

**SUPPORTING STATEMENT**  
OMB NO.1545-0959  
TD 8095-Final (LR-213-76)  
Estate and Gift Taxes; Qualified Disclaimers of Property

**20128.        CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION**

Section 2518 of the Internal Revenue Code of 1954 allows a person to disclaim an interest in property received by gift or inheritance. If the requirements of section 2518 are followed, such interest will be treated as if the disclaimant never received or transferred such interest for Federal gift tax purposes.

Section 25.2518-1 through 25.2518-3 of the regulations provide affected persons with guidance needed to comply with the law.

**20129.        USE OF DATA**

The data is used by the IRS and taxpayers to verify that the proper amount of tax is reported.

**20130.        USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN**

We have no plans to offer electronic filing. IRS publication, regulations, notices and letters are to be electronically enabled on an as practicable basis in accordance with the IRS Reform and Restructuring Act of 1998.

**20131.        EFFORTS TO IDENTIFY DUPLICATION**

We have attempted to eliminate duplication within the agency wherever possible.

**20132.        METHODS TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES**

This collection of information will not have a significant impact on a substantial number of small businesses or other small entities.

**20133.        CONSEQUENCES OF LESS FREQUENT COLLECTION ON FEDERAL PROGRAMS OR POLICY ACTIVITIES**

Consequences of less frequent collection on federal programs or policy activities, could result in not reporting the proper amount of tax.

**20134. SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN 5 CFR 1320.5(d)(2)**

There are no special circumstances requiring data collection to be inconsistent with Guidelines in 5 CFR 1320.5(d)(2).

**20135. CONSULTATION WITH INDIVIDUALS OUTSIDE OF THE AGENCY ON AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, CLARITY OF INSTRUCTIONS AND FORMS, AND DATA ELEMENTS**

A notice of proposed rulemaking was published in the *Federal Register* on July 22, 1980, (45 FR 48922). At that time, the public was given a 60-day period in which to review and refer comments relating to any aspects of the proposed regulations. A public hearing was held on November 18, 1980. No substantive changes were made to the rules contained in the proposed regulations. They were published in the *Federal Register* as final regulations on August 7, 1986.

In response to the *Federal Register* notice dated September 07, 2016(81 FR 61736), we received no comments during the comment period regarding LR-213 (TD 8095).

**20136. EXPLANATION OF DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS**

No payment or gift has been provided to any respondents.

**20137. ASSURANCE OF CONFIDENTIALITY OF RESPONSES**

Generally, tax returns and tax return information are confidential as required by 26 USC 6103.

**20138. JUSTIFICATION OF SENSITIVE QUESTIONS**

No personally identifiable information (PII) is collected.

**12. ESTIMATED BURDEN OF INFORMATION COLLECTION**

Section 25.2518-2(b) requires a qualified disclaimer to be in writing and to be delivered to one of the persons specified under section 25.2518-2(b)(2). It is estimated that the number of respondents will be approximately 2,000. Each response is estimated to take approximately 30 minutes to complete. The total burden is 1,000 hours.

	<b>Total Number of Respondents</b>	<b>Time Burden Per Response</b>	<b>Total Annual Burden Hours</b>
LR-213-76 (Final) TD 8095	2000	30 minutes	1000 hours

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

There are no capital/start-up or ongoing operation/maintenance cost associated with this information collection.

**14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT**

There is no estimated annualized cost to the federal government.

**15. REASONS FOR CHANGE IN BURDEN**

There is no change 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**

There are no plans for tabulation, statistical analysis and publication.

**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 regulation 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**

There are no exceptions to the certification statement.

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.