

**Supporting Statement for Paperwork Reduction Act (PRA) Submission
To Reinstate and Amend the PRA for
Chartering and Field of Membership Manual, 12 CFR 701.1, App. B to Part 701
OMB Control Number 3133-0015
2013**

A. Justification

1. *Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.*

The Federal Credit Union (FCU) Act requires the National Credit Union Administration (NCUA) Board to administer chartering and field of membership requirements for FCUs. 12 U.S.C. 1759. After consideration of public comment, the NCUA Board adopted the attached Chartering and Field of Membership Manual (Chartering Manual), as incorporated into NCUA's regulations at 12 CFR 701.1 and Appendix B to Part 701. The collection of this information is not new. This 3133-0015 collection is a reinstatement and also incorporates the burdens from other prior collections, which have since expired or been combined, including 3133-0116 and 3133-0178.

The requirements of the FCU Act, as implemented by the Chartering Manual, Chapters 1 through 4, and the appendices containing related forms, necessitate the NCUA collect certain information. The FCU Act specifies, and the Chartering Manual elaborates on the three types of FCU charters:

- single common bond,
- multiple common bond, and
- community (based on a well-defined local community, neighborhood, or rural district);

The FCU Act also provides for FCUs to add underserved areas and includes the requirements for conversion from federal to state credit union and state to federal credit union.

Each chapter and the appendices contain various information collections related to these requirements, as follows:

- In Chapter 1, for new credit union charters, the FCU Act requires that, before NCUA approve an organization certificate (charter of a new credit union), NCUA make an investigation. The investigation is to determine (1) if the organization certificate conforms to the FCU Act's requirements; (2) the general character and fitness of the subscribers to the charter; and (3) the economic advisability of establishing the proposed FCU. Forms NCUA 4001 and 4012 also are required to meet this investigation need. In addition, proposed FCU organizers must submit business plans, wording for their proposed fields of membership, and complete NCUA Forms 4008, 9500, and 9501.

- In Chapter 2, an FCU can apply to NCUA to amend its field of membership. The FCU must provide sufficient information to permit NCUA to make the determination. Single or multiple common bond FCUs can submit formal written requests using either the Application for Field of Membership Amendment (NCUA 4015) or a shorter form 4015-EZ. NCUA previously designed the forms to reduce both the time FCUs spend submitting, and the time the NCUA spends reviewing, this information. NCUA also offers FCUs an electronic alternative to submitting the 4015-EZ by using the “Field of Membership Internet Application,” known as FOMIA, found at: <http://www.ncua.gov/DataApps/FOMIA/Pages/default.aspx>. Also under Chapter 2, an FCU can apply to NCUA to convert to a community charter or expand an existing community charter.
- Under Chapter 3, a multiple common bond FCU can apply to NCUA to add an underserved area to its field of membership.
- Under Chapter 4 and appendices, there are application procedures and forms related to conversions from an FCU to a state-chartered credit union, and vice versa. A credit union can complete forms NCUA 4000, 4221, 4401, 4505, 4506, 9500, 9501, and 9600 for such conversions.

2. *Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.*

The NCUA uses the information to determine if the charter application, field of membership amendment, or conversion application meets the above-referenced requirements of the FCU Act and NCUA regulations.

3. *Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.*

New information technology is utilized to reduce the data collection and reporting burden.

PDF versions of all the forms are available on

<http://www.ncua.gov/Legal/GuidesEtc/Pages/Chartering-Manual.aspx>.

Many credit unions use their computers to send the information to NCUA as electronic attachments and, for some purposes use the FOMIA, described above.

4. *Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.*

There is no duplication. Each application or other submission of information pursuant to this collection is completed for a specific particular matter related to a credit union's chartering or field of membership issue.

5. *If the collection of information impacts small business or other small entities (Item 5 of OMB Form 83-1), describe any methods used to minimize burden.*

NCUA provides assistance and sample guidelines, forms, and other instructions to interested persons and entities.

6. *Describe the consequence to Federal Program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.*

Frequency is not an issue. The application or other submission of information related to a charter, community conversion, charter conversion, or field of membership amendment is done only once for each application and only at the request of the applicant credit union. The charter is perpetual.

7. Explain any special circumstances that would cause an information collection be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies any document;**
- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;**
- **requiring the use of a statistical data classification that has not be reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

None. The collection is done within the Guidelines.

8. *Describe efforts to consult with persons outside the agency:*

Notice of reinstatement with change of the proposed collection and request for comment was published in the Federal Register with a 60-day comment period on August 22, 2013 (78 FR 52216). No comments were received regarding this collection.

9. *Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees:*

There is no decision to provide any payment or gift to respondents.

10. *Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.*

The content of form NCUA 4012, "Report of Official and Agreement to Serve," is subject to the Privacy Act and any confidential information will not be disclosed to the public.

11. *Provide additional justification for any question of a sensitive nature:*

There are no questions of a sensitive nature.

12. *Provide estimates of the hour burden estimate:*

NCUA staff reviewed the Chartering Manual in its entirety for information collection requirements. Staff identified the following chapters as containing ICRs with the following number of respondents and the estimated annual burden in hours.

Chapter 1. Federal Credit Union Chartering

IC 1: Business Plan for New Charters, Wording for Proposed Field of Membership (FOM), NCUA Forms 4001, 4008, 4012, 9500, 9501

Respondents: 2

Estimated annual burden: 160 hours

Total annual hours: 320

Chapter 2. Field of Membership Requirements for Federal Credit Unions

IC 2: Single Common Bond and Multiple Common Bond Amendments, NCUA Forms 4015 and 4015-EZ, FOMIA

Respondents: 9,915

Estimated annual burden: 30 minutes
Total annual hours: 4,957.5
IC 3: Community Charter Conversion and Expansion Applications
Respondents: 39
Estimated annual burden: 160 hours
Total annual hours: 6,240

Chapter 3. Low-Income Credit Unions and Credit Unions Serving Underserved Areas
IC 4: Application to Add an Underserved Area
Respondents: 21
Estimated Annual Burden: 160 hours
Total annual hours: 3,360

Chapter 4. Charter Conversions
IC 5: NCUA Forms 4000, 4221, 4401, 4505, 4506, 9500, 9501, 9600
Respondents: 13
Estimated annual burden: 40 hours
Total annual hours: 520

Here are the total numbers:

Estimated No. of Respondents: 2 for new charters, 9,915 for single common bond and multiple common bond amendments, 39 for community charter conversions and expansions, 21 for underserved areas, 13 for charter conversions = 9,990
Estimated Total Annual Hours Requested: 15,397.5

NCUA does not believe that FCUs will incur any additional labor costs as a result of the requirements in the Chartering Manual.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- (a) Total capital and start-up costs: None.
- (b) Total operation and maintenance and purchase of services: None.

14. Provide estimates of annualized cost to the Federal government:

The information collected will be reviewed by NCUA staff. Therefore, the outside cost to NCUA is negligible.

15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of the OMB Form 83-1.

Reinstatement and revisions with updated number of respondents and burden hours.

16. *For collections of Information whose results will be published, outline plans for tabulation, and publication:*

Not applicable.

B. *Collections of Information Employing Statistical Methods*

The collection does not employ statistical methods.