

**SUPPORTING STATEMENT**  
**Internal Revenue Service (IRS)**  
**Application for Enrollment to Practice Before the Internal Revenue Service**  
**Form 23**  
**OMB Control Number 1545-0950**

**1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION**

Section 10.5 of Treasury Department Circular No. 230, Regulations Governing the Practice of Attorneys, Certified Public Accountants, Enrolled Agents, Enrolled Actuaries, and Appraisers before the Internal Revenue Service (31 CFR Part10) requires that those who desire to be enrolled to practice before the Internal Revenue Service file an application on Form 23.

**2. USE OF DATA**

The information will be used by the Director of Practice to determine the qualifications of individuals for enrollment to practice before the Internal Revenue Service. Failure to collect such information will result in the Director of Practice being unable to determine the qualifications of individuals for enrollment to practice before the Internal Revenue Service.

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

The Form 23 can be completed and electronically filed at the website:  
<https://www.pay.gov/public/form/start/26062157#>

**4. EFFORTS TO IDENTIFY DUPLICATION**

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

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

We have attempted to minimize burden on small businesses and other small entities. Form 23 is completed by the individual that applies to be an enrolled practitioner and is used to determine the qualifications of individuals for enrollment to practice before the Internal Revenue Service.

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

The information is collected only at the time the applicant applies to be an enrolled practitioner and is used to determine the qualifications of individuals for enrollment to practice before the Internal Revenue Service.

Failure to collect such information will result in the IRS not being to determine the qualifications of individuals for enrollment to practice before the Internal Revenue Service.

**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 OF INSTRUCTIONS AND FORMS, AND DATA ELEMENTS**

In response to the Federal Register notice dated June 11, 2019 (84 FR 27191), we received no comments during the comment period regarding these regulations.

**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 U.S.C. 6103.

**11. JUSTIFICATION OF SENSITIVE QUESTIONS Customer Account Data Engine**

There is a statutory provision at 31 U.S.C. Sec. 7701 that can require the agency to ask for Social Security numbers in many instances. This statute mandates that the agency ask for this information in transactions that may result in a receivable and in certain other financial dealings. When dealing with a particular agency application, that agency may have additional cause to ask us to request your Social Security number.

The agency asks for personal information during authentication so that taxpayers can access certain information and conduct transactions that may typically result in the collection or payment of public money.

The following is a link to the website's Privacy policy:

<https://www.pay.gov/public/home/privacy>

A privacy impact assessment (PIA) has been conducted for information collected under this request as part of the "IRS Nationwide Tax Forums Online, NTFO", PIA ID Number 1127, and a Privacy Act System of Records notice (SORN) has been issued for this system under IRS 34.037-IRS Audit Trail and Security Records System; 10.004 Stakeholder Relationship Management and Subject Fi.

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**

The following regulation imposes no additional burden. Please continue to assign OMB number 1545-0950 to this regulation.

31 CFR Part 10

Respondents who desire to be enrolled to practice before the Internal Revenue Service (approximately 5,429) file an application on Form 23 and it takes about 30 minutes for a total annual burden hours of 2,715.

Form	Description	# Respondents	# Responses Per Respondent- Approximate	Total Annual Responses	Hours Per Response	Total Burden
Form 23	Application for Enrollment to Practice Before the Internal Revenue Service	5,429	1	5,429	30 minutes	2,715
TOTAL		5,429		5,429		2,715

**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**

The costs to the Federal government will vary depending on whether the IRS will incur printing or copying costs for all the materials. After consultation with various functions within the Service, we have determined that the cost of developing printing, processing, distribution and overhead for the form is \$10,000.

**15. REASONS FOR CHANGE IN BURDEN**

There is a decrease in burden due to an adjustment in the estimated number of responses and overall hourly burden. Form 23-EP is an application used by qualified IRS employees and those who pass the Enrolled Retirement Plan Agent exam and wish to practice before the Internal Revenue Service as an Enrolled Retirement Plan Agent. Tax Exempt & Government Entities (TEGE) cancelled this program. As a result this product is no longer in use. It is obsolete as of May 22, 2017 and has been removed from this collection request.

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change Due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses	5,429		-38			5,467
Annual Time Burden (Hr)	2,715		-10			2,725

**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 regulations 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.