

SUPPORTING STATEMENT
INTERAGENCY BIOGRAPHICAL AND FINANCIAL REPORT
(OMB No. 3064-0006)

INTRODUCTION

The FDIC is requesting approval to extend the currently approved information collection captioned above. OMB approval for the collection expires on March 31, 2011.

The Report is submitted to the FDIC by each individual director or officer of a proposed or operating depository institution applying for FDIC deposit insurance, or by a person proposing to acquire control of an insured state nonmember bank; and by each proposed new director or proposed new senior executive officer of a state nonmember bank which (a) became insured or has undergone a change in control within the preceding two years or (b) is not in compliance with the applicable capital requirements or is otherwise in a troubled condition. The information is used by the FDIC to make an evaluation of the general character and financial condition of individuals who will be involved in the management or control of financial institutions, as required by statute. In order to lessen the burden on applicants, the FDIC cooperates with the other federal banking agencies to the maximum extent possible in processing the various applications.

A. JUSTIFICATION

1. Circumstances and Need

Before approving the application of a state nonmember bank of Federal deposit insurance, section 5 of the Federal Deposit Insurance (FDI) Act (12 U.S.C. 1815(a)) requires the Board of Directors of the FDIC to give consideration to the factors enumerated in section 6 of the Act. The factors to be considered include the general character of the bank's management. Also, section 7(j)(6) of the FDI Act (12 U.S.C. 1817(j)) requires that any person proposing to acquire control of an insured state nonmember bank must file, with the FDIC, information pertaining to that person's personal history, business background, assets, liabilities, etc. The form is designed to collect financial information concerning the assets, liabilities and net worth of the subject individual, and biographical information pertaining to the individual's education, the nature of civil and criminal proceedings that the individual may have been involved with, and the individual's present and past employment.

Section 32 of the FDI Act (12 U.S.C. 183li) as added by FIRREA (section 914, P.L. 101-73) (103 STAT. 484)), provides that the FDIC may disapprove an individual's service as a director or a senior executive officer of certain state nonmember banks if upon assessing the individual's competence, experience, character and integrity it is determined that the individual's service would not be in the best interest of the depositors of the bank or the public. The Interagency

Biographical and Financial Report is used as a supplement to the Interagency Notice of Change in Director or Senior Executive Officer form to collect information relevant to assessment of the individual's competence, experience, character and integrity.

2. Use of Information Collected

The information is used by the FDIC for analyzing the financial condition and assessing the general character of individuals wishing to serve as directors of proposed or operating state nonmember banks or savings associations applying for deposit insurance; persons proposing to acquire control of a state nonmember bank; or individuals proposed to serve as directors or senior executive officers of certain state nonmember banks. The FDIC's evaluation of these individuals is required by statute.

3. Use of Technology to Reduce Burden

No technology is involved in the preparation of the report. The report is the personal financial and biographical statement of the submitter.

4. Efforts to Identify Duplication

There is no duplication of reporting. Each report is a unique personal financial and biographical statement of the individual submitter.

5. Minimizing the Burden on Small Banks

All prospective directors or officers associated with applications for Federal Deposit Insurance as a state nonmember bank, and all persons associated with a change in control of an insured state nonmember bank are subject to the same reporting requirements. Also, all individuals filing notice to serve as a director or senior executive officer of certain insured state nonmember banks are subject to the same reporting requirements. The information is the minimum needed by the FDIC to determine the general character and financial condition of the submitter.

6. Consequence of Less Frequent Collections

The information is reported only once by the individual, the minimum consistent with the statute.

7. Special Circumstances

None.

8. Consultation with Persons Outside the FDIC

A “first” Federal Register notice seeking comment was published on December 6, 2010 (75 FR 75675). No comments were received.

9. Payment or Gift to Respondents

None.

10. Confidentiality

The “Privacy Act Statement” on the form advises the respondent of possible uses of portions of the information. Disclosure to other parties is generally exempted under Section 552(b) of the Freedom of Information Act.

11. Information of a Sensitive Nature

No questions of a sensitive nature are included in this collection.

12. Estimate of Annual Burden

Number of reports processed	619
Hours to process a report	<u>x 4</u>
Total estimated annual burden hours	2,476

13. Capital, Start-up, Operating and Maintenance Costs

Not applicable.

14. Estimates of Annualized Cost to the Federal Government

\$123,800. Based on an estimated 619 reports received annually with an average processing time of 4 hours per report at an hourly rate of \$50 per hour.

15. Reason for Change in Burden

There have been far fewer reports processed annually, from 1769 reports to 619 reports, resulting in a reduction in burden hours from 7076 hours to 2476 hours, due to the severe economic downturn and the consequential impact on the banking industry.

16. Publication

There is no publication of the information reported.