

Request for OMB Review

1545-0067

Important

Read instructions before completing form. Do not use the same SF 83 to request both an Executive Order 12291 review and approval under the Paperwork Reduction Act.

Send three copies of this form, the material to be reviewed, and for paperwork—three copies of the supporting statement, to:

Answer all questions in Part I. If this request is for review under E.O. 12291, complete Part II and sign the regulatory certification. If this request is for approval under the Paperwork Reduction Act and 5 CFR 1320, skip Part II, complete Part III and sign the paperwork certification.

Office of Information and Regulatory Affairs
Office of Management and Budget
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PART I.—Complete This Part for All Requests.

1. Department/agency and Bureau/office originating request

Department of the Treasury
Internal Revenue Service

2. Agency code

0067

3. Name of person who can best answer questions regarding this request

Martha Brinson

1 5 4 5

Telephone number

(202) 622-5200

4. Title of information collection or rulemaking

Foreign Earned Income

5. Legal authority for information collection or rule (cite United States Code, Public Law, or Executive Order)

26 usc 911, 6011 & 6012, or

6. Affected public (check all that apply)

1 Individuals or households

3 Farms

5 Federal agencies or employees

2 State or local governments

4 Businesses or other for-profit

6 Non-profit institutions

7 Small businesses or organizations

PART II.—Complete This Part Only if the Request is for OMB Review Under Executive Order 12291

7. Regulation Identifier Number (RIN)

or, None assigned

8. Type of submission (check one in each category)

Classification

1 Major

2 Nonmajor

Stage of development

1 Proposed or draft

2 Final or interim final, with prior proposal

3 Final or interim final, without prior proposal

Type of review requested

1 Standard

2 Pending

3 Emergency

4 Statutory or judicial deadline

9. CFR section affected

CFR

10. Does this regulation contain reporting or recordkeeping requirements that require OMB approval under the Paperwork Reduction Act and 5 CFR 1320? Yes No

11. If a major rule, is there a regulatory impact analysis attached? Yes No

If "No," did OMB waive the analysis? Yes No

Certification for Regulatory Submissions

In submitting this request for OMB review, the authorized regulatory contact and the program official certify that the requirements of E.O. 12291 and any applicable policy directives have been complied with.

Signature of program official

Date

Signature of authorized regulatory contact

Date

12. (OMB use only)

13. Abstract—Describe needs, uses and affected public in 50 words or less 'Federal, tax Returns'

This form is used by U.S. citizens and resident aliens who qualify for the foreign earned income exclusion and/or the foreign housing exclusion or deduction. This information is used by the Service to determine if a taxpayer qualifies for the exclusion(s) or deduction.

14. Type of information collection (check only one)

Information collections not contained in rules

1 Regular submission

2 Emergency submission (certification attached)

Information collections contained in rules

3 Existing regulation (no change proposed)

6 Final or interim final without prior NPRM

4 Notice of proposed rulemaking (NPRM)

A Regular submission

5 Final, NPRM was previously published

B Emergency submission (certification attached)

7. Enter date of expected or actual Federal Register publication at this stage of rulemaking (month, day, year) _____

15. Type of review requested (check only one)

1 New collection

4 Reinstatement of a previously approved collection for which approval has expired

2 Revision of a currently approved collection

3 Extension of the expiration date of a currently approved collection without any change in the substance or in the method of collection

5 Existing collection in use without an OMB control number

16. Agency report form number(s) (include standard/optional form number(s))

Form 2555

22. Purpose of information collection (check as many as apply)

1 Application for benefits

2 Program evaluation

3 General purpose statistics

4 Regulatory or compliance

5 Program planning or management

6 Research

7 Audit

17. Annual reporting or disclosure burden

1 Number of respondents 165,000

2 Number of responses per respondent 1

3 Total annual responses (line 1 times line 2) 165,000

4 Hours per response 3.08

5 Total hours (line 3 times line 4) 508,200

18. Annual recordkeeping burden

1 Number of recordkeepers 165,000

2 Annual hours per recordkeeper 2.18

3 Total recordkeeping hours (line 1 times line 2) 359,700

4 Recordkeeping retention period 3 years

19. Total annual burden

1 Requested (line 17-5 plus line 18-3) 867,900

2 In current OMB inventory 956,210

3 Difference (line 1 less line 2) -88,310

Explanation of difference

4 Program change -184,100

5 Adjustment +95,790

23. Frequency of recordkeeping or reporting (check all that apply)

1 Recordkeeping

Reporting

2 On occasion

3 Weekly

4 Monthly

5 Quarterly

6 Semi-annually

7 Annually

8 Biennially

9 Other (describe): _____

20. Current (most recent) OMB control number or comment number

1545-0067

24. Respondents' obligation to comply (check the strongest obligation that applies)

1 Voluntary

2 Required to obtain or retain a benefit

3 Mandatory

21. Requested expiration date

10-31-95

25. Are the respondents primarily educational agencies or institutions or is the primary purpose of the collection related to Federal education programs? Yes No

26. Does the agency use sampling to select respondents or does the agency recommend or prescribe the use of sampling or statistical analysis by respondents? Yes No

27. Regulatory authority for the information collection

26 CFR 1.6012-1 or FR or Other (specify): _____

Paperwork Certification

In submitting this request for OMB approval, the agency head, the senior official or an authorized representative, certifies that the requirements of 5 CFR 1320, the Privacy Act, statistical standards or directives, and any other applicable information policy directives have been complied with.

Signature of program official
Garrick R. Shear *G. Shear*
IRS Reports Clearance Officer

Date
AUG 3 1992

Signature of agency head, the senior official or an authorized representative
Louis H. Holland for Dale A. Morgan

Departmental Reports
Management Officer
Date
AUG 0 6 1992

SUPPORTING STATEMENT
(IRS Form 2555)

Justification:

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

IRC section 911 provides for an exclusion of foreign earned income and/or a housing exclusion or deduction provided certain conditions are met.

2. METHOD OF COLLECTION AND USE OF DATA

This information is used by the Service to determine if a taxpayer qualifies for and has properly computed the exclusion or deduction.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

At the Tax Forms Coordinating Committee meeting, we have given consideration to all possible efforts to reduce burden including any technical or legal constraints.

4. EFFORTS TO IDENTIFY DUPLICATION

The Office of Management and Budget will search the Federal Information Locator System to identify any possible duplication.

5. REASON SIMILAR INFORMATION CANNOT BE MODIFIED

Similar data is not available from any other source.

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

Not applicable.

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

Not applicable.

8. SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN 5 CFR 1320.6

Not applicable.

9. 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 Service personnel and representatives of the American Bar Association, the American Institute of Certified Public Accountants, and other professional groups to discuss improvements to the tax forms. During these meetings, there is an opportunity for those attending to make comments regarding Form 2555.

10. ASSURANCE OF CONFIDENTIALITY OF RESPONSES

Generally, tax returns and return information are confidential as required by 26 U.S.C. 6103.

11. JUSTIFICATION OF SENSITIVE QUESTIONS

Not applicable.

12. ESTIMATED ANNUALIZED COSTS TO THE GOVERNMENT AND RESPONDENTS

After consultation with various functions within the Service, we have determined that the cost of developing, printing, processing, distribution, and overhead for Form 2555 is \$82,152.

13. ESTIMATED BURDEN OF INFORMATION COLLECTION

The burden estimation is as follows:

<u>Form</u>	<u>Number of Responses</u>	<u>Time per Response</u>	<u>Total Hours</u>
2555	165,000	5.26	867,900

Regulations which impose no additional burden*

1.911-1(a)	1.6012-1
1.911-3(c)	
1.911-4(a)	
1.911-4(c)	
1.911-6(a)	
1.911-6(b)	
1.911-6(c)	
1.911-7	

*We have reviewed these regulations and have determined that the reporting requirements contained in them are entirely reflected on the Form 2555. The justification appearing in Item 1 of the Supporting Statement applies to both these regulations and to Form 2555.

Please continue to assign OMB Number 1545-0067 to these previously approved regulations.

14. REASONS FOR CHANGE IN BURDEN

We made editorial changes that will not affect the burden. We received better filing figures and are requesting an adjustment increase of 95,790 hours. We removed 35,000 filers and transferred them to the new Form 2555-EZ. Form 2555-EZ is a less burdensome form that will be used where foreign earned income is \$70,000 or less. This change will result in a program change decrease of 184,100 hours.

15. PLANS FOR TABULATION, STATISTICAL ANALYSIS, AND PUBLICATION

Not applicable.