

SUPPORTING STATEMENT
Internal Revenue Service
OMB #1545-0364
Form 4669
Statement of Payments Received

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

A payor who fails to withhold certain required taxes from a payee may be entitled to relief, under sections 3402(d), 3102(f)(3), 1463 or Regulations section 1.1474-4. To apply for relief, a payor must show that the payee reported the payments and paid the corresponding tax.

To secure relief as described above, a payor must obtain a separate, completed Form 4669 from each payee for each year relief is requested. A payor can submit completed Form 4669 to an IRS examiner if the payor is under exam, or can file Form 4669 with an IRS Campus to request abatement from IRS Accounts Management.

2. USE OF DATA

The Internal Revenue Service collects the information in order to ensure that the payors who fail to withhold certain required taxes from a payee have the capability to obtain relief, under sections 3402(d), 3102(f)(3), 1463 or Regulations section 1.1274-4. The data is used to verify that the income tax on the wages was paid in full.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

The IRS does not plan to offer electronic filing for this collection at this time due to the volume of filers.

4. EFFORTS TO IDENTIFY DUPLICATION

The information obtained through this collection is unique and is not already available for use or adaptation from another source.

5. METHODS TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES

Federal statutes require that payors (regardless of entity or size) who claim entitlement to relief show that the payee reported the payments and paid the corresponding tax. Form 4669 is the Form used by a payor to show such entitlement.

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

A payor who fails to withhold the required tax from a payee, may be entitled to relief, under sections 3402(d), 3102(f)(3), 1463 or Regulations section 1.1474-4, if the payor can show that the payee reported the payments and paid the corresponding tax. Form 4669 is used by a payor to show that it is entitled to such relief. To apply for relief, a payor must show that the payee

reported the payments and paid the corresponding tax.

The payor submits the completed Form 4669 to an IRS examiner if the payor is under exam, or can file Form 4669 with an IRS Campus to request abatement from IRS Accounts Management.

If the information is not requested frequently, the IRS would not be upholding the tax payer bill of rights which state that:

Taxpayers have the right to pay only the amount of tax legally due, including interest and penalties, and to have the IRS apply all tax payments properly.

Taxpayers have the right to raise objections and provide additional documentation in response to formal IRS actions or proposed actions, to expect that the IRS will consider their timely objections and documentation promptly and fairly, and to receive a response if the IRS does not agree with their position.

Taxpayers have the right to expect the tax system to consider facts and circumstances that might affect their underlying liabilities, ability to pay, or ability to provide information timely.

In these cases, the taxpayer may request a hearing before an independent IRS Appeals/Settlement Officer. If the taxpayer disagrees with the Appeals' determination, then the case may go to which could become costly to IRS and taxpayers.

7. 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).

8. CONSULTATION WITH INDIVIDUALS OUTSIDE OF THE AGENCY ON AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, CLARITY 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 4669.

In response to the **Federal Register** notice dated February 26, 2019, (84 FR 6197), we received no comments during the comment period regarding Form 4669.

9. EXPLANATION OF DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS

No payment or gift has been provided to any respondents.

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

A privacy impact assessment (PIA) has been conducted for information collected under this request as part of the “Business Master File (BMF)” system and a Privacy Act System of Records notice (SORN) has been issued for this system under IRS Treas/IRS 24.046 BMF, and Treas/IRS 34.047 audit trail and security records. The Internal Revenue Service PIAs can be found at

<http://www.irs.gov/uac/Privacy-Impact-Assessments-PIA>

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.

12. ESTIMATED BURDEN OF INFORMATION COLLECTION

A payor who fails to withhold certain required taxes from a payee may be entitled to relief. To apply for relief, a payor must obtain a separate, completed Form 4669 from each payee for each year relief is requested. A payor can submit completed Form 4669 to an IRS examiner if the payor is under exam, or can file Form 4669 with an IRS Campus to request abatement from IRS Accounts Management. It is anticipated that there will be 85,000 respondents annually and the time per response would be 15 minutes per respondent.

Authority	Description	# of Respondents	# Responses per Respondent	Annual Responses	Hours per Response	Total Burden
3402(d), 3102(f)(3), 1463 or Regulations section 1.1474- 4.	Form 4669	85,000	1	85,000	.25	21,250
Totals		85,000		85,000		21,250

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

To ensure more accuracy and consistency across its information collections, IRS is currently in the process of revising the methodology it uses to estimate burden and costs. Once this methodology is complete, IRS will update this information collection to reflect a more precise estimate of burden and costs.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

This product will be printed as On-Demand at the National Distribution Center. There will be no

charge to the printing budget for an On-Demand product.

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

IRS believes 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.