

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

Supporting Statement – Information Collection Request

OMB Control Number 1513-0017

TTB F 5130.6 - Drawback on Beer Exported

A. Justification.

1. What are the circumstances that make this collection of information necessary and what legal or administrative requirements necessitate the collection?

Under 26 U.S.C. 5055, brewers are entitled to recover the excise tax paid on beer that has been brewed or produced in the United States and either exported or delivered for use as supplies on vessels and aircraft, by filing a claim for drawback (refund) of tax. Regulations in 27 CFR 28.221, 28.222, 28.225, 28.226, and 28.227 allow brewers or exporters to export taxpaid beer, and after exportation, allow brewers to file a claim on TTB F 5130.6 for drawback of excise taxes paid on the beer exported.

2. How, by whom and for what purpose is this information used?

TTB uses the information on the form and supporting documentation to verify and approve brewers' claims for drawback of tax. TTB Form 5130.6 provides TTB with the documentation that the beer was produced and taxpaid within the United States, that the claimant is entitled to drawback of tax, and that the beer has been exported outside of the United States and is not subject to internal revenue tax. This documentation is intended to support the claimant's drawback claim, and to eliminate fraudulent claims.

3. To what extent does this collection of information involve the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology? What consideration is given to use information technology to reduce burden?

We have approved and will continue to approve on a case-by-case basis, the use of improved information technology for the submission of this information.

4. What efforts are used to identify duplication? Why can't any similar Information already available be used or modified for use for the purposes described in Item 2 above?

This information is provided solely for the purpose of tax liability determinations regarding laws and regulations administered by TTB. We are not aware of any similar information that is available from any other source.

5. If this collection of information impacts small businesses or other small entities, what methods are used to minimize burden?

All of the information requested on TTB Form 5130.6 is used to determine whether drawback of internal revenue tax should be paid to the claimant. The information provided is necessary to ensure that claimants do not receive tax refunds to which they are not entitled. Thus, all claimants, regardless of size, must file the form to avoid possible jeopardy to the revenue.

6. What consequences to Federal program or policy activities and what, if any, technical or legal obstacles to reducing burden will occur if this collection is not conducted or is conducted less frequently?

Elimination of TTB Form 5130.6 would hamper TTB's ability to process and verify claims for drawback of tax on beer exported. Without this form, TTB would lack the necessary documentation of exportation of beer, and would be unable to carry out its mission of protecting tax revenues.

The frequency of information collected is based on the exportation activities of the claimant. Claimants complete this form only as often as necessary to comply with TTB regulations authorized by statute. TTB has no control over the frequency of collection of the information.

7. Are there any special circumstances associated with this information collection?

There are no special circumstances associated with this information collection.

8. What effort was made to notify the general public about this collection of information?

A 60-day Federal Register notice was published for this information collection on Wednesday, November 21, 2007, 72 FR 65646. The notice solicited comments from the general public. TTB received no comments.

9. What decision was made to provide any payment or gift to respondents, other than reenumeration of contractors or grantees?

No payment or gift is associated with this collection.

10. What assurance of confidentiality was provided to respondents and what was the basis for the assurance in statute, regulations, or agency policy?

TTB Form 5130.6 is maintained by Customs and at TTB offices in secure file rooms with controlled public access. 26 U.S.C. 6103 protects the confidentiality of tax information obtained by the Government from regulated individuals.

11. What justification is there for questions of a sensitive nature?

We ask no questions of a sensitive nature.

12. What is the estimated hour burden of this collection of information?

The number of respondents (100) and the number of forms filed annually by each (50) are based on historical data provided by TTB field personnel who audit and process this form. The estimated average number of hours per response is 1 hour. Thus, the total burden hours are 5,000.

13. What is the estimated total annual cost burden to respondents or recordkeepers resulting from this collection of information?

Total annual cost estimate associated with this paperwork requirement is allocated entirely to operations and maintenance. Annual costs are allocated as follows:

Minimum wage \$5.85/hour	Preparation 5,000 hours @ \$5.85 =	\$29,250
Postage:	5,000 annual reports @ \$0.55 =	<u>\$ 2,750</u>
Total:		\$32,000

14. What is the annualized cost to the Federal Government?

Estimates of annual cost to the Federal Government result from the printing and distribution of TTB Form 5130.6 are as follows:

Printing	\$ 748
Distribution	\$ 198
Clerical Cost	\$ 176
Other Salary (review supervisory, etc.)	<u>\$2,222</u>
TOTAL	\$3,344

15. What is the reason for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I?

There is an adjustment of \$3,000 in Item 14 of the OMB Form 83-I. This adjustment is due to an increase in the minimum wage from \$5.25 to \$5.85.

16. Outline plans for tabulation and publication for collections of information whose results will be published.

The results of this collection will not be published.

17. If seeking approval to not display the expiration date for OMB approval of this information collection, what are the reasons that the display would be inappropriate?

We will display the expiration date of OMB approval for this collection.

18. What are the exceptions to the certification statement?

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods.

This collection does not employ statistical methods.