

DEPARTMENT OF THE TREASURY

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement - Information Collection Request

OMB Control Number 1513-0026

TTB F 5620.7 Claim for Drawback of Tax on Tobacco Products, Cigarette Papers, and Cigarette Tubes

A. JUSTIFICATION

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

TTB F 5620.7 documents that cigars, cigarettes, and cigarette papers and tubes were shipped to a foreign country, Puerto Rico, the Virgin Islands, or a possession of the United States and that the tax was already paid on these tobacco articles. TTB F 5620.7 is the claim form that a person who paid the tax on the articles uses to file for a drawback or refund of the tax that has already been paid.

The claim is filed with TTB in a sufficient amount of time to allow a TTB inspector to verify the tobacco articles held by a claimant are properly marked and accounted for on the claim form, TTB F 5620.7. When the TTB officer is satisfied that the articles have in fact been taxpaid and each package bears the label or notice as required by 27 CFR 44.222, then the TTB inspector views the packing of the articles into shipping containers and releases the shipment to the claimant for delivery to the port of exportation. 26 U.S.C. 5706 provides that a drawback or refund is allowed on tax already paid on tobacco products and cigarette papers and tubes, when exported from the United States in accordance with regulations prescribed by the Secretary of Treasury.

Those implementing regulations are found in:

27 CFR 44.1	27 CFR 44.224	27 CFR 44.227
27 CFR 44.221	27 CFR 44.225	27 CFR 44.232.
27 CFR 44.222	27 CFR 44.226	

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

TTB collects this information to eliminate the diversion of tobacco articles into domestic consumption and the chance of claimants receiving refunds for which they are not eligible. In addition, TTB would be in violation of the statute for allowing the payment of false 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?

TTB has approved and will continue to approve, on case-by-case bases, the use of any improved technology.

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

TTB F 5620.7 collects information that is pertinent to each respondent and applicable to his/her specific claim. As far as we can determine, similar information is not available any where else.

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

All entities, regardless of size, are required to complete this information collection requirement since failure to collect the information jeopardizes the revenue. This information collection cannot be waived simply because the respondent's business is small.

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?

Respondents complete this information only as often as necessary to comply with the statute. Not collecting this information or collecting the information less frequently would jeopardize the revenue.

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 Thursday, September 4, 2008, 73 FR 51699. 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?

No specific assurance of confidentiality is provided. 26 U.S.C. 6103 protects the confidentiality of the information collected.

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 (288) and the number of forms filed annually (1) by each are based on historical data provided by field office personnel who process this form. It takes each respondent 30 minutes to complete this form. The total burden is 144 hours.

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

No cost is associated with this collection.

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

There is no annualized cost to the Federal Government associated with this collection.

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 actually no program change or adjustment, the burden hours increased and decreased because we created 2 ICs for this ICR to accommodate 2 separate "Obligations to respond." When we added the 1st IC it decreased the burden hours and when we added the 2nd IC it increased the burden hours. The 2 ICs together equaled the same number of respondents, responses, and burden hours.

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

We will not publish the results of this collection.

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.