

SUPPORTING STATEMENT
OMB#: 1545-0049
IRS Form 990-BL, Schedule A (Form 990-BL) and Form 6069

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

Black lung benefit trusts use Form 990-BL to report their financial activities and to answer certain questions on their exempt activities that must be reported to IRS each year. Section 1.6033-2(a)(2)(i) of the Income Tax Regulations specifically requires the trusts to file the form. The trusts and certain related parties need the Schedule A (Form 990-BL) to report engaging in certain proscribed activities and pay the tax on them. The coal mine operators contributing to black lung benefit trusts need Form 6069 to determine their allowable deduction to the trusts and to pay the tax on excess contributions if any are made. Regulations section 53.6011-1(e) requires filing a return to pay taxes imposed by sections 4951, 4952, and 4953. Schedule A (Form 990-BL) and Form 6069 are the forms used to report and pay these taxes.

2. USE OF DATA

The IRS uses Form 990-BL to monitor the activities of black lung benefit trusts. They are required to file the return if they normally have \$25,000 or more in gross receipts for the tax year. If the trust or related persons engage in any proscribed activities, they must attach Schedule A (Form 990-BL) and pay the tax on it. If the coal mine operator determines an excess contribution was made to the trust, then the operator must file a Form 6069 to report the excess and pay the tax on it.

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

When these forms were developed, we held a meeting which included representatives from other parts of IRS and representatives of several coal mine operators as well as the National Coal Association. The views of the industry were considered when the content and format of the forms were developed.

In response to the Federal Register Notice (79 FR 56435), dated September 19, 2014, we received no comments during the comment period regarding Form 990-BL, Schedule A (Form 990-BL), and Form 6069.

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. Certain parts of Form 990-BL are open for public inspection under 26 USC 6104.

11. JUSTIFICATION OF SENSITIVE QUESTIONS

Confidential business information on a coal mine operator's estimated total liability for black lung benefits, or the operator's coal pricing policies are requested. Disclosure of these items is specifically prohibited in the Congressional Committee report of debate on the bill, and in regulations section 301.6104(b)-1(b)4.

This information collection contains the following PII: SSN.

The collection and use of SSNs is necessary and the agency complies with the requirements in Section 7 of the Privacy Act. Section 7 of the Privacy Act says that no federal, state, or local government agency can require someone to give out their Social Security number in order for the individual to receive any right, benefit, or privilege provided by law. However, Section 7 of the Privacy Act does not apply to any disclosure that is required by a federal statute.

In addition, Title 26 USC 6109 requires inclusion of identifying numbers in returns, statements, or other documents for securing proper identification of persons required to make such returns, statements, or documents and is the authority for social security numbers (SSNs) in IRS systems.

A privacy impact assessment (PIA) has been conducted for information collected under this request as part of the "Reporting Compliance Case Management System

(RCCMS)”.

Link to the RCCMS PIA: <http://www.irs.gov/pub/irs-pia/rccms-pia.pdf>.

In accordance with the Privacy Act of 1974, the Internal Revenue Service has published its complete Privacy Act systems of records notices, which include all maintained records systems as August 10, 2012. The Internal Revenue Service, Treasury published its inventory of Privacy Act systems of records on August 10, 2012, beginning at 77 FR 47930.

The Internal Revenue Service PIAs can be found at:
<http://www.irs.gov/uac/Privacy-Impact-Assessments-PIA>

The Department of Treasury PIAs can be found at:
<http://www.treasury.gov/privacy/PIAs/Pages/default.aspx>.

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>
Form 990-BL & Schedule A	22	34.25	754
Form 6069	1	9.93	10
Total:	23		764

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 1545-0049 to these regulations.

1.6033-2	53.6071-1
53.6011-1(e)	53.6071-1(d)

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

As suggested by OMB, our Federal Register notice (79 FR 56435) dated September 19, 2014, 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 these forms. We estimate that the cost of printing these forms is \$1,580.

15. REASONS FOR CHANGE IN BURDEN

The total annual number of responses decreased by 4 due and the total annual time burden increased by 201 hours due to an adjustment to the burden computation to more accurately reflect the current burden.

These forms are also being submitted for renewal purposes.

16. PLANS FOR TABULATION, STATISTICAL ANALYSIS AND PUBLICATION

Not applicable.

17. REASONS WHY DISPLAYING THE OMB EXPIRATION DATE IS INAPPROPRIATE

We believe the public interest will be better served by not printing an expiration date on the form(s) in this package.

Printing the expiration date on the form will result in increased costs because of the need to replace inventories that become obsolete by passage of the expiration date each time OMB approval is renewed. Without printing the expiration date, supplies of the form could continue to be used.

The time period during which the current edition of the form(s) in this package will continue to be usable cannot be predicted. It could easily span several cycles of review and OMB clearance renewal. In addition, usage fluctuates unpredictably. This makes it necessary to maintain a substantial inventory of forms in the supply line at all times. This includes supplies owned by both the Government and the public. Reprinting of the form cannot be reliably scheduled to coincide with an OMB approval expiration date. This form may be privately printed by users at their own expense. Some businesses print complex and expensive marginally punched continuous versions, at their expense, for use in their computers. The form may be printed by commercial printers and stocked for sale. In such cases, printing the expiration date on the form could result in extra costs to the users.

Not printing the expiration date on the form(s) will also avoid confusion among taxpayers who may have identical forms with different expiration dates in their possession.

For the above reasons we request authorization to omit printing the expiration date on the form(s) in this package.

We are requesting OMB approval for continued use of the prior version of the form(s) in this clearance package, so that late filers will have the previous versions available to them in future years.

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.