

**Supporting Statement for SBA Form 1081
Statement of Personal History
(For Use by Lenders)**

1. Circumstances necessitating the collection of information.

Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

As part of their responsibility to safeguard the integrity of federal programs, Federal credit agencies, such as the SBA, are required to evaluate the qualifications, including character and reputation, of a participating lender's principal officers and staff. See e.g., OMB A-129 (Policies for Federal Credit Programs and Non-Tax Receivables). In addition, SBA loan program regulations also require its participating lenders, including Associates, (Certified Development Companies (CDCs), Small Business Lending Companies (SBLCs), Non-Federally Regulated Lenders (NFRLs), Community Development Financial Institutions (CDFIs), Intermediary Lending Pilot Program Intermediaries (ILPs) and Microloan Intermediaries) “to act ethically and exhibit good character.” See, 13 CFR § 120.140 and § 120.851.

Summary of Minor Changes

There are no substantive changes to the information collected, but a few minor changes were made to request that the responding lender identify whether it is a CDC, Microloan Intermediary, SBLC, CDFI, or NFRL; to make clear that the responding lender also consider its relationship with “Agents” when determining its Associates and affiliates; and to request a telephone number.

2. How, by whom and for what purpose information will be used.

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 information is collected from Associates of the SBLC, NFRL, CDC, CDFI, ILP Intermediary, or Microloan Intermediary that propose to hold an equity interest of at least 10% of the economic interest in the applicable lender pursuant to SBA’s Loan Program Requirements. (Associate is defined in 13 CFR 120.10 as an officer, director, key employee or holder of 20 percent or more of the value of the Lender’s or CDC’s stock or debt instruments, or an agent involved in the loan process.

The information is used by SBA to assess the character and ethical behavior of the Participant and its Associates, including whether an Associate is prohibited from employment with the Participant (e.g., debarred). These determinations are critical factors in whether an SBA Lender, Intermediary, or CDFI may participate or continue to participate with SBA and to identify what other entities the lenders are associated with, or have been associated with, if

any. The information also provides the Agency with background data which is evaluated to determine if the institution's key personnel have sufficient qualifications in commercial lending activities.

All new professional staff, to include board members, officers and temporary interns, are required to submit a Form 1081, along with completed fingerprint cards, to OFA for processing. This is in addition to Form 1981, which is required of loan and executive committee members by OFA's SOP.

3. Technological collection techniques.

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 the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce the burden.

SBA Form 1081 is available to the public in electronic form, on SBA's website at <http://www.sba.gov>, under the "forms" option. The form can be downloaded and is PDF-fillable in PDF. SBA requires original signatures on this form and, therefore, does not accept electronic versions.

4. Avoidance of duplication.

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. While some Lenders might provide similar information to other regulatory agencies, SBA does not have access to this information.

5. Impact on small businesses or other small entities.

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

There will be no significant economic impact to small businesses or other small entities.

6. Consequences if collection of information is not conducted.

Describe the consequence to the 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.

If this information is not collected, SBA would be hampered in its efforts to comply with its responsibility to evaluate the character and reputation of individuals participating in federal credit programs. Since SBA only collects the information once from each applicable employee of the SBA Lenders, Intermediaries, and CDFIs, the Agency cannot collect it less frequently.

7. Existence of special circumstances.

Explain any special circumstances that would cause an information collection to be conducted in a manner, etc.

None of these circumstances are applicable.

8. Solicitation of public comments.

If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The Federal Register notice requesting public comments was published on June 21, 2019, at 84 FR 29274. Comments were to be submitted on or before August 20, 2019. No comments were received.

9. Payments or Gifts.

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

No gifts or payments are provided to any respondents.

10. Assurance of Confidentiality.

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

The information collected is protected to the extent permitted by law including the Freedom of Information Act and the Privacy Act, where applicable. SBA provides respondents with a summary statement of the laws governing the Agency's protection and disclosure of confidential and sensitive information as part of SBA Form 1081. SBA restricts access to the information to those personnel with a need to know.

11. Questions of a Sensitive Nature.

Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

This information collection requests social security numbers as well as financial, criminal, and employment information in order to conduct a background check as an aid in assessing the good character of the respondents. The social security number is the unique identifier,

which enables SBA to facilitate a background check by confirming the identity of the particular Associate.

12. Estimate of the Hourly Burden of the Collection of Information The estimated burden hours imposed by use of this form is as follows:

Provide estimates of the hour burden of the collection of information. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated.

The estimated burden imposed by use of this form is as follows:

Currently there are approximately 600 involved entities. The number of respondents annually is estimated at 150 (600 x 25%). There is 1 form per respondent. Time to complete the form is estimated at 30 minutes. This estimate is based on experience of lenders using the previously approved form. Total burden hours are 75 hours. (150 respondents x 30 minutes ÷ 60 = 75 burden hours)

The average salary for the respondent, based on a GS-11 Loan Officer, is approximately \$31.00 per hour. The total cost burden is \$2,325. (75 burden hours x \$31 = \$2,325)

13. Estimate of Total Annual Cost.

Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.

No additional costs.

14. Estimated Annualized Cost to the Federal Government.

Provide estimates of annualized costs to the Federal Government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

The estimated annual cost to the Federal Government of this collection is \$2,325 based on the average salary for a GS-11, Financial Analyst, which is \$31.00 per hour. The financial analyst would need approximately 30 min. to review each Form 1081. (75 burden hours x \$31 per hour = \$2,325).

15. Explanation of Program Changes in Items 13 or 14 on OMB Form 83-I.

Explain reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

With this submission, there has been a slight decrease in the burden hours because of the decrease in responses.

16. Collection of Information Whose Results will be Published.

For collection of information whose results will be published, outline plans for tabulation and publication. Address complex analytical techniques. Provide time schedules for the entire project.

Not applicable.

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Not applicable.

17. Expiration Date for Collection of this Data.

If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why the display would be inappropriate.

Not applicable. SBA does not seek to omit the expiration date from the form.

18. Exceptions to the Certification in Block 19 on OMB Form 83-I Not applicable.

Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submission," of OMB Form 83-I.

There are no exceptions.

B. Collection of Information Employing Statistical Methods.

Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used.

This collection of information does not employ statistical methods.