

DEPARTMENT OF THE TREASURY

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement - Information Collection Request

OMB Control Number 1513-0002

TTB F 5000.9 Personnel Questionnaire – Alcohol and Tobacco Products

A. JUSTIFICATION

1. What are the circumstances that make this collection of information necessary and what legal or administrative requirements necessitate the collection? Also include the following: Align the information collection to Treasury’s Strategic Goals, Line of Business/Sub-function, and IT Investment, if one is used.

The Secretary of the Treasury is authorized by 26 U.S.C. 5171, 5271, 5351, 5352, 5401, and 5712 to issue permits, establish requirements, determine duration of the permits, define operations, and disapprove applications of applicants who are in violation of the law. In addition, 27 U.S.C. 204 specifically denies permits to applicants (including officers, directors, or principal stockholders) who have, within five years prior to the date of application, been convicted of a felony under Federal or State law, or have, within three years prior to application, been convicted of a misdemeanor under any Federal law relating to liquor, including its taxation. This authority is delegated to TTB and in particular to the appropriate TTB officer as prescribed in 27 CFR Part 1.24 and the following regulations:

27 CFR 1.25	27 CFR 24.106	27 CFR 40.41
27 CFR 18.21	27 CFR 24.107	27 CFR 40.61
27 CFR 19.151	27 CFR 24.108	27 CFR 40.62
27 CFR 20.41	27 CFR 24.109	27 CFR 40.73
27 CFR 20.42	27 CFR 24.110	27 CFR 40.74
27 CFR 22.41	27 CFR 25.61	27 CFR 44.81
27 CFR 22.42	27 CFR 25.62	27 CFR 44.82
27 CFR 24.105	27 CFR 25.71	27 CFR 44.91
		27 CFR 44.92

For this submission, TTB is requesting approval to use an electronic version of this form in a new system, Permits ON Line (PONL). PONL will allow for the electronic submission of this form.

This information collection is aligned with:

Treasury Strategic Goal: U.S. World Economies Perform at Full Performance Potential.

Line of Business/Sub-function: Law Enforcement/Taxation/Substance Control.

IT Investment: Tax Major Application Systems.

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

The information collected on TTB F 5000.9 provides a uniform format for determining whether an applicant is qualified for a TTB permit. The submission of the personnel questionnaire is the only means TTB has of determining whether or not the applicant is qualified for a permit. TTB uses the information listed on the personnel questionnaire to avoid issuing an alcohol or a tobacco permit to a criminal, who by law is not entitled to such a permit.

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?

This collection of information is being included in a new system, PONL, that allows for the electronic submission of applications and all of the supplementary forms that are needed to apply for a permit. The electronic submission of this form will reduce the burden on applicants that currently complete this form then have to download and mail it to TTB.

TTB will continue to approve, on a case-by-case basis, the use of improved information technology.

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?

TTB F 5220.4 collects information that is pertinent to each respondent and applicable to his/her specific operations. As far as we can determine, similar information is not available anywhere 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 by statute to provide this information. This requirement 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?

The information listed on TTB F 5000.9, Personnel Questionnaire – Alcohol and Tobacco Products, enables TTB to determine whether or not an applicant for an alcohol or a tobacco permit meets the minimum qualifications. The form identifies the individual, residence, business background, financial sources for the business, and criminal record. If the applicant is found not to be qualified, the permit will be denied. This ensures that the applicant has the willingness and ability to comply with applicable regulatory requirements

including payment of Federal taxes. If this collection was not conducted or conducted less frequently it would pose a risk to the revenue.

7. Are there any special circumstances associated with this information collection that would require it to be conducted in a manner inconsistent with OMB guidelines?

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? Summarize the public comments that were received and describe the action taken by the agency in response to those comments.

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 on this form; however, the confidentiality of the information collected on this form is protected by 26 U.S.C. 6103.

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 (5,000) and the number of forms (1) filed annually by each respondent are based on historical data provided by the field office personnel who process this form. The estimated average number of hours per response (2 hrs) is based on the information provided by respondents. Total burden hours are 10,000. However, with the introduction of PONL, TTB predicts that there will be a slight decrease of 50 burden hours during the 1st 12 months.

Paper submissions: 4,900 (respondents) X 1 (times filed annually) = 4,900 (responses) X 2 hours (processing time) = 9,800 (burden hours)

PONL submissions: 100 (respondents) X 1 (times filed annually) = 100 (responses) X 1 hour and 30 minutes (processing time) = 150 (burden hours)

Total Burden Hours: 9,800 (Paper) + 150 (PONL) = 9,950

13. What is the estimated total annual cost burden to respondents or recordkeepers resulting from this collection of information (excluding the value of the burden hours in Question 12 above?)

No cost is associated with this collection.

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

Estimates of annualized cost to the Federal Government are as follows:

Printing	\$ 464.00
Distribution	180.00
Clerical Cost	526.00
Other Salary (review, supervisory, etc.)	235.00
<u>TOTAL</u>	<u>\$1,405.00</u>

15. What is the reason for any program changes or adjustments?

There is a program change associated with this collection. The burden hours will decrease as a result of the reduction in the time it takes to complete and submit this form using the new PONL system.

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.