

DEPARTMENT OF THE TREASURY

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement – Information Collection Requirement

OMB Control Number 1513-0014

TTB F 5000.8 Power of Attorney

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.

TTB F 5000.8 delegates authority to a specific individual to sign documents on behalf of an applicant or principal (alcohol and tobacco permittees). Many of the documents that are submitted to our agency entail binding legal commitments by the applicant/permittee and any omissions or falsification may subject applicant/permittee to penalties provided in the law. 26 U.S.C. 6061 authorizes that individuals signing tax returns, statements, or other documents required to be filed by industry members, under the provisions of the Internal Revenue Code or the Federal Alcohol Administration Act, are to have that authority on file with TTB. It also authorizes these individuals to file these documents on behalf of the applicant/permittee. The authority is prescribed by the following regulations:

27 CFR 1.30	27 CFR 22.53
27 CFR 17.105	27 CFR 24.116
27 CFR 18.26	27 CFR 24.150
27 CFR 19.78	27 CFR 25.65
27 CFR 19.156	27 CFR 40.68
	27 CFR 40.393
27 CFR 19.676	27 CFR 41.196
	27 CFR 44.87
27 CFR 20.53	

Changes in this supporting statement reflect changes to section numbers as recodified in the final rule (T.D. TTB-92, 76 FR 9080) for the revision of part 19 of the TTB regulations. (See also TTB Notice No. 83)

This information collection is aligned with:

Treasury Strategic Goal: Effectively Manage U.S. Government Finances.

Line of Business/Sub-function: General Government/Taxation Management.

IT Investment: Tax Major Application Systems.

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

This information collection requirement becomes part of the permit file maintained at our National Revenue Center. These delegations must come from the applicant/permittee and, since they apply only to Bureau matters, are used to determine who can represent the applicant/respondent when doing business with TTB.

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 will be included in, Permits Online (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 5000.8 collects information that is pertinent to each applicant/permittee and applicable to his/her specific situation and for use solely by TTB. 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?

We do not use any methods to minimize the burden because all entities, regardless of size, must complete this form in order to ensure that taxpayer and other sensitive information is submitted only by authorized persons. Therefore, the information collection cannot be waived 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?

We collect the information on TTB F 5000.8 to ensure that only duly authorized individuals are signing documents on behalf of the company. Without these authorizations, there could be misrepresentations of permittees, which would jeopardize 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 NPRM for the revision to part 19 was published on May 8, 2008 (73 FR 26200). In response to Notice No. 83, TTB received 7 comments. Six of the comments expressed strong support for the revisions to part 19. No comments were opposed to changes that are affected by this information collection. A final rule (T.D. TTB-92, 76 FR 9080) was published to reflect the changes that were proposed in Notice No. 83, including a change to section numbers relevant to this collection.

A 60-day notice was published in the Federal Register (77 FR 67442) to renew this collection on Friday, November 9, 2012. The notice solicited comments from the general public. TTB received 1 comment from Mr. Marc E. Sorini (McDermott, Will, & Emery LLP) in response to this notice. TTB is considering the comment and will decide what action to take.

9. What decision was made to provide any payment or gift to respondents, other than remuneration 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?

We do not provide specific assurance of confidentiality for this information collection requirement. The confidentiality of information appearing on this form is protected by 26 U.S.C. 6103.

11. What justification is there for questions of a sensitive nature?

We do not ask questions of a sensitive nature in this collection.

12. What is the estimated hour burden of this collection of information?

There is no change in burden. We estimate that there are 5,000 current respondents, 4,500 will continue to file via paper and 500 (10%) will file using PONL.

Paper submissions: 4,500 (respondents) X 2 (times filed annually) = 9,000 (responses) X 20 minutes (processing time) = 180,000/60 = 3,000 (total burden hours).

PONL: 500 (respondents) X 2 (times filed annually) = 1,000 (responses) X 15 minutes (processing time) = 15,000/60 = 250 (total burden hours).

3,000 (Paper) + 250 (PONL) = 3,250 (Total Burden Hours)

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 annual cost to the Federal Government are as follows:

Printing and Distribution.....	\$ 150
Clerical Costs.....	738
Other Salary (review supervisory, etc.....)	<u>1,325</u>
TOTAL.....	\$2,213

Requests for hard copy forms have dropped due to PONL, pay.gov, and availability of the forms on TTB.gov. As a result printing and distribution cost has dropped.

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

There is program change associated with this collection. There is a slight reduction as a result of PONL. This revision also incorporates final rule 27 CFR Parts 1, 17, 19, et al., *Revision of Distilled Spirits Plant Regulations* (February 16, 2011, at 75 FR 9080) with this information collection. The rule modernized requirement for operating distilled spirits plants and included a number of operational changes (renumbering) to improve the layout of the regulatory text. This submission is being made to renew the OMB clearance.

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

The results of this collection will not be published.

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?

- (c) See item 5 above
- (f) This is not a recordkeeping requirement
- (i) No statistics are involved

B. Collection of Information Employing Statistical Methods

This collection does not employ statistical methods.