

**SUPPORTING STATEMENT
(Form 8734)**

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

A charitable organization described in section 501(c)(3) of the Internal Revenue Code (the Code) must provide financial information supporting its qualification for a final determination of public charity status under section 509(a) of the Code at the end of its five-year advance ruling period. By filing Form 8734, the organization can provide financial information supporting its qualification as a publicly supported organization. Failure to obtain public charity status will result in public classification of a charity as a private foundation.

2. USE OF DATA

The information is used by the Exempt Organization Determination organization of the IRS to classify a charity as a public charity or as a private foundation.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

We have no plans at this time to offer electronic filing because of the low volume compared to the cost of electronic enabling.

4. EFFORTS TO IDENTIFY DUPLICATION

We have attempted to eliminate duplication within the agency wherever possible.

5. METHODS TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES

Not applicable.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION ON FEDERAL PROGRAMS OR POLICY ACTIVITIES

Not applicable.

7. **SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN 5 CFR 1320.5(d)(2)**

Not applicable.

8. **CONSULTATION WITH INDIVIDUALS OUTSIDE OF THE AGENCY ON AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, CLARITY OF INSTRUCTIONS AND FORMS, AND DATA ELEMENTS**

Periodic meetings are held between IRS personnel and representatives of the American Bar Association, the National Society of Public Accountants, the American Institute of Certified Public Accountants, and other professional groups to discuss tax law and tax forms. During these meetings, there is an opportunity for those attending to make comments regarding Form 8734. We also receive comments from the Advisory Committee to Tax Exempt and Government Entities (ACT), a committee of non-IRS tax professionals appointed by the Associated Commissioner (TEGE) to provide advice.

We received no comments in response to the **Federal Register** notice dated **April 13, 2010 [75 FR 18953]**.

9. **EXPLANATION OF DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS**

Not applicable.

10. **ASSURANCE OF CONFIDENTIALITY OF RESPONSES**

Generally, tax returns and tax return information are confidential as required by 26 USC 6103.

11. **JUSTIFICATION OF SENSITIVE QUESTIONS**

Not applicable.

12. **ESTIMATED BURDEN OF INFORMATION COLLECTION**

The burden estimate is as follows:

<u>Number of Responses</u>	<u>Time per Response</u>	<u>Total Hours</u>
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Form 8734 2,900 33.59 hrs. 97,411

Estimates of the annualized cost to respondents for the hour burdens shown are not available at this time.

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENT

Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information are not available at this time.

We received no comments in response to the **Federal Register** notice dated **April 13, 2010 [75 FR 18953]**.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

The primary cost to the government consists of the cost of printing Form 8734. We estimate that the cost of printing the form is \$750.

15. REASONS FOR CHANGE IN BURDEN

The change in burden previously approved by OMB is due to a change in Program: Form 8734 is being discontinued and will be obsolete in the near future. It is estimated that in 2010 the number of filers will go from 16,000 to 2,900.

16. PLANS FOR TABULATION, STATISTICAL ANALYSIS AND PUBLICATION

Not applicable.

17. REASONS WHY DISPLAYING THE OMB EXPIRATION DATE IS INAPPROPRIATE

See attachment.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT ON OMB FORM 83-

Not applicable.

Note: The following paragraph applies to all of the collections of information in this submission:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.