

DEPARTMENT OF THE TREASURY

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

Supporting Statement -- Information Collection Request

OMB Control Number 1513-0111

COLAs Online Access Request

A. Justification

1. What are the circumstances that make this collection of information necessary, and what legal or administrative requirements necessitate the collection? Also align the information collection to TTB's Line of Business/Sub-function and IT Investment, if one is used.

The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers the Federal Alcohol Administration Act (FAA Act, 26 U.S.C. 201 *et seq.*) and its related regulations pursuant to section 1111(d) of the Homeland Security Act of 2002, as codified at 6 U.S.C. 531(d). The Secretary of the Treasury (the Secretary) also has delegated various FAA Act authorities to the TTB Administrator through Treasury Order 120-01.

To provide consumers with adequate information as to the identity of alcohol beverages and prohibit consumer deception, the FAA Act at 27 U.S.C. 205(e) requires bottlers and importers to apply for Certificates of Label Approval (COLAs) for malt beverages, wines, distilled spirits, and distinctive liquor bottles introduced into interstate commerce or released from customs custody. Domestic bottlers also must apply for COLA exemptions for certain alcohol beverage products that will not be introduced into interstate or foreign commerce. The TTB regulations implementing the FAA Act's COLA and COLA exemption requirements are found at 27 CFR 4.40, 4.50, 5.46(d), 5.51, 5.55, 7.31(a), and 7.41.

Respondents complete and submit COLA and COLA exemption applications electronically using TTB's COLAs Online system or its paper equivalent, TTB F 5100.31, Application for and Certification/ Exemption of Label/Bottle Approval, which are approved under OMB control number 1513-0020. To protect TTB's computer systems from unauthorized users and other cyber threats, persons desiring to use the COLAs Online system must first submit and receive TTB approval of a COLAs Online Access Request. The information collected on such requests identifies the applicant and confirms their authority to act on behalf of a specific alcohol beverage bottler or importer. Applicants submit COLAs Online Access Requests electronically using the COLAs Online User Registration function or its paper equivalent, TTB F 5013.2, COLAs Online Access Request, which are approved under this OMB control number, 1513-0111.

This information collection is aligned with —

- Line of Business/Sub-function: Law Enforcement / Substance Control.
- IT Investment: COLAs Online System.

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

TTB uses COLAs Online Access Requests to identify persons who desire to use its COLAs Online system and the alcohol industry members on whose behalf they will act. After verifying an applicant's identity and their authority to act for a specified alcohol beverage industry member, TTB issues a password to the applicant that allows them to access the COLAs Online system. Verification of the identities of COLAs Online users and the alcohol industry members for which they will act is necessary to meet Department of the Treasury and TTB computer security requirements, which are intended to protect Federal government computer systems from unauthorized users and other cyber threats.

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?*

Applicants may electronically complete and submit COLAs Online Access Requests using the fillable-fileable COLA User Registration function of the COLA Online system posted on TTB's website at <https://www.ttb.gov/labeling/colas.shtml>. Applicants also may use the fillable-printable paper COLAs Online Access Request form, TTB F 5013.2, which is posted on the TTB website's forms page at <https://www.ttb.gov/resources/publications/forms>.

4. *What efforts are used to identify duplication? Can similar information already available be used or modified for use for the purposes described in Item 2 above?*

The COLAs Online Access Request collects information that is pertinent to each user and applicable to their specific request for access to TTB's web-based COLAs Online system. Similar information is not available to TTB elsewhere.

5. *If this collection of information impacts small businesses or other small entities, what methods are used to minimize burden?*

To protect TTB computer systems from unauthorized users and other cyber threats, persons associated with any entity, regardless of size, are required to complete a COLAs Online Access Request in order to use TTB's COLAs Online system. However, TTB notes that the use of the COLAs Online system is optional, the information collected by the COLAs Online Access request is minimal, and an applicant complete the access request only once.

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?*

To protect TTB computer systems from misuse and other cyber threats, TTB cannot allow open access to its COLAs Online system. If TTB did not conduct this information collection, it could not verify the identity of COLA Online users and confirm their authority to submit COLAs on behalf of specific alcohol industry members. In addition, because each applicant completes the COLAs Online access request information collection only once, it cannot be conducted less frequently.

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? (See 5 CFR 1320.5(d)(2).)*

There are no special circumstances associated with this information collection that would require it to be inconsistent with OMB guidelines.

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.*

To solicit comments from the general public, TTB published a "60-day" comment request notice for this information collection in the Federal Register on Monday, November 18, 2019, at 84 FR 63716. TTB received no comments on this information collection in response.

9. *Was any payment or gift given to respondents, other than remuneration of contractors or grantees? If so, why?*

No payment or gift is associated with this information collection.

10. *What assurance of confidentiality was provided to respondents, and what was the basis for the assurance in statute, regulations, or agency policy?*

No specific assurance of confidentiality is provided for this information collection. However, Federal law at 5 U.S.C. 552 protects the confidentiality of proprietary information obtained by the Government from regulated businesses and individuals, and 26 U.S.C. 6103 prohibits disclosure of tax returns and related information unless disclosure is specifically authorized by that section. TTB maintains COLAs Online Access Requests in password-protected computer systems or in secure file rooms with controlled access.

11. *What is the justification for questions of a sensitive nature? If personally identifiable information (PII) is being collected in an electronic system, identify the Privacy Impact Assessment (PIA) that has been conducted for the information collected under this request and/or the Privacy Act System of Records notice (SORN) issued for the electronic system in which the PII is being stored.*

This information collection contains no questions of a sensitive nature.

A Privacy Impact Assessment (PIA) has been conducted for information collected under this request as part of the Certificate of Label Approval Online system. TTB's PIAs are available on the TTB website at <http://www.ttb.gov/foia/pia.shtml>. A Privacy Act System of Records notice (SORN) has been issued for that system under TTB .001-Regulatory Enforcement Records System and published in the Federal Register on January 28, 2015, at 80 FR 4637.

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

Hour burden: For each alcohol bottler or importer on whose behalf they act, a respondent will only need to complete the COLA Online Access Request information collection once to receive a TTB-supplied password to access the COLAs Online system. Therefore, based on recent experience, TTB estimates the annual hour burden for this information collection as follows:

Respondents	Responses/ Respondent	Total Responses	Time/Response	Total Burden Hours
3,000	1	3,000*	18 minutes (0.3 hours)	900

*TTB has determined that of those 3,000 responses, 2,700 respondents (90 percent) submit their access request applications electronically and 300 (10 percent) submit their access request applications using paper form TTB F 5013.2.

Labor cost burden: TTB estimates the per-respondent and total respondent labor costs for this information collection as follows:

Labor Category	Fully-loaded Labor Rate/ Hour ¹	Time/ Response	Labor Cost/ Response	Total Responses	Total Labor Costs
Clerical & other unskilled workers	\$27.30	15 minutes (0.25 hours)	\$6.83	3,000	\$20,490.00
Skilled-labor, craft labor, & other technical workers					
Professional & managers	\$44.30	3 minutes (0.05 hours)	\$2.21	3,000	\$6,630.00
Executives					
TOTALS		18 minutes (0.3 hours)	\$9.04	3,000	\$27,120.00

13. *What is the estimated annual cost burden to respondents or record keepers resulting from this information collection request (excluding the value of the hour burden in Question 12 above)?*

This information collection requires a one-time response from each respondent, which may be made electronically. As such, there are no annualized capital, start-up, maintenance, operational, or other costs to respondents for this information collection.

¹ Fully-loaded Labor Rate/Hour = Hourly wages plus benefits. Per the most recent U.S. Department of Labor, Bureau of Labor Statistics, data for National Industry-Specific Occupational Employment and Wage Estimates for NAICS 312000—Beverage and Tobacco Product Manufacturing, TTB estimates the fully-loaded labor rate for respondents as follows: (1) Clerical and other unskilled workers (Office and Administrative Support Occupations) = \$27.30 per hour (\$18.96 wages and \$8.34 benefits); and (2) Professional and managers (Business and Financial Operations Occupations) = \$44.30 per hour (\$30.76 wages and \$13.54 benefits). See: https://www.bls.gov/oes/current/naics3_312000.htm and <https://www.bls.gov/news.release/ecec.t04.htm>.

14. *What is the annualized cost to the Federal Government?*

Estimates of annual costs to the Federal Government are as follows:

Category	Cost per Response	Total Costs for 3,000 responses
Data entry and processing costs	\$10.00	\$30,000
Clerical costs* (GS-5, step 5)	\$3.48	\$10,440
Review costs* (GS-12, step 5)	\$7.64	\$22,920
TOTALS	\$21.12	\$63,360

*Federal Government Fully-loaded Labor Rate = Hourly wage plus benefits; calculated as hourly wage x 1.63. Therefore, in the Washington, DC, locality pay area: (1) GS-5, step 5, clerical worker hourly wage of \$21.34 x 1.63 = \$34.78 fully loaded labor rate (benefits = \$13.44 per hour) @ 6 minutes per response; and (2) GS-12, step 5, reviewer hourly wage of \$46.88 x 1.63 = \$76.41 per hour (benefits = \$29.53 per hour) @ 6 minutes per response. See <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2020/general-schedule/> and <https://www.cbo.gov/sites/default/files/112th-congress-2011-2012/workingpaper/2012-04fedbenefitswp0.pdf>.

Printing and distribution costs to the Federal government have decreased to \$0.00 in TTB's cost estimate due to the availability of TTB forms to the public on the TTB Web site at <https://www.ttb.gov/resources/publications/forms>.

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

There are no program changes or adjustments associated with this information collection.

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

TTB will not publish the results of this information collection.

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?*

TTB will display the expiration date of OMB approval of this information collection request on form TTB F 5013.2.

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. Collections of Information Employing Statistical Methods.

This information collection does not employ statistical methods.