

**SUPPORTING STATEMENT
(Form 8582-CR)
OMB# 1545-1034**

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

Section 469 limits passive activity credits that a taxpayer may use to offset tax. Passive activity credits are allowed only to the extent of the tax attributable to net passive income plus the tax attributable to the \$25,000 allowance for rental real estate reduced by any amount allowable under the passive activity loss rules, and 10% of any remaining passive activity credits if the activity was acquired before 10/23/86. Form 8582-CR is used to figure the passive activity credit allowed and the actual credits to be reported on the tax return.

2. USE OF DATA

The IRS uses Form 8582-CR to verify the credit allowed under the passive activity rules.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

We are currently offering electronic filing on Form 8582-CR.

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

There are not small entities affected by this collection.

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

Consequences of less frequent collection on federal programs or policy activities could consist of a decrease in the amount of taxes collected by the Service, inaccurate and untimely filing of tax returns, and an increase in tax violations.

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 Form 8582-CR.

In response to the **Federal Register** notice (81 FR 20054), dated April 6, 2016, we received no comments during the comment period regarding Form 8582-CR.

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 “Individual Master File (IMF)” system and a Privacy Act System of Records notice (SORN) has been issued for this system under IRS 24.030-CADE Individual Master File and IRS 34.037 IRS Audit Trail and Security Records System-. The [Internal Revenue Service](http://www.irs.gov/uac/Privacy-Impact-Assessments-PIA) 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

| 8582-CR | No. of Responses | Hours Per Response | Total Burden |
|-------------|------------------|--------------------|--------------|
| Part I | 300,000 | 2.95 | 885,000 |
| Part II | 150,000 | 1.51 | 226,500 |
| Part III | 150,000 | 1.39 | 208,500 |
| Part IV | 30,000 | 1.07 | 32,100 |
| Part V | 300,000 | 0.36 | 108,000 |
| Part VI | 75,000 | 0.44 | 33,000 |
| Worksheet 1 | 150,000 | 1.09 | 163,500 |

| | | | |
|--------------------|---------|------|-----------|
| Worksheet 2 | 150,000 | 1.09 | 163,500 |
| Worksheet 3 | 30,000 | 1.08 | 32,400 |
| Worksheet 4 | 150,000 | 1.08 | 162,000 |
| Worksheet 5 | 150,000 | 0.57 | 85,500 |
| Worksheet 6 | 150,000 | 0.57 | 85,500 |
| Worksheet 7 | 30,000 | 0.57 | 17,100 |
| Worksheet 8 | 150,000 | 0.61 | 91,500 |
| Worksheet 9 | 150,000 | 0.51 | 76,500 |
| TOTAL | 300,000 | 7.90 | 2,370,600 |

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

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

There is no start-up costs associated with this collection.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

The primary cost to the government consists of the cost of printing the form. We estimate that the cost of printing the form is \$45,000.

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

See attachment.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT ON OMB FORM 83-I

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.

OMB EXPIRATION DATE

We believe the public interest will be better served by not printing an expiration date on the form(s) in this package.

Printing the expiration date on the form will result in increased costs because of the need to replace inventories that become obsolete by passage of the expiration date each time OMB approval is renewed. Without printing the expiration date, supplies of the form could continue to be used.

The time period during which the current edition of the form(s) in this package will continue to be usable cannot be predicted. It could easily span several cycles of review and OMB clearance renewal. In addition, usage fluctuates unpredictably. This makes it necessary to maintain a substantial inventory of forms in the supply line at all times. This includes supplies owned by both the Government and the public. Reprinting of the form cannot be reliably scheduled to coincide with an OMB approval expiration date. This form may be privately printed by users at their own expense. Some businesses print complex and expensive marginally punched continuous versions, their expense, for use in their computers. The form may be printed by commercial printers and stocked for sale. In such cases, printing the expiration date on the form could result in extra costs to the users.

Not printing the expiration date on the form(s) will also avoid confusion among taxpayers who may have identical forms with different expiration dates in their possession.

For the above reasons we request authorization to omit printing the expiration date on the form(s) in this package.