

**SUPPORTING STATEMENT  
(Form 843)**

**1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION**

Sections 6402, 6404, and 6511 of the Internal Revenue Code, and sections 301.6402-2, 301.6404-1, and 301.6404-3 of the Regulations allow for refunds of taxes (other than income taxes) which were illegally, erroneously, or excessively collected; or to claim amounts paid for stamps unused or used in error or excess, and (except in the case of income, estate, or gift tax) to file a claim for abatement or over assessment of more than the correct amount of tax, interest, addition to tax, or assessable penalty; and to claim a credit, refund, or abatement of interest, penalties, or additions to tax resulting from certain actions by the IRS.

**2. USE OF DATA**

The information supplied on Form 843 is used by the IRS to determine the accuracy of the claim filed.

**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 843.

In response to the **Federal Register** notice dated May 25, 2011 (76 FR 30431), we received 1 comment during the comment period regarding Form 843. The comment noted the author's observation and did not require a response. The comment has been uploaded in the public comment section of this ICR package.

**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>Total Responses</u>	<u>Number of Response</u>	<u>Time per Hours</u>
Form 843	550,500	1.59	875,295

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

The following regulations impose no additional burden. Please continue to assign OMB number 1545-0024 to these regulations.

301.6402-2	31.3503-1	301.6404-1
301.6404-2T	301.6404-3	
	301.6511(a)	
301.6511(b)	301.6511(f)	
	301.6403-1	
	53.4961-2	53.4963-1
		301.6405-1

We have reviewed the regulations and have determined that the reporting requirements contained in them are entirely reflected on the form. The justification appearing in item 1 of the supporting statement applies both to the regulations and the form.

**13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS**

As suggested by OMB, our **Federal Register** notice dated May 25 2011 (76 FR 30431), 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**

The primary cost to the government consists of the cost of printing Form 8606. We estimate that the cost of printing the form is \$5,597.

**15. REASONS FOR CHANGE IN BURDEN**

The change in burden is a Change Due to Adjustment in Agency Estimate:

The program manager provided an update to the projected number of annual respondents. This resulted in a 5,000 increase in the total annual number of responses and a 24,315 increase in the total annual time burden.

We are also making this submission for renewal purposes.

**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-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.