

SUPPORTING STATEMENT

Revenue Procedure 98-32

29468. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

Some taxpayers are required by the regulations issued under §6302(h) of the Internal Revenue Code to make federal tax deposits (FTDs) using the Electronic Federal Tax Payment System (EFTPS), an electronic remittance processing system for making FTDs and federal tax payments (FTPs). Other taxpayers, not required to make FTDs using EFTPS, may choose to voluntarily make FTDs and FTPs using EFTPS.

To help implement the §6302(h) regulations, the Service created the EFTPS programs for Batch Filers and Bulk Filers (Filers). The Batch Filer and Bulk Filer programs are used by Filers to electronically submit enrollments, FTDs, and FTPs on behalf of multiple taxpayers. This revenue procedure sets forth the requirements a Filer must meet to participate in the Batch Filer or Bulk Filer program (including registering with a Financial Agent, obtaining an Authorization from each taxpayer for which the Filer will be submitting enrollments and making FTDs or FTPs, submitting these Authorizations to the Service, and enrolling each of those taxpayers with the appropriate Financial Agent).

In addition, Filers may be required to obtain bank statements and acknowledgment numbers to help identify missing payments and to submit a list identifying late payments affected by a disaster. Filers are required to retain copies of Authorizations, enrollments, payment information, advertisements, and direct mailings.

2. USE OF DATA

The IRS and its Financial Agents will use this information to process registration letters, authorizations, enrollments, and payment information.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

The Batch Filer and Bulk Filer programs reduce burden because enrollments, FTDs, and FTPs are submitted electronically. A Batch Filer uses a personal computer or telephone for making FTDs and FTPs. A Bulk Filer uses Electronic Data Interchange (EDI) files to transmit and receive payment information.

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

Meetings were held between the IRS, Financial Management Service (FMS), the Financial Agents, and Filers on their roles in the Batch Filer and Bulk Filer programs.

Revenue Procedure 98-32 was published in the **Internal Revenue Bulletin** on April 27, 1998 (1998-17 IRB 11).

In response to the Federal Register Notice dated July 29, 2010 (75 FR 44848), we received no comment during the comment regarding Rev. Proc. 98-32.

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 collection of information in sections 7 and 8 are required pursuant to §6302. The burden for these requirements is reflected in the burden of Form 8655, Reporting Agent Authorization for Magnetic Tape/Electronic Filers, Form 9779, EFTPS Business Enrollment Form, and Form 9783, EFTPS Individual Enrollment Form.

Sections 5.04 and 6.02 of this revenue procedure provide that all Filers must submit a registration letter to participate in the Bulk or Batch Filer program. In a letter detailing the reasons, a Filer may request assignment to a Financial Agent other than the Financial Agent responsible for the Filer's geographic location. We estimate that 360 Filers must prepare a registration letter and 12 Filers may prepare a letter to request assignment to the other Financial Agent. We estimate that it will take 1 hour to prepare each letter. The burden for this requirement is 372 hours.

Sections 7.05 and 7.08 of this revenue procedure provide that all Filers must prepare a list of all taxpayers for whom a Filer is submitting authorizations to accompany Forms 8655 and, if applicable, a delete list of taxpayers no longer serviced by a Filer. We estimate that 3,000 Filers monthly will need to provide the Service with these lists and that it will take 2 hours each month to prepare each list. The burden for this requirement is 72,000 hours.

Sections 12.01 and 12.02 of this revenue procedure provide that for purposes of proof of payment a Filer may need to produce a bank statement and/or acknowledgment number. Only when a payment is not reflected in a taxpayer's tax account will the Filer need to provide these records. We estimate that 60 Filers monthly will need to provide the Service with bank statements and/or acknowledgment numbers and that it will take .5 hours each month to provide these records. The burden for this requirement is 360 hours.

Section 14.02 of this revenue procedure provides that a Filer may need to prepare a list to identify payments whose timeliness is affected by a disaster. The list will identify those FTDs and FTPs of taxpayers outside the disaster area which were or will be late due to the disaster. We estimate that 145 Filers annually will need to provide the Service with this list and that it will take 1 hour to provide the list. The burden for this requirement is 145 hours.

Sections 15.02 of this revenue procedure provides that a Filer must retain copies of Authorizations, enrollments, and payment information. A Filer must obtain and retain one authorization and enrollment for each taxpayer. A filer must also retain payment information for all FTPs and FTPs made on behalf of each taxpayer. We estimate that 3,000 Filers weekly will need to retain copies of Authorizations, enrollments, and payment information and that it will take 1 hour each week to retain this information. The burden for this requirement is 156,000 hours.

Sections 16.06, 16.07, and 16.08 of this revenue procedure provide that a Filer must

retain copies of all advertisements, regardless of the media used. We estimate that 3,000 Filers monthly will need to retain advertisements and direct mailings and that it will take .5 hours each month to retain this information. The burden for this requirement is 18,000 hours.

TOTAL BURDEN: 246,877 hours

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 RESPONDENTS

As suggested by OMB, our Federal Register notice dated July 29, 2010, requested public comments on estimates of cost burden that are not captured in the estimates of burden hours, i.e., estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. However, we did not receive any response from taxpayers on this subject. As a result, estimates of the cost burdens are not available at this time.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

Not applicable.

15. REASONS FOR CHANGE IN BURDEN

There are no changes in the paperwork burden previously approved by OMB. We are making this submission to renew the OMB approval.

16. PLANS FOR TABULATION, STATISTICAL ANALYSIS AND PUBLICATION

Not applicable.

17. REASONS WHY DISPLAYING THE OMB EXPIRATION DATE IS INAPPROPRIATE

We believe that displaying the OMB expiration date is inappropriate because it could cause confusion by leading taxpayers to believe that the revenue procedure sunsets as of the expiration date. Taxpayers are not likely to be aware that the Service intends to request renewal of the OMB approval and obtain a new expiration date before the old one expires.

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

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.