

**SUPPORTING STATEMENT**  
Internal Revenue Service  
Limited Payability Claim Against the United States  
for the Proceeds of an Internal Revenue Refund Check  
OMB # 1545-2024

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

This request covers the collection of information on Form 13818, *Limited Payability Claim Against the United States for the Proceeds of an Internal Revenue Refund Check*. This form is sent to the payee (taxpayer) after they have requested a payment trace and started an inquiry using Form 3911 (Approved under OMB# 1545-1384) on a lost or stolen tax refund check and it is discovered that the original check has been cashed. This form is provided along with a copy of the deposited check and requests information necessary for the IRS to evaluate the validity of a lost/stolen check claim and investigate potential fraud in the cashing of the original check.

Claims regarding a Treasury check properly issued for a tax refund are processed under authority in Title 31. 31 CFR 245 governs the issuance of replacement checks for checks drawn on the United States Treasury, when

- (a) The original check has been lost, stolen, destroyed, or mutilated or defaced to such an extent that it is rendered non-negotiable.
- (b) The original check has been negotiated and paid on a forged or unauthorized indorsement, and
- (c) The original check has been cancelled.

2. USE OF DATA

The data collected from Form 13818 is used during the payment tracing process of a lost, stolen or destroyed refund check, if the check is more than 12 months old.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

There are no plans to provide electronic filing because electronic filing is not appropriate for the collection of information in this submission. IRS has determined that the relatively low volume does not justify the cost of electronic enabling.

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

Form 13818 may be used by multiple types of taxpayers, including small entities. The information collected and methods used are intended to minimize the burden on all persons that have lost a payment and consist primarily of information about the claimant's experience that they would know without consulting other sources. The burden cannot be further reduced without harming the government's ability to prevent and investigate payment fraud.

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

With a less frequent collection, taxpayers will be unable to complete their claim against the United States for the proceeds of an Internal Revenue refund check in a timely manner thereby hindering the IRS from meeting its mission.

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

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 this form.

In response to the *Federal Register* notice (85 FR 79076), dated December 8, 2020, we received no comments during the comment period regarding this form.

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

No gifts or payments are being 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 “Individual Master File (IMF) #424”, and a Privacy Act System of Records Notices (SORN) has been issued for this system under Treasury/IRS 24.030–Individual Master File. The Internal Revenue Service PIAs can be found at <https://www.irs.gov/privacy-disclosure/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

This form is designed to provide taxpayers a method to file a claim for a replacement check when the original check is over 12 months old. The burden estimate is as follows:

Authority	Description	# of Respondents	# Responses per Respondent	Annual Responses	Hours per Response	Total Burden
Treas Reg 3331	Form 13818	6,000	1	6,000	1	6,000
Totals				6,000		6,000

## 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 better reflect its annual cost burden.

## 14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

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 \$5,000.

## 15. REASONS FOR CHANGE IN BURDEN

There are no changes being made to the burden previously approved.

This submission is being made for renewal purposes.

## 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 form and / or 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 ON OMB FORM 83-I

There are no exceptions.

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.