal and evaluating the seven statutory factors in order to determine whether the applicant will qualify for Federal deposit insurance.

3. Use of Technology/Obstacles to Reducing Burden

Respondents are free to use whatever methods are the least burdensome to them for preparing the application for deposit insurance.

4. Efforts to Identify Duplication

No information on the form is available elsewhere.

5. Minimizing the Burden on Small Depository Institutions

All proposed depository institutions must follow the same application procedures. The application is designed to collect only the minimum amount of information necessary for the FDIC to assess the merits of each case. The form is periodically reviewed to ensure a continuing need for the information collected.

6. Consequences of Less Frequent Collections

The information is collected only if a proposed bank or savings association applies for Federal deposit insurance.

7. Special Circumstances

There are no special circumstances.

8. Consultation with Persons Outside the FDIC

A “first” Federal Register notice seeking comment was published on March 8, 2010 (75 FR 10482). The FDIC received no comments.

9. Payment or Gift to Respondents

There are no payments or gifts to respondents.

10. Confidentiality

All information in the application is available for public review unless it qualifies for exemption under the provisions of the Freedom of Information Act (5 U.S.C. 552). The form advises applicants about the policy of making the information publicly available and that the applicant is responsible for identifying information it deems confidential. The FDIC makes the final decision, pursuant to the FOIA, on what information will be released to the public.

11. Information of a Sensitive Nature

No information of a sensitive nature is required.

12. Estimate of Annual Burden

Annual number of respondents: 217
Hours to prepare an application: 125
Annual burden hours: $217 \times 125 = 27,125$
Average hourly rate: \$40
Total annual cost: \$1,085,000

13. Capital, Start-up, Operating, and Maintenance Cost Burden

There are no capital, start-up, operating or maintenance costs.

14. Estimated Annual Cost to Federal Government

Annual number of respondents: 217
Hours to process an application: 360
Average hourly rate: \$45
Total annual cost to FDIC: $252 \times 360 \times \$45 = \$3,515,400$

15. Reason for change in Burden

The change in estimated annual burden, from 31,500 hours to 27,125, is an adjustment of -4,375 hours due to a decline in the number of applications.

16. Publication

The information collected is not published.

17. Display of Expiration Date

No display exceptions are requested.

18. Exceptions to Certification

There are no exceptions to the certification.