

PRIVACY ACT STATEMENT

The Federal Deposit Insurance Act (12 U.S.C. §§1819, 1821, and 1822) and 12 C.F.R. Part 330 authorize the collection of this information. The FDIC will use the information to assist in the determination of deposit insurance coverage and/or the payment of deposit insurance on deposits of the closed financial institution. The FDIC may disclose this information: 1) to other federal or state financial institution regulatory agencies, to the financial institution which acquired the deposit accounts of the closed financial institution, if any, and to contractors to assist in the determination and/or payment of deposit insurance on deposits of the closed financial institution; 2) to appropriate Federal, State or local agency or responsible authority, to the extent that disclosure is necessary and pertinent for investigating or prosecuting a violation of or for enforcing or implementing a statute, rule, regulation or order, when the information indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by any statute, or by regulation, rule or order issued pursuant thereto; 3) to a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosure to counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations or in connection with criminal law proceedings, when the FDIC is a party to the proceeding or has a significant interest in the proceeding and the information is determined to be relevant and necessary; or 4) in accord with any other routine use appropriate for the FDIC's Insured Financial Institution Liquidation Records, # 3064-0013. Submitting this information to the FDIC is voluntary. Failure, however, to submit all of the information requested and to complete the form entirely could delay or preclude the determination of deposit insurance coverage and/or the payment of deposit insurance on deposits of the closed financial institution.

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Federal Deposit Insurance Corporation
DECLARATION FOR GOVERNMENT DEPOSIT

INSTRUCTIONS: Please type or print all information legibly and sign. See page 2 for the Paperwork Reduction Act Notice.

Financial Institution: _____

Closing Date: _____

Account Number: _____

Customer Number: _____

1. I am (We are) the official custodian(s) of _____ (the "Public Unit"), which is the owner of the referenced deposit at the closed institution. Under the FDIC's regulation at 12 C.F.R. § 330.15, an "official custodian" is defined as a custodian with "plenary authority, including control, over funds owned by the public unit which the custodian is appointed or elected to serve. Control of public funds includes possession, as well as the authority to establish accounts for such funds in insured depository institutions and to make deposits, withdrawals, and disbursements of such funds." 12 C.F.R. § 330.15(b)(1). I (We) have been appointed official custodian by statute, ordinance or _____ . A copy of the relevant statute, ordinance or other authority is attached. The funds in the account have been lawfully invested at the closed institution pursuant to statute, ordinance or _____ . A copy of the relevant statute, ordinance or other authority is attached.

2. The deposit was owned by (Check one of the following):

- A. The United States of America
- B. A state of the United States
- C. A county
- D. A municipality
- E. The District of Columbia
- F. The Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands, Guam, or The Commonwealth of the Northern Mariana Islands or any county or municipality thereof.
- G. A "political subdivision" of a public unit mentioned in (B), (C), (D), (E) or (F) above. Under the FDIC's regulation at 12 C.F.R. § 330.15, a "political subdivision" is defined to include "drainage, irrigation, navigation, improvement, levee, sanitary, school or power districts, and bridge or port authorities and other special districts created by state statute or compacts between the states." 12 C.F.R. § 330.15(d). The term also includes any subdivision of a public unit mentioned in (B), (C), (D), (E) or (F) or any principal department of such public unit that satisfies the following criteria: "(1) The creation of which subdivision or department has been expressly authorized by the law of such public unit; (2) To which some functions of government have been delegated by such law; and (3) Which is empowered to exercise exclusive control over funds for its exclusive use." *Id.*
- H. An Indian Tribe (as defined in 25 U.S.C. § 1452(c))

DECLARATION FOR GOVERNMENT DEPOSIT (Continued)

3. To the best knowledge of the undersigned, the Public Unit does not have an ownership interest in any other accounts at the Closed Institution whether established by the Custodian or any other person, except for the accounts listed here:

4. This declaration is made to induce the Federal Deposit Insurance Corporation to pay insurance covering the deposit to the extent that the deposit is covered by insurance.

5. This declaration, under penalty of perjury, is executed pursuant to 28 U.S.C. § 1746.

I (We) declare, under penalty of perjury, that the foregoing is true and correct. Executed on:

Signature of Official Custodian

Signature of Official Custodian

Title

Title

THE PENALTY FOR KNOWINGLY MAKING OR INVOLVING RELIANCE ON ANY FALSE, FORGED OR COUNTERFEIT STATEMENT, DOCUMENT OR THING FOR THE PURPOSE OF INFLUENCING IN ANY WAY THE ACTION OF THE FEDERAL DEPOSIT INSURANCE CORPORATION IS A FINE OF NOT MORE THAN \$1,000,000 OR IMPRISONMENT FOR NOT MORE THAN THIRTY YEARS, OR BOTH (18 U.S.C. § 1007).

EXAMPLE

PAPERWORK REDUCTION ACT NOTICE

The information collected is required for determination of insured deposits when a financial institution closes in accordance to Deposit Insurance Rules and Regulations. Public reporting burden for this collection of information is estimated to average 1/2 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Paperwork Reduction Act Clearance Officer, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street, N.W., Washington, D.C. 20429, and the Office of Management and Budget, Paperwork Reduction Project (3064-0143), Washington, D.C. 20503. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.