

1 SUPPORTING STATEMENT
Revenue Procedure 2004-47

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

This revenue procedure describes documentation and information that a taxpayer must provide to the Service upon request to file a late reverse QTIP election without first receiving a private letter ruling from the National Office of the Internal Revenue Service. The documentation required must be to the satisfaction of the Commissioner in order to receive an extension of time.

2. USE OF DATA

The information is to be used by revenue agents in determining if the taxpayer has established that not making the reverse QTIP election on the first estate tax return was an error or oversight instead of an intentional omission.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

We have no plans to offer electronic filing. IRS Publications, 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.

4. EFFORTS TO IDENTIFY DUPLICATION

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

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

Not applicable.

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

Not applicable.

7. SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN 5 CFR 1230.5(d)(2)

Not applicable.

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

¹Revenue Procedure 2004-47 was published in the **Internal Revenue Bulletin** on August 9, 2004 (2004-32 IRB 169).

¹We received no comments during the comment period in response to the **Federal Register** Notice dated September 1, 2010 (75 FR 53741).

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

Not applicable.

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

Not applicable.

12. ESTIMATED BURDEN OF INFORMATION COLLECTION

The collection of information provisions are in section 4 of this revenue procedure, under which taxpayers may prepare and make available to the Commissioner upon request the documents and other information

described therein in order to assist the Commissioner to make a determination regarding whether a taxpayer's failure to make a timely reverse QTIP election was intentional or as the result of a mistake. The estimated annual reporting burden is 54 hours. The estimated annual burden per respondent is an estimated average 9 hours in the year of the request. The estimated number of respondents is 6 per year. This burden, however, in most cases will replace the necessity of preparing a detailed private letter ruling request. Overall, if a taxpayer utilizes the simplified method provided for in the revenue procedure instead of submitting a private letter ruling request, they will reduce their burden in terms of hours spent compiling information and preparing the submission.

Estimates of the annualized cost to respondents for the hour burdens are not available at this time.

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

As suggested by OMB, our Federal Register Notice dated September 1, 2010, requested public comments on estimates of cost burden that are not captured in the estimates of burden hours, i.e., estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. However, we did not receive any response from taxpayers on this subject. As a result, estimates of the cost burdens are not available at this time.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

Not applicable.

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

Not applicable.

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 revenue procedure 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

Not applicable.

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.