**Supporting Statement**
Internal Revenue Service
(Third-Party Disclosure Requirements in IRS Regulations)
OMB Number **1545-1466**

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

Taxpayers must obtain third-party certification or documentation to avail themselves of certain credits, deductions or other benefits permitted by the Internal Revenue Code (IRC). The receipt of other third-party information often provides a safe harbor on which taxpayers may rely to avail themselves of certain credits, deductions or other benefits permitted by the IRC. Although taxpayers do not have to submit the documents or information to claim the credits, deductions, or tax benefits, they are required to maintain the documentation with their books and records, which facilitates the Internal Revenue Service (IRS) examination of the claimed credit, deduction, or tax benefit during any audit of taxpayer's return. The third parties required to provide this certification, documentation, or information generally collect the required information in the ordinary course of their business. Accordingly, while requiring third parties to disclose this information is not a significant burden, it allows taxpayers to legitimately minimize their tax burden in claiming credits, deductions, and other tax benefits that Congress has authorized and facilitates the IRS verification of the taxpayers' claims on audit.

The requirements listed in this collection are authorized under the following statutes: 26 U.S.C. 25, 26 U.S.C. 83, 26 U.S.C. 103, 26 U.S.C. 401, 26 U.S.C. 6031, 26 U.S.C. 4261, 26 U.S.C. 457, 26 U.S.C. 411, 26 U.S.C. 408, and 26 U.S.C. 163.

2. USE OF DATA

Taxpayers will use these documents or information to support claims for certain credits, deductions, or tax benefits on their returns. The IRS may review these documents or information during any examination of taxpayers' returns to verify the taxpayers' entitlement to the claimed credits, deductions, or tax benefits.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

Electronic filing is not possible since this is a third-party reporting requirement.

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

The collection of information requirement will not have a significant economic impact on a substantial number of small entities.

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

If taxpayers cannot use these documents or information to support claims for certain credits, deductions, or tax benefits on their returns, the IRS may not have the opportunity to review these documents or information during any examination of taxpayers' returns to verify the taxpayers' entitlement to the claimed credits, deductions, or tax benefits. This would hinder 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

In response to the Federal Register notice dated August 26, 2024 (89 FR 68496), IRS received one comment email during the comment period. The email requested clarification on what was being requested in the public comment notice.

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 return information are confidential under 26 USC 6103.

11. JUSTIFICATION OF SENSITIVE QUESTIONS

There is no sensitive personally identifiable information (PII) in this collection.

12. ESTIMATED BURDEN OF INFORMATION COLLECTION (SEE APPENDIX A

TABLE INSERTED AT THE END OF DOCUMENT)

| Authority | Description | Annual Responses | Hours per Response | Total Burden |
|---|---|---|---|---|
| Various | Various | 130,723,849 | 16 min | 34,228,870 |
| Detailed table of responses and burden per regulation in Appendix A | | | | |

1. Reg. 1.25-3T(d)(2).

Section 1.25-3T(d)(2) provides that the principal residence requirement is satisfied if a holder of a mortgage credit certificate provides an affidavit stating an intent to use the residence as a principal residence. We estimate that the total respondent/recordkeepers will be 20,000 and the time per respondent/recordkeeper will be ¼ hour. Thus, the total burden will be 5,000 hours.

2. Reg. 1.25-3T(e)(3).

Section 1.25-3T(e)(3) provides that the 3-year eligibility requirement is met if the holder of a mortgage credit certificate provides an affidavit stating that he had no ownership interest in a principal residence for the 3-year period prior to issuance of the certificate. We estimate that the total respondent/recordkeepers will be 20,000 and the time per respondent/ recordkeeper will be ¼ hour. Thus, the total burden will be 5,000 hours.

3. Reg. 1.25-3T(f)(2).

Section 1.25-3T(f)(2) provides that the purchase price requirement is met if the seller and buyer execute an affidavit that the purchase price does not exceed the applicable limits. We estimate that the total respondent/recordkeepers will be 20,000 and the time per respondent /recordkeeper will be ¼ hour. Thus, the total burden will be 5,000 hours.

4. Reg. 1.25-3T(g)(2).

Section 1.25-3T(g)(2) provides that the new mortgage requirement is met if the holder of a mortgage credit certificate provides an affidavit that the mortgage does not replace another mortgage (other than those mortgages specifically excepted). We estimate that the total respondent/recordkeepers will be 20,000 and the time per respondent/recordkeeper will be ¼ hour. Thus, the total burden will be 5,000 hours.

5. Reg. 1.25-3T(i)(2).

Section 1.25-3T(i)(2) provides that the prohibited mortgage requirement is met if the holder of the mortgage credit certificate provides an affidavit that financing is not being

provided in connection with a prohibited mortgage (from the proceeds of tax-exempt bond). We estimate that the total respondent/recordkeepers will be 20,000 and the time per respondent/recordkeeper will be ¼ hour. Thus, the total burden will be 5,000 hours.

6. Reg. 1.25-3T(j)(5).

Section 1.25-3T(j)(5) provides that the unlimited lender requirement is met if the holder of a mortgage credit certificate provides an affidavit that the certificate is not limited to indebtedness incurred from lenders. We estimate that the total respondent/ recordkeepers will be 20,000 and the time per respondent/record-keeper will be ¼ hour. Thus, the total burden will be 5,000 hours.

7. Reg. 1.25-3T(k).

Section 1.25-3T(k) provides that a mortgage credit certificate is not qualified unless the developer certifies to the purchaser of a residence and the issuer of the credit certificate that the price of the residence is not higher than it would be if the issuer had not allocated mortgage credit certificates to the development in which it is located. This certification requirement is met if the issuer obtains an affidavit from the holder that the holder has received such a certification from the developer. We estimate that the total respondent/ recordkeepers will be 20,000 and the time per respondent/recordkeeper will be ¼ hour. Thus, the total burden will be 5,000 hours.

8. Reg. 1.25-3T(n).

Section 1.25-3T(n) provides that the requirement that interest not be paid to a related person is met if the holder of the certificate provides an affidavit that a related person does not have an interest as a creditor in the indebtedness amount. We estimate that the total respondent/recordkeepers will be 20,000 and the time per respondent/recordkeeper will be ¼ hour. Thus, the total burden will be 5,000 hours.

9. Reg. 1.25-4T(d).

Section 1.25-4T(d) provides that state officials meeting the state certification requirement for mortgage credit certificates may rely on affidavits from issuers about the amount of bonds that the issuers elected not to issue during the calendar year. We estimate that the total respondent/recordkeepers will be 600 and the time per respondent/recordkeeper will be 2 hours. Thus, the total burden will be 1,200 hours.

10. Reg. 1.41-7(d)(3).

Section 1.41-7(d)(3) provides that written research agreements between "qualified funds" and "qualified educational organizations" must provide that the qualified educational organization must furnish sufficient information to the qualified fund to enable the qualified fund to comply with certain agreements it has with grantor corporations. We

estimate that there will be approximately 250 respondents per year and that it will take each respondent approximately ¼ hour to collect the information. Thus, the total estimated annual reporting burden under section 1.41-7(d)(3) is 63 hours.

11. Reg. 1.42-2(b)(3).

Section 1.42-2(b)(3) provides that a taxpayer must, as a precondition for getting a waiver of the 10-year placed in service requirement of §42(d)(2), obtain a letter or other written statement by the national office of HUD or FMHA stating that federal mortgage funds are at risk. We estimate that the total respondent/recordkeepers will be 60 and the time per respondent/recordkeepers will be 2 hours, and thus the total burden will be 120 hours.

12. Reg. 1.47-3(h)(2).

Section 1.47-3(h)(2) provides that a taxpayer can reduce investment tax credit recapture on disposed of property when it is replaced with certain leased property, if the lessee obtains the lessor's written statement that the lessor will not claim such property as replacement property. We estimate that the total respondent/recordkeepers will be 5,000 and the time per respondent/recordkeeper will be 12 minutes, and thus the total burden will be 1,000 hours.

13. Reg. 1.83-2(c).

Section 1.83-2(c) provides the manner for making an election to include the fair market value of substantially-nonvested property transferred in connection with the performance of services in the service provider’s gross income for the year in which the property is so transferred. The election is made by filing a copy of the election statement with the internal revenue officer with whom the service provider files his returns, and a copy of the statement must be submitted with the service provider’s return filed for the taxable year in which the property was transferred. We estimate that the total number of respondent/recordkeepers will be 50,000 and that the time per respondent/recordkeeper will be ½ hour. Thus, the total burden will be 25,000 hours.

14. Reg. 1.83-2(d).

Section 1.83-2(d) requires service providers who make §83(b) elections with respect to transfers of property in connection with their performance of services to send a copy of their election to the service recipient and, if the transferee of the property is not the service provider, to the transferee. We estimate that the total number of respondent/recordkeepers will be 50,000 and that the time per respondent/recordkeeper will be 10 minutes. Thus, the total burden will be 8,335 hours.

15. Reg. 1.83-5(b)(2).

Section 1.83-5(b)(2) provides that, in order for service providers to establish that cancellations of nonlapse restrictions on property transferred in connection with their performance of services were noncompensatory, they must ask their service recipients to furnish them a written statement indicating that (1) the service recipient will not treat the cancellation of the nonlapse restriction as a compensatory event, and (2) no deduction will be taken by the service recipient with respect to such cancellation. We estimate that the total number of respondent/recordkeepers will be 5,000 and that the time per respondent/ recordkeeper will be ½ hour. Thus, the total burden will be 2,500 hours.

16. Reg. 5f.103-1(temp)

Section 5f.103-1 (temporary) provides, with limited exceptions, that tax-exempt obligations must be registered. A registered obligation can only be transferred through a book entry. We estimate that the total recordkeepers will be 32,000 and the time per recordkeeper will be 12 hours. Thus, the total burden will be 384,000 hours.

17. Reg. 5f.103-2(temp)

Section 5f.1.103-2 (temporary) provides that issuers of industrial development bonds (now private activity bonds) must publish a public notice and hold a public hearing prior to issuance of the bonds. We estimate that the total respondent/recordkeepers will be 2,500 and the time per respondent/recordkeeper will be 10 hours. Thus, the total burden will be 25,000 hours.

18. Reg. 6a.103A-2(c)(1)(ii)(temp)

Section 6a.103A-2(c)(1)(ii) (temporary) provides that an issue of mortgage bonds shall be treated as meeting eligibility requirements under certain conditions. In determining whether requirements were met, the issuer may rely on affidavits provided by each mortgagor that he or she meets the eligibility requirements. We estimate that the total respondent/recordkeepers will be 75,000 and the time per respondent/recordkeeper will be ½ hour. Thus, the total burden will be 37,500 hours.

19. Reg. 6a.103A-2(d)(temp)

Section 6a.103A-2(c)(1)(ii) (temporary) provides that an issue of mortgage bonds shall be treated as meeting eligibility requirements under certain conditions. In determining whether requirements were met, the issuer may rely on affidavits provided by each mortgagor that he or she meets the eligibility requirements. We estimate that the total respondent/recordkeepers will be 75,000 and the time per respondent/recordkeeper will be ½ hour. Thus, the total burden will be 37,500 hours.

20. Reg. 6a.103A-2(h)(1)(ii)(temp)

Section 6a.103A-2(h)(1)(ii) (temporary) provides that issuers of tax-exempt mortgage revenue bonds must use reasonable efforts to place a portion of the bond proceeds in mortgages for residences in targeted areas. Advertising is suggested. We estimate that the total respondent/recordkeepers will be 228 and the time per respondent/recordkeeper will be 5 hours. Thus, the total burden will be 1,140 hours.

21. Reg. 6a.103A-3(h)(1)(ii)(temp)

Section 6a.103A-3(h)(1)(ii) (temporary) provides that an issuer of veterans' mortgage bonds may rely on a mortgagor's certificate of discharge from active duty in determining whether a person is a qualified veteran. We estimate that the total respondent/recordkeepers will be 600 and the time per respondent/recordkeeper will be ½ hour. Thus, the total burden will be 300 hours.

22. Reg. 1.125-1 Q&A-7 and 1.125 Q&A-5(c)(3)

Section 1.125-1, Q&A-7 and 1.125-2, Q&A-5(c)(3) (proposed) set forth the timing rules by which a plan participant can "cash-out" unused vacation days. The participant must notify the employer of his or her intent to "cash-out" the unused days. We estimate that the total respondent/recordkeepers will be 1,000 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 250 hours.

23. Reg. 1.125-1 Q&A-8 and 1.125-2 Q&A-6

Section 1.125-1, Q&A-8 and 1.125-2, Q&A-6 (proposed) provide that a cafeteria plan must require plan participants (i.e., employees) to make elections among the benefits offered under the plan by notifying the employer of the benefits elected. These provisions also set forth the circumstances under which a participant can revoke an election of benefits upon notification to the employer. We estimate that the total respondent/recordkeepers will be 10,000,000 and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 5,000,000 hours.

24. Reg. 1.125-2 Q&A-7(b)(3)

Section 1.125-2, Q&A-7(b)(3) (proposed) provides exceptions to the 12-month coverage rule for health flexible spending arrangements. The participant must notify the employer of his or her intention to revoke coverage. We estimate that the total respondent/ recordkeepers will be 2,500,000 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 625,000 hours.

25. Reg. 1.125-2 Q&A-7(b)(5)

Section 1.125-2, Q&A-7(b)(5) (proposed) requires plan participants to substantiate medical expenses by providing the employer with a statement from an independent third-party, which states that the expense has been incurred and the amount of the expense. The participant must also provide the employer with a written statement that the expense is not reimbursable or has not been reimbursed by any other health plan. We estimate that the total respondent/recordkeepers will be 5,000,000 and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 2.5 million hours.

26. Reg. 1.125-2 Q&A-7(b)(8)

Section 1.125-2, Q&A-7(b)(8) (proposed) provides that the rules of 1.125-2, Q&A-7(b)(5) also apply to coverage under a dependent care assistance plan. We estimate that the total respondent/recordkeepers will be 2,500,000 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 625,000 hours.

27. Reg. 1.127-2(i)

Section 1.127-2(i) requires that an employee receiving payments under a qualified educational assistance program must be prepared to provide substantiation to the employer that payments or reimbursements made under the program are for educational expenses. We estimate that the total respondent/recordkeepers will be 200,000 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 200,000 hours.

28. Reg. 1.132-5(a)(1)(ii)

Section 1.132-5(a)(1)(ii) requires that if an item is to be excluded as a working condition fringe, employees must provide their employers with adequate records to substantiate the business expenses to the extent that any of the §274 substantiation requirements apply. We estimate that the total respondents will be approximately 10,000,000, the time per respondent will be ½ hour, and thus the burden will be approximately 5 million hours.

29. Reg. 1.162-27(f)(1)

Section 1.162-27(f)(1) provides that, in order for a corporation that becomes a public corporation via an initial public offering to avoid the $1,000,000 deduction limit of §162(m)(1) on any remuneration paid pursuant to a compensation plan or agreement that existed during the period when the corporation was not publicly held, it must disclose in the prospectus accompanying the offering information concerning those plans or agreements that satisfies all applicable securities laws. We estimate that the total respondent/recordkeepers will be 600 and the time per respondent/recordkeeper will be 50 hours, and thus the total burden will be 30,000 hours.

30. Reg. 1.163-5(c)(2)(i)(B)(2)(B)

Section 1.163-5(c)(2)(i)(B)(2)(B) provides that in the case of a bearer obligation registered under the Securities Act of 1933, exempt from registration by section 3 or 4 of the Act, or which does not qualify as a security under that Act, to be considered foreign targeted, the issuer, each underwriter, and each member of the selling group must covenant that it will not, in connection with the original issuance of the obligation, offer to sell or resell the obligation in bearer form to any person inside the U.S. unless the purchaser is a financial institution purchasing for its own account. We estimate that the total respondent/recordkeepers will be 50 and the time per respondent/recordkeeper will be 10 hours, and thus the total burden will be 500 hours.

31. Reg. 1.163-5(c)(2)(i)(B)(3)

Section 1.163-5(c)(2)(i)(B)(3) provides that for a bearer obligation registered under the Securities Act of 1933, exempt from registration by section 3 or 4 of the Act, or which does not qualify as a security under that Act, to be considered foreign targeted, an underwriter, each member of the selling group, or the issuer, must send a confirmation to the purchaser of a bearer obligation stating that the purchaser represents that it is not a U.S. person or, if it is a U.S. person, it is a financial institution purchasing for its own account or for the account of a customer and that the financial institution will comply with the requirements of section 165(j). The confirmation must also state that if the purchaser is a dealer, it will send similar confirmations to whomever purchases from it. We estimate that the total respondent/ recordkeepers will be 50 and the time per respondent/recordkeeper will be 10 hours, and thus the total burden will be 500 hours.

32. Reg. 1.163-5(c)(2)(i)(B)(4)

Section 1.163-5(c)(2)(i)(B)(4) provides that for a bearer obligation registered under the Securities Act of 1933, exempt from registration by section 3 or 4 of the Act, or which does not qualify as a security under that Act, to qualify as a foreign targeted obligation, the person receiving delivery of the instrument in definitive form must provide to the issuer, underwriter, or selling group member a certification from the recipient that the obligation is not being acquired on behalf of a U.S. person, or for offer to resell or for resale to a U.S. person or any person inside the U.S. other than a financial institution. We estimate that the total respondent/ recordkeepers will be 50 and the time per respondent/recordkeeper will be 10 hours, and thus the total burden will be 500 hours.

33. Reg. 1.163-5(c)(2)(i)(C)(4)

Section 1.163-5(c)(2)(i)(C)(4) provides that for a bearer obligation registered under the Securities Act of 1933, exempt from registration by section 3 or 4 of the Act, or which does not qualify as a security under that Act, to qualify as a foreign targeted obligation, the issuer either must maintain documentary evidence that the purchaser is not a U.S. person or on delivery of the obligation the issuer receives a statement that the obligation is not being acquired by a U.S. person other than a financial institution. We estimate that the

total respondent/recordkeepers will be 50 and the time per respondent/recordkeeper will be 10 hours, and thus the total burden will be 500 hours.

34. Reg. 1.163-5(c)(2)(i)(D)(3)

Section 1.163-5(c)(2)(i)(D)(3) provides that for a bearer obligation issued after September 7, 1990, registered under the Securities Act of 1933, exempt from registration by section 3 or 4 of the Act, or which does not qualify as a security under that Act, to qualify as a foreign targeted obligation, a financial institution which owns the obligation must certify to the issuer of the obligation that it has not acquired the obligation for purposes of resale to a U.S. person. We estimate that the total respondent/recordkeepers will be 50 and the time per respondent/recordkeeper will be 10 hours, and thus the total burden will be 500 hours.

35. Reg. 1.166-2(d)(1) – state recordkeepers

Sections 1.166-2(d)(1) and 2(d)(3) provide that banks must obtain letters from their regulators in order for debts to be presumed conclusively to have become worthless. We estimate that the total number of state regulator respondents/recordkeepers will be 50. We estimate that the total number of responses per state regulator respondents/recordkeepers will be 30. The estimated time per state is 12 minutes, and thus the total burden will be 300 hours.

36. Reg. 1.166-2(d)(1) – federal recordkeepers

Sections 1.166-2(d)(1) and 2(d)(3) provide that banks must obtain letters from their regulators in order for debts to be presumed conclusively to have become worthless. We estimate that the total number of federal regulator respondents/recordkeepers will be 4. We estimate that the total number of responses per federal regulator respondents/recordkeepers will be 2,000. The estimated time per federal regulator is 12 minutes, and thus the total burden will be 1,600 hours.

37. Reg. 1.170A-4A(b)(4)(ii)

Section 1.170A-4A(b)(4)(ii) provides that charitable donees of certain types of donations transferred to them by other donees must give those transferring donees a written statement. We estimate that the total number of respondents will be 7,500 and the time per respondent will be 10 minutes, and thus the total burden will be 1,250 hours.

38. Reg. 1.170A-13(c)(4)(iv)(E)

Section 1.170A-13(c)(4)(iv)(E) requires every donor who presents an appraisal summary to a donee for signature to furnish a copy of the appraisal summary to the donee. If the donor is a partnership or an S corporation, paragraph (c)(4)(iv)(F) requires the donor to provide a copy of the appraisal summary to every partner or shareholder who receives an

allocation of a charitable contribution deduction with respect to the property described in the appraisal summary. We estimate that the total number of respondents will be 2,000 and the time per respondent will be ¼ hour, and thus the total burden will be 500 hours.

39. Reg. 1.170A-14(g)(5)

Section 1.170A-14(g)(5) provides that the donor of a qualified real property interest who reserves certain types of rights must make available to the donee documentation sufficient to establish the condition of the property at the time of the gift. We estimate that the total number of respondents will be 1,000 and the time per respondent will be 10 minutes, and thus the total burden will be 167 hours.

40. Reg. 1.179-2(b)(7)

Section 1.179-2(b)(7) provides for the allocation of an expense deduction between component members of a controlled group. If separate returns are filed by any component member corporations, the common parent must enter into a written allocation agreement with the corporations filing separate returns. These corporations must include a copy of the allocation agreement with an income tax return on which an election is made to claim a deduction under section 179. We estimate that the total respondent/recordkeepers will be 5,000 and that the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 5,000 hours.

41. Reg. 1.194-2(b)(4)

Section 1.194-2(b)(4) provides for the allocation of the deduction for reforestation expenditures between component members of a controlled group. If separate returns are filed by any component corporations, the common parent must enter into a written allocation agreement with the corporations filing separate returns. These corporations must include a copy of the allocation agreement with an income tax return on which an election is made to claim a deduction under section 179. We estimate that the total respondents/recordkeepers will be 50 and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 25 hours.

42. Reg. 601.201(e)(7)

Section 601.201(e)(7) requires that if a ruling or determination letter request is signed by a taxpayer's representative, or the representative is to appear before the IRS in connection with such request, the representative must provide the IRS with written declaration of qualification and authority. We estimate that the total respondents will be 50,749 and the time per respondent will be ½ hour, and thus the total burden will be 25,375 hours.

43. Reg. 601.201(o)(3)(ii) and (xiv-xxi)

Section 601.201(o)(3)(ii) and (xiv)-(xxi) requires that a taxpayer submitting a ruling, or a determination letter request must provide notice to interested parties as provided herein and in regulations under §7476. We estimate that the total respondents will be 53,420 and the time per respondent will be 2 hours, and thus the total burden will be 106,840 hours.

44. Reg. 601.201(o)(5)

Section 601.201(o)(5) provides that interested parties and the PBGC have the right to submit a written comment with respect to a taxpayer's request for a determination letter or to request that the Department of Labor submit such a comment. We estimate that the total respondents will be 534 and the time per respondent will be ½ hour, and thus the total burden will be 267 hours.

45. Reg. 601.201(q)(1)

Section 601.201(q)(1) provides that the notice to interested party's requirement described in §601.201(o)(3)(ii) and (xiv)-(xxi) and the right to comment described in §601.201(o)(5) apply to submissions requesting opinion letters for master and prototype plans by reference. We estimate that the total respondents will be 1,753 and the time per respondent will be 2 hours, and thus the total burden will be 3,506 hours.

46. Reg. 1.216(d)(2)(ii)

Section 1.216-1(d)(2)(ii) provides that, for purposes of making an election under section 216(b)(3)(B)(ii), cooperative housing corporations must furnish a written statement to each tenant-stockholder showing the amount of real estate taxes or interest (or both) allocated to the tenant-stockholder for the tenant-stockholder's dwelling unit or units and share of common areas. We estimate that there will be approximately 600 respondents per year and that it will take each respondent approximately ½ hour to collect the information. Thus, the total estimated annual reporting burden under section 1.216-1(d)(2)(ii) is 300 hours.

47. Reg. 1.219-1(d)(2)

Section 1.219-1(d)(2) (proposed) provides that a taxpayer will be deemed to have made a contribution to an individual retirement account for a taxable year if such contribution is irrevocably specified in writing to the trustee, insurance company, or custodian that the amounts contributed are for such taxable year. We estimate that the total respondents will be 9,567,000 and the time per respondent will be 1 minute, and thus the total burden will be 159,769 hours.

48. Reg. 1.219(a)-(2)(c)(5)

Section 1.219(a)-2(c)(5) (proposed) provides that a taxpayer will be deemed to have made a contribution to an individual retirement account for a taxable year if such contribution is

irrevocably specified in writing to the trustee, insurance company, or custodian that the amounts contributed are for such taxable year. We estimate that the total respondents will be 9,567,000 and the time per respondent will be 1 minute, and thus the total burden will be 159,769 hours.

49. Reg. 1.280G-1 Q&A 7

Section 1.280G-1 Q&A 7 (proposed) provides that, in order for a corporation, whose stock is not publicly traded, to exempt a payment from the definition of the term "parachute payment" in §280G(b)(2), it must disclose to its shareholders the material terms of the payment and obtain an approval vote of 75% of its shareholders. We estimate that the total respondent/recordkeepers will be 200 and the time per respondent/recordkeeper will be 200 hours, and thus the total burden will be 40,000 hours.

50. Reg. 1.305-5(b)(5)

Section 1.305-5(b)(5) provides that a corporation that determines that an issuance of its stock is a constructive distribution must disclose certain information to the stockholders. The corporation may do this by making available the address or telephone number of a contact person who will furnish the information upon request. We estimate that the total respondent/ recordkeepers will be 2,000 and the time per respondent/recordkeeper will be 10 minutes, and thus the total burden will be 333 hours.

51. Reg. 1.316-1(b)(5)

Section 1.316-1(b)(5) provides that a liquidating corporation may claim a dividend paid deduction for certain liquidating distributions if, among other things, it notifies the distributee of the amount to be treated as a dividend by the distributee. We estimate that the total respondent/recordkeepers will be 2,000 and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 1,000 hours.

52. Reg. 1.341-7(c)(1) and (d)

Section 1.341-7(c)(1) and (d) provides that if a corporation files a consent with the Service with respect to the disposition of certain "subsection (f) assets," the corporation must notify its shareholders and provide a copy of the consent to any shareholder who requests it. Under section 1.341-7(d), if the shareholder sells stock in the consenting corporation the shareholder must notify the corporation within 5 days of the sale. If the sale of stock is treated under Code section 341(f)(6) as a sale of stock of another corporation, the consenting corporation must, in turn, notify that other corporation within 5 days. We estimate that the total respondent/recordkeepers will be 1,000 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 250 hours.

53. Reg. 1.367(e)-1

Section 1.367(e)-1 requires domestic corporate taxpayers to file statements with tax returns to secure nonrecognition treatment with respect to certain distributions of stock and securities to foreign corporations pursuant to section 355. We estimate that the total respondent/recordkeepers will be 2 and the time per respondent/recordkeeper will be 2 hours, and thus the total burden will be 4 hours.

54. Reg. 1.382-2T(k)(1)

Section 1.382-2T(k)(1) provides that loss corporations are subject to restrictions on the use of their losses if there is a more than 50% change in the direct or indirect ownership of their stock. Section 1.382-2T(k)(1) allows a loss corporation, in tracking changes of ownership of its stock, to rely on a statement under penalties of perjury, from a director, officer, partner, trustee, executor, or similar responsible person of an entity that owns stock in the loss corporation. The statement will enable the loss corporation to establish the extent, if any, to which there has been a change in the indirect ownership of its stock through that entity. We estimate that the total respondent/recordkeepers will be 3,000 and the time per respondent/recordkeeper will be 20 minutes, and thus the total burden will be 1,000 hours.

55. Reg. 1.382-9(d)(2)

Section 1.382-9(d)(2) provides that a loss corporation can rely on a statement from a creditor, under penalties of perjury, regarding the length of time the creditor has held its debt and the amount of that debt to avoid restrictions on the uses of losses. This statement is helpful to the loss corporation in establishing that creditors receiving its stock have held the debt for the requisite period. We estimate that the total respondent/recordkeepers will be 250 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 63 hours.

56. Reg. 1.382-9(d)(4)(iv)

Section 1.382-9(d)(4)(iv) provides that a loss corporation can rely on a statement from a creditor, under penalties of perjury, that the criteria that cause the anti-abuse rule of section 1.382-9(d)(4) to apply have not been met. The anti-abuse rule disqualifies certain debt from favorable treatment under section 382 if ownership of an entity holding the debt changes hands. We estimate that the total respondent/recordkeepers will be 250 and the time per respondent/recordkeeper will be ¼ hour and thus the total burden will be 63 hours.

57. Reg. 1.401-1(a)(2)

Section 1.401-1(a)(2) defines a qualified plan as a written program and arrangement which is communicated to the employees. We estimate that the total recordkeepers will be

700,000 and the time per recordkeeper will be 42 minutes and thus the total burden will be 490,000 hours.

58. Reg. 1.401(a)-3(b)

Section 1.401(a)-3(b) (proposed) explains that to establish a right to a refund of the amount mistakenly contributed or paid to a multi-employer plan, the employer must file a claim with the plan administrator within six months from the date in which the plan administrator determines that a mistake did occur. We estimate that the total respondents will be 3,000 and the time per respondent will be 6 minutes, and thus the total burden will be 300 hours.

59. Reg. 1.401(a)(5)-1(e)(4)(i)

Section 1.401(a)(5)-1(e)(4)(i) provides that an employer that maintains a defined benefit plan integrated with social security must provide written notice to each employee of (1) the employee's right to supply actual compensation history for purposes of determining the employee's benefits, (2) the financial consequences of failing to supply the history, and (3) the availability of compensation history from the Social Security Administration. The notice must be given whenever a summary plan description is given to the employee and at the employee's separation from service. We estimate that the total number of respondent/recordkeepers subject to this requirement is 10 and that the time per respondent/recordkeepers is 1 hour, 24 minutes so the total burden is 14 hours.

60. Reg. 1.401(a)(9)-1Q&A C-3

Section 1.401(a)(9)-1 (Q&A:C-3) (proposed) provides that a plan may permit elections of whether the 5-year rule applies or the exception to the five-year rule. If this election is permitted, the proposed regulations provide specific timeframes for making these elections. We estimate that the total number of respondents will be 10,000 and the time per respondent will be 9 minutes, and thus the total burden will be 1,500 hours.

61. Reg. 1.401(a)(9)-1Q&A D-5

Section 1.401(a)(9)-1 (Q&A: D-5) (proposed) provides rules that must be satisfied that apply when a trust is designated as a beneficiary of an employee's benefits. If certain requirements are met the beneficiary of the trust is treated as the employee's designated beneficiary for purposes of § 401(a)(9). One of the requirements is that a copy of the trust be provided to the plan. We estimate that the total number of respondents will be 100 and the time per respondent will be 3 minutes, and thus the total burden will be 5 hours.

62. Reg. 1.401(a)(9)-1Q&A E-8

Section 1.401(a)(9)-1 (Q&A E-8) (proposed) provides that a plan may permit elections of whether life expectancy will be calculated. If this election is permitted, the proposed

regulations provide specific timeframes for making these elections. In the case of a QDRO, H-4 of §1.401(a)(9)-1 provides for the election to be made by the alternate payee. We estimate that the total number of respondents will be 20,000 and the time per respondent will be 9 minutes, and thus the total burden will be 3,000 hours.

63. Reg. 1.401(a)(9)-1Q&A H-3

Section 1.401(a)(9)-1 (Q&A H-3) (proposed) provides that, if distributions are required to commence in accordance with § 401(a)(9) while benefits are immediately distributable, the consent requirements of § 411(a)(11) and 417(e) are deemed to be satisfied if the plan has made reasonable efforts to obtain consent from the participant (or spouse if applicable). The rule is reiterated in transitional rule Q&A I-4 for distributions in 1985-1987. We estimate that the total number of respondents will be 1,000 and the time per respondent will be 6 minutes, and thus the total burden will be 100 hours.

64. Reg. 1.401(a)-13(e)

Section 1.401(a)-13(e) provides that an arrangement whereby a participant or beneficiary directs a qualified plan to pay plan benefits to a third party is not a prohibited assignment or alienation if the third-party files a written acknowledgement with the plan administrator in accordance with requirements specified in the regulation. We estimate that the total respondent/recordkeepers will be 800,000 and that the time per respondent/ recordkeeper will be 10 minutes, and thus the total burden will be 133,360 hours.

65. Reg. 1.401(a)-14(b)

Section 1.401(a)-14(b) permits a qualified plan to allow a participant to elect to receive the plan benefit later than the latest required beginning date if the participant makes a written election, containing certain information specified in the regulation. We estimate that the total respondent/recordkeepers will be 200,000 and that the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 50,000 hours.

66. Reg. 1.401(a)-20 Q&A 24

Section 1.401(a)-20, Q&A 24 requires participants to provide spousal consent at the time a participant's accrued benefit is used as security for a loan, in order for a qualified plan to satisfy the survivor annuity requirements of §§401(a)(11) and 417. We estimate that the total respondent/recordkeepers will be 500,000 and that the time per respondent/recordkeeper will be 10 minutes, and thus the total burden will be 83,350 hours.

67. Reg. 1.401(a)-20 Q&A 34 - 37

Section 1.401(a)-20, Q&A 34-37 requires qualified plans subject to the qualified joint and survivor annuity rules and the qualified preretirement survivor annuity rules to provide written explanations of those rules to participants, as required under §417(a)(3). We

estimate that the total respondent/recordkeepers will be 750,000 and that the time per respondent/ recordkeeper will be ½ hour, and thus the total burden will be 375,000 hours.

68. Reg. 1.401(a)-20 Q&A 45 - 47

Section 1.401(a)-20, Q&A 45-47 requires qualified plans subject to the qualified joint and survivor annuity requirements and the qualified preretirement survivor annuity requirements to provide notices to participants who performed service on or after September 2, 1974, but were not entitled to the qualified joint and survivor annuity protection of the Employee Retirement Income Security Act of 1974. We estimate that the total respondent/ recordkeepers will be 25,000 and that the time per respondent/recordkeeper will be 24 minutes, and thus the total burden will be 10,000 hours.

69. Reg. 1.401(a)(31)-1T Q&A 1-4

Section 1.401(a)(31)-1 (Q&A-1 through 4) provides that a plan must provide a direct rollover election to each distributee of an eligible rollover distribution. Direct rollover may be accomplished by any reasonable means including providing the distributee with a check and instructing the distributee to deliver the check to the eligible retirement plan provided the check is made out in accordance with the requirements of that Q&A. We estimate that the total number of recordkeepers will be 8,900,000 and the time per recordkeeper will be 9 minutes, and thus the total burden will be 1,335,000 hours.

70. Reg. 1.401(a)-50

Section 1.401(a)-50 provides that trusts under retirement plans created or organized in Puerto Rico are treated as trusts created or organized in the United States for purposes of the qualified plan rules, if the plan administrator makes an election under §1022(i)(2) of ERISA by filing an appropriate statement with the Director's Representative of the Internal Revenue Service in Puerto Rico. We estimate that the total respondent/recordkeepers will be 15 and that the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 8 hours.

71. Reg. 1.401(k)-1(d)(2)(iii) & (iv)

Section 1.401(k)-1(d)(2)(iii) & (iv) require no third-party communication, but in practice a participant's receipt of a hardship distribution will depend on providing certain information to the plan administrator including information concerning the employee's financial need. In some cases, other plans will have to be notified that the employee must cease contributions as a condition of receiving the hardship distribution. We estimate the total respondent/recordkeepers will be 75,000, the time per respondent will be 4 hours, and thus the total burden will be 300,000 hours.

72. Reg. 1.401(m)-1(c)(2)

Section 1.401(m)-1(c)(2) provides that an employer must maintain records to demonstrate compliance with nondiscrimination requirements. We estimate the total respondent/recordkeepers will be 75,000, the time per respondent will be ½ hour, and thus the total burden will be 37,500 hours.

73. Reg. 1.401(m)-1(f)(6)

Section 1.401(m)-1(f)(6) provides that the definition of "employee contribution" means an employer must report the contribution as taxable income subject to withholding. We estimate the total respondent/recordkeepers will be 50,000, the time per respondent will be ½ hour, and thus the total burden will be 25,000 hours.

74. Reg. 1.402(e)-2(f)

Section 1.402(e)-2(f) (proposed) provides that an employer who maintains a plan must report a lump sum distribution to the recipient on Form 1099R. In the alternative, the information may be communicated by the fiduciary of the trust or the payor of such distribution. We estimate that the total respondent/recordkeepers will be 700,000 and the time per respondent will be 1 hour, and thus the total burden will be 700,000 hours.

75. Reg. 1.402(f)-1

Section 1.402(f)-1 provides that plan administrators must give recipients of certain qualified total or partial distributions a written explanation of the rules relating to rollovers, capital gains and the separate tax on lump sum distributions. We estimate that the total respondent/recordkeepers will be 400,000 and the time per respondent will be 35 minutes, and thus the total burden will be 232,000 hours.

76. Reg. 1.402(g)-1(e)(2)

Section 1.402(g)-1(e)(2) provides that, when excess deferrals are corrected after the taxable year, a participant may notify each plan under which deferrals were made, of the amount of the excess deferrals and the plan must distribute (and report) the amount by April 15th. We estimate the total respondent/recordkeepers will be 75,000, the time per respondent will be ½ hour, and thus the total burden will be 37,500 hours.

77. Reg. 1.402(g)-1(e)(3)

Section 1.402(g)-1(e)(3) provides that a plan may only correct excess deferrals during the taxable year if the plan or the participant designates the distribution as an excess deferral. We estimate the total respondent/recordkeepers will be 100,000, the time per respondent will be ¼ hour, and thus the total burden will be 25,000 hours.

78. Reg. 1.403(b)-2T Q&A-3

Section 1.403(b)-2 (Q&A-3) (final) requires the payor of a §403(b) annuity to provide an explanation to any distributee of an eligible rollover distribution. It must explain the distributee's right to elect a direct rollover and the income tax withholding consequences of not electing a direct rollover. The payor must provide the explanation within a reasonable time before making the distribution. We estimate that the total number of recordkeepers will be 100, and the average time per recordkeeper will be 50 hours. Thus, the total burden will be 5,000 hours.

79. Reg. 1.408-5

Section 1.408-5 (proposed) provides that every trustee of an individual retirement account and every issuer of an individual retirement annuity shall furnish to the owner of such account or annuity a Form 5498 annually. We estimate that the total respondent/recordkeepers will be 10,000 and the time per respondent will be 10 hours and thus the total burden will be 100,000 hours.

80. Reg. 1.408-6

Section 1.408-6 provides that every trustee of an individual retirement account and every issuer of an individual retirement annuity must give to the purchaser a disclosure statement. We estimate that the respondent/recordkeepers will be 10,000 and the time per respondent will be 250 hours and thus the total burden will be 2,500,000 hours.

81. Reg. 1.408-6(b)

Section 1.408-6(b) (proposed) provides that the trustee of an individual retirement account and the issuer of an individual retirement annuity shall furnish to the benefitted individual of a spousal individual retirement plan a disclosure statement. We estimate that the total respondent/recordkeepers will be 10,000 and the time per respondent will be 10 hours and thus the total burden will be 100,000 hours.

82. Reg. 1.408-6(d)(4)(ii)(c)

Section 1.408-6(d)(4)(ii)(C) provides that every trustee of an individual retirement account or every issuer of an individual retirement annuity which amends the governing instrument must furnish the account holder or the contract owner a copy of the amendment and an amended disclosure statement which explains the amendment. We estimate that the respondent/recordkeepers will be 500 and the time per respondent will be 10 hours and thus the total burden will be 5,000 hours.

83. Reg. 1.408-7

Section 1.408-7 provides that the trustee of an individual retirement account or the issuer of an individual retirement annuity who makes a distribution during any calendar year shall make a report on Form 1099R. We estimate that the total respondent/recordkeepers will be 10,000 and the time per respondent will be 20 hours, and thus the total burden will be 200,000 hours.

84. Reg. 1.408-9(a)

Section 1.408-9(a) (proposed) provides that every employer who adopts a simplified employee pension shall furnish to each employee information about the simplified employee pension. We estimate that the total respondent/recordkeepers will be 5,000 and the time per respondent will be 2 hours, and thus the total burden will be 10,000 hours.

85. Reg. 1.408-9(b)

Section 1.408-9(b) (proposed) provides that for each calendar year, the employer shall furnish to the employee a written statement indicating the amount of employer contributions made to the employee's individual retirement account or individual retirement annuity under a simplified employee pension arrangement. We estimate that the total respondent/ recordkeepers will be 50,000 and the time per respondent will be 1 hour, and thus the total burden will be 50,000 hours.

86. Reg. 1.411(A)-4(b)(6)

Section 1.411(a)-4(b)(6) requires that, to satisfy the vesting requirements, a plan must provide for reinstatement of a forfeited benefit of a lost beneficiary if a claim is made by the participant or beneficiary for the forfeited benefit. We estimate the total respondent/ recordkeepers will be 5,000 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 5,000 hours.

87. Reg. 1.411(a)-8T(b)

Section 1.411(a)-8T(b) (temporary) provides that a plan must allow participants with 3 years of service to make the election described under §1.411(a)-8(b) above with respect to post-1988 amendments. We estimate the total respondent/recordkeepers will be 4,000 and the time per respondent/keeper will be 2 hours, and thus the total burden will be 8,000 hours.

88. Reg. 1.411(a)-11(c)

Section 1.411(a)-11(c) provides that consent under 411(a)(11) is not valid unless the participant receives a general description of material features and relative value of optional

forms not more than 90 days and not less than 30 days before the annuity starting date for the distribution. Written consent is required before the commencement of the distribution of a portion of an accrued benefit if the total accrued benefit is greater than $3,500. We estimate that the total number of respondents will be 11,300,000 and the time per respondent will be 3 minutes, and thus the total burden will be 565,000 hours.

89. Reg. 1.411(d)-4 Q&A 2(d)(iv)(3)

Section 1.411(d)-4 Q&A-2(d)(iv)(3) involves the prohibition on reducing or eliminating §411(d)(6) protected benefits. If a plan is merged, transferred, etc., the protected benefit (e.g., distribution in annual installments) must be retained. The proper records have to be maintained and disclosed to the "new" plan in order to satisfy this requirement. We estimate the total respondent/recordkeepers will be 3,000, the time per respondent will be ½ hour, and thus the total burden will be 1,500 hours.

90. Reg. 1.411(d)-4 Q&A-3(b)(1)

Section 1.411(d)-4 Q&A-3(b)(1) requires various notice and participant and spousal consents for elective transfers between plans that result in reduction or elimination of a §411(d)(6) protected benefit. We estimate the total respondent/recordkeepers will be 1,500, the time per respondent will be ½ hour, and thus the total burden will be 750 hours.

91. Reg. 1.412(c)(1)-3(c),(e) & (i) - restoration

Section 1.412(c)(1)-3(c), (e) and (i) provide a funding method for plans that are or have been terminated and later restored by the PBGC (Pension Benefit Guaranty Corporation). Under this funding method, the PBGC determines a restoration payment schedule. When the PBGC establishes the payment schedule, the Executive Director of the PBGC must certify to the IRS that the PBGC has reviewed the funding of the Plan and the financial condition of the plan sponsor and the PBGC has determined that it is in the best interest of plan participants and beneficiaries that the plan is not re-terminated. PBGC must certify to the IRS annually that it is in the best interests of plan participants and beneficiaries that the plan is not re-terminated. We estimate that the total respondent/recordkeepers providing restoration payment schedule information to the PBGC will be 6. The time burden for supplying the information to the PBGC are 5 hours. Thus, the total burden will be 30 hours.

92. Reg. 1.412(c)(1)-3(c),-(e) & (i) - actuarial

Section 1.412(c)(1)-3(c), (e) and (i) provide a funding method for plans that are or have been terminated and later restored by the PBGC (Pension Benefit Guaranty Corporation). The Plan administrator must notify PBGC of any changes in the actuarial assumptions or methods used by the plan. PBGC must certify to the IRS annually that it is in the best interests of plan participants and beneficiaries that the plan is not re-terminated. We estimate that the total respondent/ recordkeepers notifying the PBGC of any changes in

actuarial assumptions or methods will be 1. The time burden for supplying the information to the PBGC are 3 hours. Thus, the total burden will be 3 hours.

93. Reg. 11.412(c)-7 (temp)

Section 11.412(c)-7 (temporary) provides that a plan administrator may elect to have an amendment that reduces a participant's accrued benefit and is adopted after the close of the plan year deemed to have been made on the first day of the plan year (in accordance with 412(c)(8)) if (inter alia), the Secretary of Labor is notified of the amendment and either approves the amendment or fails to disapprove it within 90 days. We estimate that the total respondent/recordkeepers will be 500, and the time per respondent/recordkeeper will be 2 hours, and thus the total burden will be 1,000 hours.

94. Reg. 1.414(1)-1(h)(4)(i)(2)

Section 1.414(l)-1(h)(4)(i)(2) provides that, in order to use an alternative data maintenance procedure, an enrolled actuary must certify actual data maintenance to the plan administrator. We estimate that the total respondent/recordkeepers will be 1000 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 1,000 hours.

95. Reg. 1.417(e)-1(b)(2)

Section 1.417(e)-1(b)(2) requires written consent of the participant. We estimate that the total respondent/recordkeepers will be 750,000 and that the time per respondent/ recordkeeper will be ½ hour, and thus the total burden will be 375,000 hours.

96. Reg. 1.421-1(a)(1)

Sections 1.421-1(a)(1) provides that, in order for a stock option to be eligible for taxation under section 421, it must be furnished to the optionee in writing. We estimate that the total number of respondents is 10,000, and the average time per respondent is 40 hours, and thus the total burden is 400,000 hours.

97. Reg. 1.422-5

Section 1.422-5 provides that, in order for a stock option to receive incentive stock option treatment, the shareholders of the corporation granting the option (and, implicitly, the shareholders of the corporation whose stock is being optioned, if it is not the granting corporation) must approve the option plan as specified in this section. We estimate that the total number of respondent/recordkeepers will be 5,000 and that the time per respondent/recordkeeper will be 20 hours. Thus, the total burden will be 100,000 hours.

98. Reg. 14a.422A-1Q&A-30(temp)

Section 14a.422A-1 Q&A-30 (temporary) provides that, if a stock option plan receives timely shareholder approval but is subsequently amended to conform to the requirements for incentive stock options, new shareholder approval of the plan is required if, as originally approved, the plan did not specify the aggregate number of issuable shares or identify the employees (or class of employees) eligible for options. We estimate that the total number of respondent/recordkeepers will be 500 and that the time per respondent/recordkeeper will be 20 hours. Thus, the total burden will be 10,000 hours.

99. Reg. 1.422A-2(b)(3)(iv)(temp)

Section 1.422A-2(b)(3)(iv) (proposed) provides that any increase in the number of shares to be offered for stock options or change in the designation of employees (or class of employees) eligible to receive options under an incentive stock option plan constitutes the adoption of a new plan that requires new shareholder approval. We estimate that the total number of respondent/recordkeepers will be 500 and that the time per respondent/recordkeeper will be 20 hours. Thus, the total burden will be 10,000 hours.

100. Reg. 1.423-2(c)(1)

Section 1.423-2(c)(1) provides that, in order for a stock option plan to qualify as an employee stock purchase plan, it must be adopted by the corporation's board of directors and must be approved by its shareholders within 12 months before or after it is adopted. We estimate that the total number of respondent/recordkeepers will be 5,000 and that the time per respondent/recordkeeper will be 20 hours. Thus, the total burden will be 100,000 hours.

101. Reg. 1.423-2(c)(4)

Section 1.423-2(c)(4) provides that any increase in the number of shares to be offered for stock options or change in the designation of employees (or class of employees) eligible to receive options under an employee stock purchase plan constitutes the adoption of a new plan that requires new shareholder approval. We estimate that the total number of respondent/ recordkeepers will be 500 and that the time per respondent/recordkeeper will be 20 hours. Thus, the total burden will be 10,000 hours.

102. Reg. 1.457-2(b)

Section 1.457-2(b), in defining a plan, states that a plan includes any agreement or arrangement between a state and a participant or participants, under which the payment of

compensation is deferred. We estimate that the total recordkeepers will be 36,000 and the time per recordkeeper will be 50 hours, and thus the total burden will be 1,800,000 hours.

103. Reg. 1.457-2(h)(1)

Section 1.457-2(h)(1) requires no third-party communication, but in practice a participant's receipt of a hardship distribution will depend on providing certain information to the plan administrator including information concerning the employee's financial need. We estimate that the total respondents will be 100,000 and the time per respondent will be ½ hour, and thus the total burden will be 50,000 hours.

104. Reg. 1.457-2(i)(2)

Section 1.457-2(i)(2) provides for selection by participants of a schedule of distributions under a plan and requires that the schedule must be such that benefits payable to a beneficiary are no more than incidental. We estimate that the total respondents will be 400,000 and the time per respondent will be 3 minutes, and thus the total burden will be 20,000 hours.

105. Reg. 1.457-2(k)

Section 1.457-2(k) provides for automatic plan to plan transfer if a participant separates from service to accept employment with another eligible employer, but in practice some sort of notification would be necessary to cause this to happen. We estimate that the total respondents will be 50,000 and the time per respondent will be ¼ hour, and thus the total burden will be 12,500 hours.

106. Reg. 1.509(a)-4(i)(4)

Section 1.509(a)-4(i)(4) provides a transitional rule for the integral part test. It provides that a trust, whether exempt from taxation under § 501(a), shall be treated as meeting the requirements of the integral parts test if the trustee of such trust makes annual written reports to all of the beneficiary publicly supported organizations with respect to such trust setting forth a description of the assets of the trust, including a detailed list of the assets and the income produced by such assets. We estimate that the total respondent/recordkeepers will be 40 and the time per respondent/recordkeeper will be 4 hours, and thus the total burden will be 160 hours.

107. Reg. 1.854-2(a)

Section 1.854-2(a) provides that the amount that a shareholder may treat as a dividend for purposes of the exclusion shall not exceed the amount so designated by the company. We estimate that the total respondent/recordkeepers will be 6,000 and the time per

respondent/recordkeeper will be 1 hour, and thus the total burden will be 6,000 hours.

108. Reg. 1.854-2(b)

Section 1.854-2(b) provides that the notice shall designate the holder's proportionate share of the amounts that may be treated as a dividend. We estimate that the total respondent/recordkeepers will be 3,000 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 750 hours.

109. Reg. 1.860E-2(a)(5)

Section 1.860E-2(a)(5) provides that a REMIC must furnish to any person that transfers a residual interest, the information needed to compute the present value of the excess inclusions expected to accrue on that interest after its transfer. The REMIC need furnish the information only on request, and only if the residual interest is transferred to someone not qualified to hold it. We estimate that the total respondent/recordkeepers will be 40 and the time per respondent/recordkeeper will be 2 hours, and thus the total burden will be 80 hours.

110. Reg. 1.936-10(c)(11)(i)

Section 1.936-10(c)(11)(i) requires the ultimate recipient in a CBI country to certify to the qualified financial institution in Puerto Rico (or to the financial intermediary if one is involved in the transaction) on the date the loan is closed and on each anniversary of this date that it is a qualified recipient within the meaning of section 1.936-10(c)(9). We estimate that the total respondent/recordkeepers will be 50 per year and the time per respondent/ recordkeeper will be ¾ hour, and thus the total burden will be 38 hours.

111. Reg. 1.936-10(c)(11)(ii)

Section 1.936-10(c)(11)(ii) requires the intermediary, in the case of a loan involving a financial intermediary, to submit annually its own certification, and a copy of the ultimate recipient's certification, to the qualified financial institution in Puerto Rico. In its certification, the financial intermediary must state that it satisfies the requirements under section 1.936-10(c)(8)(iv)(H). We estimate that the total respondent/recordkeepers will be 50 per year and the time per respondent/recordkeeper will be 1 hours, and thus the total burden will be 50 hours.

112. Reg. 1.936-10(c)(12)

Section 1.936-10(c)(12) requires the ultimate recipient of a loan and the qualified financial institution to submit a certification to the Commissioner of Financial Institutions of Puerto Rico no later than prior to the first disbursement of loan proceeds to the ultimate recipient. The recipient must certify that the loan proceeds will be promptly used to acquire active business assets or to make other authorized expenditures. The financial institution's certification must state that it has satisfied the requirements of section 1.936-10(c)(11), describe the terms of the loan, agree to examination of its books and records by the IRS and the Commissioner of Financial Institutions, and provide additional information if it is a single-purpose entity described in section 1.936-10(c)(3)(iii). We estimate that the total respondent/ recordkeepers will be 50 per year and the time per respondent/recordkeeper will be 1¼ hours, and thus the total burden will be 63 hours.

113. Reg. 1.936-10(c)(13)(i)

Section 1.936-10(c)(13)(i) requires the ultimate recipient of a loan to submit annually to the financial institution, or to the financial intermediary if one is involved in the loan transaction, a financial statement disclosing the balance of the loan, the use that has been made of the loan proceeds, and a statement that there is no reason to doubt that the proceeds have been and will be properly used. We estimate that the total respondent/recordkeepers will be 50 per year and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 50 hours.

114. Reg. 1.936-10(c)(13)(ii)

Section 1.936-10(c)(13)(ii) requires a qualified financial institution to notify the Commissioner of Financial Institutions of Puerto Rico when a loan becomes disqualified. We estimate that the total respondent/recordkeepers will be 50 per year and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 25 hours.

115. Reg. 1.936-10(c)(13)(iii)(B)

Section 1.936-10(c)(13)(iii)(B) requires a financial intermediary to forward annually a copy of the documents that it is required to maintain under section 1.936-10(c)(13)(iii) and to notify the Commissioner of Financial Institutions of Puerto Rico upon becoming aware that a loan has become disqualified. We estimate that the total respondent/recordkeepers will be 50 per year and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 50 hours.

116. Reg. 1.1015-1(a)(3)

Section 1.1015-1(a)(3) provides that if the facts necessary to determine the basis of property by gift are unknown to the donee, the district director shall obtain such facts from such donor or last preceding owner, or any other person cognizant thereof. We estimate

that the total respondent/recordkeepers will be 500 and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 250 hours.

117. Reg. 1.1015-1(g)

Section 1.1015-1(g) states persons making or receiving gifts of property should preserve and keep accessible the records necessary to determine the cost of the property. We estimate that the total respondent/recordkeepers will be 147,000 and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 73,500 hours.

118. Reg. 1.1092(b)-3T(d)(2) & (4)

Section 1.1092(b)-3T(d)(2) and (4) provide that a taxpayer will be presumed to have made a timely identification of a mixed straddle if the taxpayer receives certain written information from third parties, such as brokers, that includes the date on which the straddle was established and identification of all of the positions of the straddle. We estimate that the number of respondent/recordkeepers under this section will 10,000 and that the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 10,000 hours.

119. Reg. 18.1377-1

Section 18.1377-1 (temporary) provides that a corporation making an election to treat its taxable year as if it consisted of separate taxable years in the case of a termination of a shareholder's entire interest must receive the consent of all persons who are or were shareholders in the corporation at any time during the taxable year. We estimate that the total respondents/recordkeepers per year will be 4,000 and the time per respondent/recordkeeper will be ¼ hour, and thus the total annual burden will be 1,000 hours.

120. Reg. 1.1377-1(b)(1)

Section 1.1377-1(b)(1) provides that a corporation making an election to treat its taxable year as if it consisted of separate taxable years in the case of a termination of a shareholder's entire interest must receive the consent of all affected shareholders. We estimate that the total respondents/recordkeepers per year will be 4,000 and the time per respondent/ recordkeeper will be ¼ hour, and thus the total annual burden will be 1,000 hours.

121. Reg. 1.1398-2(f)(2)(v)

Section 1.1398-2(f)(2)(v) provides, for a title 11 case commencing before November 9, 1992, that an election to have the rules for section 465 losses of section 1.1398 apply is

made in a chapter 7 case by obtaining the written consent of the trustee, and filing a copy with the returns of the debtor and the estate, and in a chapter 11 case by incorporating that election into a bankruptcy plan or into an order of such court and filing the pertinent portion of the plan or order with the returns of the debtor and the estate. We estimate that the total number of respondents will be 4,000 and the time per respondent will be 5 minutes, and thus the total burden will be 320 hours.

122. Reg. 1.1441-4(b)(iii)

Section 1.1441-4(b)(iii) provides that withholding is not required for personal services of a nonresident alien individual if such compensation is effectively connected with a trade or business. We estimate that the total respondent/ recordkeepers will be 300 and the time per respondent/recordkeeper will be 10 hours, and thus the total burden will be 3,000 hours.

123. Reg. 1.441-4(b)(4)(i)

Section 1.1441-4(b)(4)(i) provides that a nonresident alien may claim an exemption from withholding on compensation (other than wages) from personal services that is effectively connected with a U.S. trade or business by presenting the withholding agent a letter from a district director stating the amount of compensation that can be paid to the alien individual pursuant to the exemption. We estimate that the total respondent/recordkeepers will be 300 and the time per respondent/recordkeeper will be 5 hours, and thus the total burden will be 1,500 hours.

124. Reg. 1.1443-1(b)(4)

Section 1.1443-1(b)(4) provides that a withholding agent may rely on a good faith determination that an organization qualifies as a foreign private foundation based on affidavits or an opinion of counsel that the organization is described in sec. 509. We estimate that the total respondent/recordkeepers will be 1,000 and the time per respondent/recordkeeper will be 300 hours, and thus the total burden will be 300,000 hours.

125. Reg. 1.1445-8(e)

Section 1.1445-8(e) provides that a withholding agent may rely on a certificate of non-foreign status to determine whether an interest holder is a domestic person. We estimate that the total respondent/recordkeepers will be 6,000,000 and time per respondent/recordkeeper will be ¼ hour, and thus total burden will be 1,500,000 hours.

126. Reg. 1.1445-2(c)(3) and 1.1445-5(b)(4)(iii), (c)(2)(iii) & (d)(2)(i)

Sections 1.1445-2(c)(3), and 1.1445-5(b)(4)(iii), (c)(2)(iii) and (d)(2)(i) provide that to avoid withholding of U.S. tax on the disposition of the stock of a U.S. corporation, the

transferor may give the transferee a copy of a statement issued by the corporation that it is not a U.S. real property holding corporation. Such statement must be given to the I.R.S. by the corporation. We estimate that the total respondent/recordkeepers will be 1,000 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 250 hours.

127. Reg. 1.1445-10T

Section 1.1445-10T provides that to avoid withholding of a U.S. tax on the disposition of a U.S. real property interest, a foreign government must provide a notice of nonrecognition or a withholding certificate to the transferee. Such notice must also be provided to the I.R.S. We estimate that the total respondent/recordkeepers will be 1,200 and the time per respondent/ recordkeeper will be ½ hour, and thus the total burden will be 600 hours.

128. Reg. 1.1461-2(c)(3)(ii)

Section 1.1461-2(c)(3)(ii) provides that a withholding agent must furnish a copy of Form 1042S to the payee indicated on the form. We estimate that the total respondent/recordkeepers will be 1,500,000 and the time per respondent/recordkeepers will be 1 minute, and thus the total burden will be 25,050 hours.

129. Reg. 1.1502-95T(e)(3)

Section 1.1502-95T(e)(3) provides that a common parent's election to apportion some or all of the consolidated group's section 382 limitation to a departing member is made by filing a statement with the group's consolidated income tax return for the year that the member departs. The common parent must furnish a copy of the election statement to the departing member on or before the day the group files that income tax return. We estimate that the total respondent/recordkeepers will be 1,420 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 355 hours.

130. Reg. 31.3121(b)(3)-1(b)

Section 31.3121(b)(3)-1(b) provides an exemption from FICA for certain employment based in part on fact that spouse is incapable of taking care of a child or a child requires the personal care or supervision of an adult. A statement by a doctor of the existence of that condition is generally sufficient evidence. There is no IRS form for this requirement. The estimated amount of time required for the doctor to provide this statement ¼ hour. The estimated number of individuals requiring personal care or supervision is 25,000. The estimated total burden is 6,250 hours.

131. Reg. 31.3121(b)(12)-1

Section 31.3121(b)(12)-1 provides that services performed for instrumentalities of a foreign government are excepted from FICA taxes if, among other things, the Secretary of

State certifies to the Secretary of the Treasury that the foreign government grants a similar exemption to services performed in the foreign country by employees of the United States government. There is no IRS form for this requirement. The estimated amount of time required to provide this statement is 2 hours. The estimated number of foreign government employees working in the U.S. is 10,400. The total estimated burden is 20,800 hours.

132. Reg. 31.3302(a)-3(a)

Section 31.3302(a)-3 provides that to receive credit under §3302(a), a taxpayer must submit a statement from the state showing the amount of tax paid. We estimate that the total respondents will be 50, the time per respondent will be 1 hour, and thus the burden will be approximately 50 hours.

133. Reg. 31.3401(a)-1(b)(12)

Section 31.3401(a)-1(b)(12) provides that a permanent resident of the Virgin Islands is required to file a statement with the employer that he or she expects to satisfy his or her income tax obligations under the Revised Organic Act of the Virgin Islands to obtain exemption from income tax withholding. The time to provide this information is 5 minutes. The estimated number of permanent residents of the V. I. working in the U.S. is 5,000. The total estimated burden is 417 hours.

134. Reg. 31.3401(a)-1(b)(8)(ii)(c)

Section 31.3401(a)-1(b)(8)(ii)(c) deals with amounts paid by employers for whom services are performed for a period of absence beginning before January 1, 1964. It provides for a statement from the employee to the employer explaining why the employee was absent from work. We estimate that the total respondents will be 5, the time per respondent will be 10 minutes, and thus the burden will be approximately 1 hour.

135. Reg. 31.3401(a)(6)-1(d)

Section 31.3401(a)(6)-1(d) requires a statement to be filed with an employer by a nonresident alien who is a resident of Puerto Rico performing services outside the U.S. to be exempt from income tax withholding. There is no IRS form. The estimated time to file this statement is ¼ hour. The estimated number of individuals required to file this statement is 6,000. The estimated burden is 1,500 hours.

136. Reg. 31.3401(a)(8)(c)-1(b)(2)

Section 31.3401(a)(8)(C)-1(b)(2) requires a statement concerning a U.S. citizen's residence in Puerto Rico during an entire calendar year to be submitted by the employee to the employer to get an exemption from income tax withholding. There is no IRS form. The estimated amount of time required to provide this statement is ¼ hour. The estimated number of U.S. citizens residing in Puerto Rico is 6,000. The estimated burden is 1,500 hours.

137. Reg. 31.3402(h)(3)-1

Section 31.3402(h)(3)-1 requires an employee to file a statement with the employer if the employee wants income tax withholding on the basis of cumulative wages. There is no IRS form. The estimated time to provide this statement to an employer is ½ hour. The estimated number of individuals required to provide this statement is 250,000. The estimated burden is 125,000 hours.

138. Reg. 35.3405-1(temp)

Section 35.3405-1 (temporary) provides the following with respect to withholding on designated distributions from pension plans:
(Q&A A-1) provides that withholding is required on all designated distributions unless the payee elects not to have withholding apply.
(Q&A A-5) provides that in general, withholding is required on any designated distribution made after December 31, 1982.
(Q&A A-6) provides that a payee receiving amounts that are subject to the new withholding regulations may not choose to use the voluntary withholding system of section 3402(o). Also, if a payee had a fixed amount withheld upon request, a different amount will probably be withheld when the new provisions take effect unless the rule under Q&A A-7 applies. However, section 3402(o) continues to apply to annuity payments that are not designated distributions, to sick pay, and to supplemental employment benefits.
(Q&A A-10) provides that amounts from periodic payments are withheld as if the payment were a payment from wages by an employer to an employee for the appropriate payroll period.
(Q&A A-11) provides that the amount withheld on qualified total distributions will be determined under tables prescribed by the Secretary that approximate the tax that would be imposed under section 402(e) if the payee elected to treat the distribution as a lump sum distribution within the meaning of section 402(e)(4)(A).
Q&A A-13) provides that the payor of a designated distribution must withhold, and is liable for tax to be withheld. However, in the case of a distribution from a plan described in section 401(a), 403(a) or section 301(d) of the Tax Reduction Act of 1975, the plan administrator must withhold, and is liable for the payment of, the withheld tax unless he directs the payor to withhold the tax and furnishes the payor with any information that

may be required by the Secretary in forms and regulations.
(Q&A A-15) provides that a bank, regulated investment company, or insurance company that makes a periodic payment to a payee solely at the direction of an employer sponsored individual retirement account is a payor subject to the pension withholding provisions.
(Q&A A-16) provides that, if the employer acts as an agent for the bank trustee by making designated distributions, then the employer is a payor. However, this does not relieve the bank trustee of liability for withholding because the rule for transfer liability only applies to plan administrators.
(Q&A A-17 to A-23) describes whether certain plans and arrangements, both qualified and nonqualified, are subject to the withholding provisions
These requirements address aspects of the same obligation. We estimate that the total respondents will be 10,160,000 and the average time per respondent will be 1 minute, and thus the total burden will be 169,672 hours, which reflects the time required to send copies of Form 1099-R and Form 5498.

139. Reg. 31.3508-1(b)(iii)

Section 31.3508-1(b)(iii) (proposed) provides that among the requirements to qualify as a statutory non-employee, the services performed by a qualified real estate agent must be performed pursuant to a written contract between the parties which provides that the individual will not be treated as an employee with respect to such services for Federal tax purposes. This requirement is also statutory. The estimated number of licensed real estate agents is 2,000,000. The estimated time required to complete a contract with such a statement is 5 minutes. The estimated burden is 166,600 hours.

140. Reg. 31.3508-1(c)(iii)

Section 31.3508-1(c)(iii) (proposed) provides that the requirement in §31.3508-1(b)(iii) also applies with respect to direct sellers. The estimated number of direct sellers is 1,000,000. The estimated time required to complete a contract with such a statement is 5 minutes. The estimated burden is 83,300 hours.

141. Reg. 31.3508-1(e)

Section 31.3508-1(e) (proposed) explains the written contract requirement in section (b)(iii) and (c)(iii). The estimated number of licensed real estate agents and direct sellers is 3,000,000. The estimated time to complete such a statement is 5 minutes. The estimated burden is 249,900 hours.

142. Reg. 48.4041-5

Section 48.4041-5 provides that if a buyer of special motor fuel gives its seller a described certificate, then the seller (rather than the buyer) is liable for tax. We estimate that there are 1,000 respondents and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 100 hours.

143. Reg. 48.4041-10

Section 48.4041-10 provides that a buyer of special motor fuels may give its seller a described certificate to effect a tax-free sale. We estimate that there are 100 respondents, and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 10 hours.

144. Reg. 48.4041-15

Section 48.4041-15 provides that a state or local government may give its seller a described certificate to effect a tax-free sale of special motor fuel. We estimate that there are 1,000 respondents and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 100 hours.

145. Reg. 48.4041-17

Section 48.4041-17 provides that a nonprofit educational organization may give its seller a described certificate to effect a tax-free sale of special motor fuel. We estimate that there are 1,000 respondents and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 100 hours.

146. Reg. 145.4052-1(a)

Section 145.4052-1(a) provides that a seller must get a certificate from the buyer for a sale to be free of the tax on the retail sale of heavy trucks and trailers and describes the certificate. We estimate that there are 60,000 respondents and it will take them 36 minutes to complete the certificate. The total burden for this reporting requirement is 36,000 hours.

147. Reg. 48.4081-2(c)(3)

Section 48.4081-2(c)(3) and 48.4081-3(d)(2)(iii) provide that a gasoline terminal operator avoids tax liability if, among other requirements, it receives a described notification certificate from its position holder. We estimate that there are 500 respondents, and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 50 hours.

148. Reg. 48.4081-3(e)(2)(ii)

Section 48.4081-3(e)(2)(ii) provides that a gasoline owner avoids tax liability if, among other requirements, it receives a described notification certificate from the terminal into which the owner's fuel is received. We estimate that there are 200 respondents, and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 20 hours.

149. Reg. 48.4081-3(f)(2)(ii)

Section 48.4081-3(f)(2)(ii) provides that a gasoline seller avoids tax liability if, among other requirements, it receives a described notification certificate from its buyer. We estimate that there are 150 respondents, and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 15 hours.

150. Reg. 48.4081-4(b)(2)(ii)

Sections 48.4081-4(b)(2)(ii) and 48.4081-4(b)(3)(i) provide that a gasoline blend stocks seller avoids tax liability if, among other requirements, it receives a described exemption certificate from its buyer. We estimate that there are 1,000 respondents and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 100 hours.

151. Reg. 48.4081-4(c)

Section 48.4081-4(c) provides that a person that removes gasoline blend stocks avoids tax liability if, among other requirements, it receives a described notification certificate from the terminal or refinery where the blend stocks are received. We estimate that there are 100 respondents, and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 10 hours.

152. Reg. 48.4081-6(c)(1)(ii)

Section 48.4081-6(c)(1)(ii) provides that the gasoline tax is imposed at the reduced rate for gasohol production if the taxpayer receives a described certificate from the gasohol blender. We estimate that there are 1,200 respondents and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 120 hours.

153. Reg. 49.4253-3 & 49.4253-11

Section 49.4253-3 provides that certain organizations are exempt from communications tax liability if they file an exemption certificate with their provider in a prescribed form. Section 49.4253-11 provides rules for exemption certificates. We estimate that there are 100 respondents, and it will take them ½ hour to complete the certificate. The total burden for this reporting requirement is 50 hours.

154. Reg. 49.4253-4 & 49.4253-11

Section 49.4253-4 provides that servicemen in a combat zone originating certain communications service are exempt from communications tax liability if they file an exemption certificate with their provider in a prescribed form. Section 49.4253-11 provides rules for exemption certificates. We estimate that there are 100 respondents, and

it will take them ½ hour to complete the certificate. The total burden for this reporting requirement is 50 hours.

155. Reg. 49.4261-4(c)

Section 49.4261-4(c) provides that a traveler must show an air transportation ticket to the carrier. We estimate that there are 100,000 respondents and it will take them 36 seconds to show the ticket to the carrier. The total burden for this reporting requirement is 1,000 hours.

156. Reg. 49.4261-4(d)

Section 49.4261-4(d) provides for specified information on air transportation tickets. We estimate that there are 1,000,000 respondents and it will take them 36 seconds to complete the information. The total burden for this reporting requirement is 10,000 hours.

157. Reg. 49.4261-6(c)

Section 49.4261-6(c) provides for specified information on air transportation tickets. We estimate that there are 1,000,000 respondents and it will take them 36 seconds to complete the information. The total burden for this reporting requirement is 10,000 hours.

158. Reg. 49.4261-6(d)

Section 49.4261-6(d) provides for specified information on air transportation tickets. We estimate that there are 50,000 respondents and it will take them .01 hour to complete the information. The total burden for this reporting requirement is 500 hours.

159. Reg. 49.4261-6(e)

Section 49.4261-6(e) provides that evidence of tax status of air transportation must be obtained. We estimate that there are 1,000 respondents and it will take them 1 hour to complete the evidence. The total burden for this reporting requirement is 1,000 hours.

160. Reg. 49.4264(c)-1(a)(2)

Section 49.4264(c)-1(a)(2) provides that a carrier must have certain written evidence that tax has already been paid by the passenger to be relieved from collecting the tax from the passenger. We estimate that there are 1,000 respondents and it will take them 36 seconds to complete the required information. The total burden for this reporting requirement is 10 hours.

161. Reg. 52.4682-2(b)

Section 52.4682-2(b) provides that a seller must get a certificate described in section 52.4682-2(d) from the buyer for a sale to be free from the tax on ozone-depleting

chemicals. We estimate that there are 200 respondents, and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 20 hours.

162. Reg. 52.4682-2(b)(3) & (4)

Section 52.4682-2(b)(3) & (4) provide that manufacturers of ODCs must obtain certificates described in §§52.4682-2(d)(4) and (5) from purchasers of chemicals for use as medical sterilants. We estimate there are 100 respondents, and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 10 hours.

163. Reg. 52.4682-5(d)&(f)(3)

Section 52.4682-5(d) & (f)(3) provides that certain purchasers for export must provide a certificate to the manufacturer of the ODC or provide their written consent to the allowance of a credit or the making of a refund. We estimate there are 500 respondents, and it will take them 6 minutes to complete the certificate. The total burden for this reporting requirement is 50 hours.

164. Reg. 56.4911-10(f)(2)

Section 56.4911-10(f)(2) requires that each controlling member organization for which an expenditure test election is in effect must notify each member that it controls of its taxable year for the controlled organization to prepare the report required by (f)(3). We estimate that the total respondents will be 300 and the time per respondent will be 1 hour, and thus the total burden will be 300 hours.

165. Reg. 56.4911-10(f)(3)

Section 56.4911-10(f)(3) requires that every controlled member organization shall provide to each member of the limited affiliated group that controls its name, identification number, and the lobbying expenditures and grass roots expenditures on national legislative issues incurred by the controlled member organization. We estimate that the total respondent/recordkeepers will be 300 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 300 hours.

166. Reg. 53.4942(a)-3(c)(ii)

Section 53.4942(a)-3(c)(ii) requires that, in order that certain contributions by private foundations to nonoperating private foundations (or certain organizations controlled by disqualified person) constitute qualifying distributions of the donor foundations under §4942, the donor foundations must obtain records from the donee organizations. We estimate that the total respondent/recordkeepers will be 100 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 100 hours.

167. Reg. 53.4945

Section 53.4945 provides that in order that certain contributions by private foundations to individuals or organizations not constitute taxable expenditures under §4945, the donor foundation in some cases must obtain reports from the donees (§§53.4945-2 & -3). In addition, correction of a taxable expenditure may require a private foundation to obtain a full and complete report from the donee (§53.4945-1(d)(2)). We estimate that the total respondent/ recordkeepers will be 200 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 200 hours.

168. Reg. 54.4975-7(b)(9)

Section 54.4975-7(b)(9) requires that, if qualifying employer securities acquired with proceeds of an exempt loan by an ESOP are subject to a right of first refusal, the right of first refusal must lapse no later than 14 days after the security holder gives written notice to the holder of the right that an offer by a third party to purchase the security has been received. We estimate that the total respondents will be 4,000 and the time per respondent will be ½ hour, and thus the total burden will be 2,000 hours.

169. Reg. 54.4975-7(b)(10) & (12)

Sections 54.4975-7(b)(10) and (12) provide that a qualifying employer security acquired with the proceeds of an exempt loan by an ESOP must be subject to a put option if it is not publicly traded when distributed or if it is subject to a trading limitation when distributed. A put option is exercised by the holder notifying the employer in writing that the put option is being exercised. We estimate that the total respondents will be 4,000 and the time per respondent will be ½ hour, and thus the total burden will be 2,000 hours.

170. Reg. 1.6031(c)-1T(a)(1)

Section 1.6031(c)-1T(a)(1) provides that any person who holds, directly or indirectly, an interest in a partnership (required under section 6031(a) to file a partnership return for a tax year) as a nominee for another person at any time during the partnership tax year shall furnish to the partnership a written statement for that tax year regarding that other person. The statement is to include the names, addresses, citizenship and TINs of the nominee and the other person. We estimate that the total respondent/recordkeepers will be 5,000 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 5,000 hours.

171. Reg. 1.6031(c)-1T(a)(3)

Section 1.6031(c)-1T(a)(3) provides that any broker or financial institution that holds an interest in a partnership through a clearing agency during the partnership tax year shall furnish to the partnership information regarding any interest in the partnership it holds for its own account during such tax year. The statement is to include such information as the name, address, citizenship and TIN of the broker or financial institution and the details of certain transactions. We estimate that the total respondent/recordkeepers will be 250 and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 125 hours.

172. Reg. 1.6031(c)-1T(e)

Section 1.6031(c)-1T(e) provides that a nominee shall retain a copy of any statement that is furnished to the partnership under this section in the nominee's records so long as the contents might become material in the administration of any internal revenue law. We estimate that the total respondent/recordkeepers will be 5,000 and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 1,250 hours.

173. Reg. 1.6031(c)-1T(h)

Section 301.6031(c)-1T(h) provides that a nominee who holds an interest in a partnership on behalf of another person at any time during the partnership tax year, and does not inform the partnership, and receives certain tax information from the partnership, shall furnish to that other person a written statement regarding the partnership interest, including information sufficient to file a return. We estimate that the total respondent/recordkeepers will be 500 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 500 hours.

174. Reg. 1.6033-3(b)

Section 1.6033-3(b) requires that a copy of the notice required by section 6104(d) (relating to public inspection of private foundations' annual returns), and proof of publication thereof, shall be filed with the annual return required by §1.6033-2(a). We estimate that the total respondent/recordkeepers will be 45,616 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 45,616 hours.

175. Reg. 1.6041-5

Section 1.6041-5 provides that when a person receiving a payment described in section 6041 is not the actual owner of the income received, the name and address of the actual owner shall be furnished upon demand of the person paying the income. We estimate that the total number of respondents will be 7,500 and the time per respondent will be 5 minutes, and thus the total burden will be 625 hours.

176. Reg. 5f.6045-1(c)(3)(i)(B)(temporary)

Section 5f.6045-1(c)(3)(i)(B) (temporary) provides that information reporting is not required if a recipient of income is an exempt recipient. A broker may require the recipient of income to provide it with an exemption certificate. We estimate that the total number of respondent/recordkeepers will be 500 and the time per respondent/recordkeeper will be 2 hours, and the burden will be 1,000 hours.

177. Reg. 1.6045-4(d)(2) and (3)

Section 1.6045-4(d)(2) provides that a reporting person may treat a transferor as an exempt volume transferor if, and only if, the reporting person has received a certificate of exempt status. Section 1.6045-4(d)(3) provides a description of a certificate of exempt status as an exempt volume transferor and requires that it be submitted to the reporting person no later than the time of closing of a real estate transaction and be retained by the reporting person for four years following the close of the calendar year in which the date of the closing occurs. We estimate that the total number of respondents will be 3,000 and the time per respondent will be 10 minutes, and thus the total burden will be 500 hours.

178. Reg. 1.6047-1(a)(3)

Section 1.6047-1(a)(3) requires that a trustee who receives the notice required by §1.6047-1(b), described below, must in turn notify any annuity issuer from whom the trust purchases annuity contracts with contributions made on behalf of the owner-employee. We estimate that the total respondents will be 450,000 and the time per respondent will be ½ hour, and thus the total burden will be 225,000 hours.

179. Reg. 1.6047-1(a)(4)

Section 1.6047-1(a)(4) requires that a trustee or annuity issuer who receives the notice required by §1.6047-1(b) described below must keep records of such notice until all funds held on behalf of the owner-employee are distributed. We estimate that the total recordkeepers will be 900,000 and the time per recordkeeper will be ½ hour per year, and thus the total burden will be 450,000 hours.

180. Reg. 1.6047-1(b)

Section 1.6047-1(b) requires that an owner-employee notify the trustee or annuity issuer when a contribution is made on his or her behalf to a qualified plan or annuity plan. We estimate that the total respondents will be 450,000 and the time per respondent will be ½ hour, and thus the total burden will be 225,000 hours.

181. Reg. 1.6049-4(c)(1)(iii)

Section 1.6049-4(c)(1)(iii) provides that any person who ceases to be an exempt recipient of interest paid and original issue discount includible in gross income must notify the payor within 10 days that he or she has ceased to be exempt. We estimate that the total

number of respondents will be 500 and the time per respondent will be 5 minutes, and thus the total burden will be 42 hours.

182. Reg. 1.6049-5

Section 1.6049-5 provides, in paragraphs (b), (c), (d), and (g), various situations when the holder of a tax-exempt obligation must provide the payor with a written certificate of exemption. We estimate that the total number of respondents will be 3,250 and the time per respondent will be 5 minutes, and thus the total burden will be 271 hours.

183. Reg. 1.6049-5(b)(2)

Sections 1.6049-5(b)(1), (2) and (3) provide that the holder of an obligation must provide written certification to the payor of interest or issuer of an original issue discount obligation in various circumstances. We estimate that the total number of respondents will be 25,000 and the time per respondent will be 5 minutes, and thus the total burden will be 2,083 hours.

184. Reg. 1.6050K-1(d)

Section 1.6050K-1(d) provides that the transferor of any partnership interest in a §751(a) exchange must notify the partnership of the exchange in writing within a certain time period. We estimate that the total respondents/recordkeepers per year will be 200,000 and the time per respondent/recordkeeper will be 6 minutes, and thus the total annual burden will be 20,000 hours.

185. Reg. 31.6091-1(d)

Section 31.6091-1 provides that whenever instructions applicable to returns require that they be filed with the Social Security Administration, the returns should be filed accordingly. We estimate that the total number of respondents will be 1,750 and the time per respondent will be 2 minutes, and thus the total burden will be 58 hours.

186. Reg. 301.6111-1T, Q & A #41

Section 301.6111-1T, Q & A #41, provides that, in addition to registering a tax shelter with the Service, a tax shelter organizer must furnish the tax shelter registration number to the principal organizer (if a different person) and to any persons who the tax shelter organizer knows or has reason to know are participating in sales of interests in the tax shelter. We estimate that the total respondents/recordkeepers per year will be 5,300 and the time per respondent/recordkeeper will be ¼ hour, and thus the total annual burden will be 1,325 hours.

187. Reg. 301.6111-1T, Q & A #51-54

Section 301.6111-1T, Q & A ##51-54, provide that any person who transfers an interest in a tax shelter must furnish investors with the registration number on a written statement including certain other information. If the registration number is not furnished at the time of the transfer because the registration number has not been received by the transferor, the transferor must furnish a statement including a sentence that the registration number has been applied for. We estimate that the total respondents/recordkeepers per year will be 35,000 and the time per respondent/recordkeeper will be 6 minutes, and thus the total annual burden will be 3,500 hours.

188. Reg. 301.6112-1T, Q & A #11-13

Section 301.6112-1T (temporary) provides questions and answers on the requirement that organizers and sellers of a potentially abusive tax shelter keep lists of investors. We estimate that the total respondents/recordkeepers per year will be 100 and the time per respondent/recordkeeper will be 6 minutes, and thus the total annual burden will be 10 hours.

189. Reg. 301.6112-1T, Q & A #15

Section 301.6112-1T, Q & A #15 provides that an investor who retransfers an interest in a tax shelter is not required to maintain a list disclosing a transferee's name if the investor provides certain information to the designated organizer and notice to the transferee. We estimate that the total respondents/recordkeepers per year will be 350 and the time per respondent/recordkeeper will be 6 minutes, and thus the total annual burden will be 35 hours.

190. Reg. 301.6223(c)-1T(d)

Section 301.6223(c)-1T(d) provides that the Service may require appropriate verification of information submitted by a person other than the tax matters partner. We estimate that the total respondent/recordkeepers will be 1,000 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 1,000 hours.

191. Reg. 301.6223(g)-1T(a)(1)

Section 301.6223(g)-1T(a)(1) provides that a tax matters partner must forward a copy of a notice of beginning of an administrative proceeding to each non-notice partner. Non-notice partner means a partner who has less than a one percent interest in a partnership having more than 100 partners and who does not belong to a notice group. The tax matters partner must forward the notice within 75 days after the Service mails the notice. We estimate that the total respondent/recordkeepers will be 11,500 and the time per respondent/recordkeeper will be 3 hours, and thus the total burden will be 34,500 hours.

192. Reg. 301.6223(g)-1T(a)(2)

Section 301.6223(g)-1T(a)(2) provides that the tax matters partner must forward a copy of a notice of final partnership administrative adjustment to each non-notice partner. Non-notice partner means a partner who has less than a one percent interest in a partnership having more than 100 partners and who does not belong to a notice group. The tax matters partner must forward the notice within 60 days after the Service mails the notice. We estimate that the total respondent/recordkeepers will be 11,500 and the time per respondent/recordkeeper will be 3 hours, and thus the total burden will be 34,500 hours.

193. Reg. 301.6223(g)-1T(b)

Section 301.6223(g)-1T(b) provides that the tax matters partner must furnish generally to all partners certain information concerning a partnership audit, administrative adjustment request, and petitions or appeals for judicial review. The tax matters partner must forward the information within 30 days after taking the action or receiving the information. We estimate that the total respondent/recordkeepers will be 11,500 and the time per respondent/recordkeeper will be 6 hours, and thus the total burden will be 69,000 hours.

194. Reg. 301.6223(h)-1T

Section 301.6223(h)-1T provides that the pass-thru partner that receives any notice or information from the Service, the tax matters partner, or another pass-thru partner must forward a copy to any person holding an interest through the pass-thru partner in the profits or losses of the partnership for the applicable partnership taxable year. The pass-thru partner must forward a copy of the notice or information within 30 days after receiving it. We estimate that the total respondent/recordkeepers will be 12,700 and the time per respondent/recordkeeper will be 3 hours, and thus the total burden will be 38,100 hours.

195. Reg. 301.6402-7

Section 301.6402-7 provides that the Resolution Trust Corporation or the FDIC (the "fiduciary") can act as agent for an insolvent financial institution that is a subsidiary member of a consolidated group and file a return, claim for refund, or take certain other action with respect to the subsidiary. Under section 301.6402-7(d), the fiduciary must furnish the common parent of the consolidated group with a copy of a certain notice sent to the Service on Form 56-F, as well as copies of any claim for refund or return filed on behalf of the subsidiary and certain other information. We estimate that the total respondents/recordkeepers will be 100, and the time per respondent/recordkeeper will be ¼ hour, and thus the total burden will be 25 hours.

196. Reg. 31.6413(a)-1(a)(1)

Section 31.6413(a)-1(a)(1) requires the employer to obtain a statement (receipt) from the employee in the event the employer repays erroneously collected FICA employee tax to the employee before a return is filed. We estimate that the total respondents will be 25,000 (with an average of 300 affected employees), the time per respondent will be 20 hours, and thus the burden will be 500,000 hours.

197. Reg. 48.6416(b)(3)-3

Section 48.6416(b)(3)-3 provides a description of information that a claimant must obtain to support a claim for refund of tax paid on articles used for further manufacture. We estimate that there are 400 respondents, and it will take them 6 minutes to complete the statement. The total burden for this reporting requirement is 40 hours.

198. Reg. 1.7704-1(f)(1)

Section 1.7704-1(f)(1) provides that for a redemption or repurchase of a partnership interest to be ignored for purposes of determining whether interests in the partnership are publicly traded, the redemption or repurchase agreement must require receipt of written notification from the transferor partner by the partnership at least 60 calendar days before the redemption or repurchase date of such partner's intention to exercise the redemption or repurchase right. We estimate that the total respondents/recordkeepers will be 500 and the time per respondent/recordkeeper will be ½ hour, and thus the total burden will be 250 hours.

199. Reg. 1.7872-5T(b)(6)

Section 1.7872-5T(b)(6) provides that an employee must provide notice to employer that the employee reasonably expects to itemize deductions (and thus is eligible for exemption from rules that otherwise would apply to below-market employee relocation loans). We estimate that the total number of respondents will be 50,000 and the time per respondent will be 5 minutes, and thus the total burden will be 4,165 hours.

200. Reg. 35a.999-3(7805)

Section 35a.9999-3 provides numerous requirements that a payee of reportable interest must provide a correct taxpayer identification number to the payor. We estimate that the total number of respondents will be 25,000,000 and the time per respondent will be 1 minute, and thus the total burden will be 417,500 hours.

201. Reg. 35a.9999-5(a)Q&A5

Section 95a.9999-5(a)Q&A5 provides that information reporting and backup withholding is not required on interest described in sec. 861(c) that is paid outside the U.S. on an obligation that would be registration-required but for the fact that it has a maturity of not more than one year if, among other requirements, the obligation contains a statement, described in the regulation, that by accepting the obligation the holder represents that it is not a U.S. person or acting on behalf of a U.S. person. We estimate that the total respondent/recordkeepers will be 50 and the time per respondent/recordkeeper will be 1 hour, and thus the total burden will be 50 hours.

202. Reg. 35a.9999-5(b)Q&A8

Section 95a.9999-5(b)Q&A8 provides that interest on a registration required obligation qualifies as portfolio interest if the U.S. person (including a foreign paying agent of an issuer who is a U.S. person) who would be required to withhold receives a statement described in sec. 95a9999-5(b) Q&A 9 or Q&A 14 from the beneficial owner of the obligation or a financial institution described in sec. 871(h)(5)(B). We estimate that the total respondent/recordkeepers will be 1,000,000 and the time per respondent/recordkeeper will be 4 hours, and thus the total burden will be 4,000,000 hours.

203. Reg. 35a.9999-5(b)Q&A12,14,15

Section 95a.9999-5(b)Q&A12, 14, and 15 provide that a withholding agent paying portfolio interest on foreign targeted registered obligations must receive, and maintain, a certification or documentation as described in the regulation. We estimate that the total respondent/recordkeepers will be 1,000 and the time per respondent/recordkeeper will be 2 hours, and thus the total burden will be 2,000 hours.

204. Reg. 35a.9999-5(b)Q&A13

Section 95a.9999-5(b)Q&A13 provides that a foreign targeted registered obligation must contain a legend that it has been sold (or resold in connection with its original issuance) under procedures similar to those of Treas. Reg. 1.165-5(c)(2)(i)(A)(B). We estimate that the total respondent/recordkeepers will be 100 and the time per respondent/recordkeeper will be 2 hours, and thus the total burden will be 200 hours.

205. Reg. 35a.9999-5(b)Q&A19

Section 95a.9999-5(b)Q&A19 provides that a statement must be provided to a U.S. withholding agent on foreign targeted registered obligations if the requirements of Treas. Reg. 95a.9999-5(b)Q&A12 have not been met. Also, the certification requirements of Treas. Reg. 95a.9999-5Q&A14 must be met. We estimate that the total respondent/recordkeepers will be 50 and the time per respondent/recordkeeper will be 2 hours, and thus the total burden will be 100 hours.

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

From our Federal Register notice dated August 26, 2024, no public comments were received on the 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. As a result, estimates of these cost burdens are considered nominal.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

There is no annualized cost to the federal government as these are third-party disclosure and recordkeeping requirements only. The government costs do not include any activities such as taxpayer assistance and enforcement.

15. REASONS FOR CHANGE IN BURDEN (SEE APPENDIX B TABLE, INSERTED AT THE END OF THE DOCUMENT, AFTER APPENDIX A TABLE)

There are no changes being made to this collection at this time. However, updates in the burden estimates will result in a burden increase of 297,453 hours.

| | Requested | Program Change Due to New Statute | Program Change Due to Agency Discretion | Change Due to Adjustment in Agency Estimate | Change Due to Potential Violation of the PRA | Previously Approved |
|---|---|---|---|---|---|---|
| Annual Number of Responses for this IC | 130,723,849 | 0 | 0 | 0 | 0 | 130,723,849 |
| Annual IC Time Burden (Hours) | 34,228,870 | 0 | 0 | 297,453 | 0 | 33,931,417 |

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 these regulations sunset 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

There are no exceptions to the certification statement for this collection.

Note: The following paragraph applies to all 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 if 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.

**NOTE: SEE APPENDIX A BELOW: Estimated Burden of Information Collection (Itemized Table)**

APPENDIX A: Estimated Burden of Information Collection (Itemized Table)

| SS, Q#12 | Regulations | # of Recordkeepers per year | Filings Per Respondent | # of responses | Time per response in hours | Total Burden Hours |
|---|---|---|---|---|---|---|
| 1 | 1.25-3T(d)(2) | 20,000 | 1 | 20,000 | 0.25 | 5,000 |
| 2 | 1.25-3T(e)(3) | 20,000 | 1 | 20,000 | 0.25 | 5,000 |
| 3 | 1.25-3T(f)(2) | 20,000 | 1 | 20,000 | 0.25 | 5,000 |
| 4 | 1.25-3T(g)(2) | 20,000 | 1 | 20,000 | 0.25 | 5,000 |
| 5 | 1.25-3T(i)(2) | 20,000 | 1 | 20,000 | 0.25 | 5,000 |
| 6 | 1.25-3T(j)(5) | 20,000 | 1 | 20,000 | 0.25 | 5,000 |
| 7 | 1.25-3T(k) | 20,000 | 1 | 20,000 | 0.25 | 5,000 |
| 8 | 1.25-3T(n) | 20,000 | 1 | 20,000 | 0.25 | 5,000 |
| 9 | 1.25-4T(d) | 600 | 1 | 600 | 2 | 1,200 |
| 10 | 1.41-7(d)(3) | 250 | 1 | 250 | 0.25 | 63 |
| 11 | 1.42-2(b)(3) | 60 | 1 | 60 | 2 | 120 |
| 12 | 1.47-3(h)(2) | 5,000 | 1 | 5,000 | 0.2 | 1,000 |
| 13 | 1.83-2(c) | 50,000 | 1 | 50,000 | 0.5 | 25,000 |
| 14 | 1.83-2(d) | 50,000 | 1 | 50,000 | 0.1667 | 8,335 |
| 15 | 1.83-5(b)(2) | 5,000 | 1 | 5,000 | 0.5 | 2,500 |
| 16 | 5f.103-1(temp) | 32,000 | 1 | 32,000 | 12 | 384,000 |
| 17 | 5f.1.103-2(temp) | 2,500 | 1 | 2,500 | 10 | 25,000 |
| 18 | 6a.103A-2(c)(1)(ii) (temp) | 75,000 | 1 | 75,000 | 0.5 | 37,500 |
| 19 | 6a.103A-2(d)(temp) | 75,000 | 1 | 75,000 | 0.5 | 37,500 |
| 20 | 6a.103A-2(h)(1)(ii)(temp) | 228 | 1 | 228 | 5 | 1,140 |
| 21 | 6a.103A-3(h)(1)(ii)(temp) | 600 | 1 | 600 | 0.5 | 300 |
| 22 | 1.125-1 Q&A-7 and 1.125 | 1,000 | 1 | 1,000 | 0.25 | 250 |

| | | | | | | |
|---|---|---|---|---|---|---|
| | Q&A-5(c)(3) | | | | | |
| 23 | 1.125-1 Q&A-8 and 1.125-2 Q&A-6 | 10,000,000 | 1 | 10,000,000 | 0.5 | 5,000,000 |
| 24 | 1.125-2 Q&A-7(b)(3) | 2,500,000 | 1 | 2,500,000 | 0.25 | 625,000 |
| 25 | 1.125-2 Q&A-7(b)(5) | 5,000,000 | 1 | 5,000,000 | 0.5 | 2,500,000 |
| 26 | 1.125-2 Q&A-7(b)(8) | 2,500,000 | 1 | 2,500,000 | 0.25 | 625,000 |
| 27 | 1.127-2(i) | 200,000 | 1 | 200,000 | 1 | 200,000 |
| 28 | 1.132-5(a)(1)(ii) | 10,000,000 | 1 | 10,000,000 | 0.5 | 5,000,000 |
| 29 | 1.162-27(f)(1) | 600 | 1 | 600 | 50 | 30,000 |
| 30 | 1.163-5(c)(2)(i)(B)(2)(B) | 50 | 1 | 50 | 10 | 500 |
| 31 | 1.163-5(c)(2)(i)(B)(3) | 50 | 1 | 50 | 10 | 500 |
| 32 | 1.163-5(c)(2)(i)(B)(4) | 50 | 1 | 50 | 10 | 500 |
| 33 | 1.163-5(c)(2)(i)(C)(4) | 50 | 1 | 50 | 10 | 500 |
| 34 | 1.163-5(c)(2)(i)(D)(3) | 50 | 1 | 50 | 10 | 500 |
| 35 | 1.166-2(d)(1) - state recordkeepers | 50 | 30 | 1,500 | 0.2 | 300 |
| 36 | 1.166-2(d)(1) - federal recordkeepers | 4 | 2,000.00 | 8,000 | 0.2 | 1,600 |
| 37 | 1.170A-4A(b)(4)(ii) | 7,500 | 1 | 7,500 | 0.1667 | 1,250 |
| 38 | 1.170A-13(c)(4)(iv)(E) | 2,000 | 1 | 2,000 | 0.25 | 500 |
| 39 | 1.170A-14(g)(5) | 1,000 | 1 | 1,000 | 0.1667 | 167 |
| 40 | 1.179-2(b)(7) | 5,000 | 1 | 5,000 | 1 | 5,000 |
| 41 | 1.194-2(b)(4) | 50 | 1 | 50 | 0.5 | 25 |
| 42 | 601.201(e)(7) | 50,749 | 1 | 50,749 | 0.5 | 25,375 |
| 43 | 601.201(o)(3)(ii) and (xiv-xxi) | 53,420 | 1 | 53,420 | 2 | 106,840 |
| 44 | 601.201(o)(5) | 534 | 1 | 534 | 0.5 | 267 |
| 45 | 601.201(q)(1) | 1,753 | 1 | 1,753 | 2 | 3,506 |
| 46 | 1.216(d)(2)(ii) | 600 | 1 | 600 | 0.5 | 300 |
| 47 | 1.219-1(d)(2) | 9,567,000 | 1 | 9,567,000 | 0.0167 | 159,769 |
| 48 | 1.219(a)-2(c)(5) | 9,567,000 | 1 | 9,567,000 | 0.0167 | 159,769 |
| 49 | 1.280G-1 Q&A 7 | 200 | 1 | 200 | 200 | 40,000 |
| 50 | 1.305-5(b)(5) | 2,000 | 1 | 2,000 | 0.1667 | 333 |
| 51 | 1.316-1(b)(5) | 2,000 | 1 | 2,000 | 0.5 | 1,000 |
| 52 | 1.341-7(c)(1) and (d) | 1,000 | 1 | 1,000 | 0.25 | 250 |
| 53 | 1.367(e)-1 | 2 | 1 | 2 | 2 | 4 |
| 54 | 1.382-2T(k)(1) | 3,000 | 1 | 3,000 | 0.3333 | 1,000 |
| 55 | 1.382-9(d)(2) | 250 | 1 | 250 | 0.25 | 63 |
| 56 | 1.382-9(d)(4)(iv) | 250 | 1 | 250 | 0.25 | 63 |
| 57 | 1.401-1(a)(2) | 700,000 | 1 | 700,000 | 0.7 | 490,000 |
| 58 | 1.401(a)-3(b) | 3,000 | 1 | 3,000 | 0.1 | 300 |
| 59 | 1.401(a)(5)-1(e)(4)(i) | 10 | 1 | 10 | 1.4 | 14 |
| 60 | 1.401(a)(9)-1 Q&A C-3 | 10,000 | 1 | 10,000 | 0.15 | 1,500 |
| 61 | 1.401(a)(9)-1 Q&A D-5 | 100 | 1 | 100 | 0.05 | 5 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 62 | 1.401(a)(9)-1 Q&A E-8 | 20,000 | 1 | 20,000 | 0.15 | 3,000 |
| 63 | 1.401(a)(9)-1 Q&A H-3 | 1,000 | 1 | 1,000 | 0.1 | 100 |
| 64 | 1.401(a)-13(e) | 800,000 | 1 | 800,000 | 0.1667 | 133,360 |
| 65 | 1.401(a)-14(b) | 200,000 | 1 | 200,000 | 0.25 | 50,000 |
| 66 | 1.401(a)-20 Q&A 24 | 500,000 | 1 | 500,000 | 0.1667 | 83,350 |
| 67 | 1.401(a)-20 Q&A 34-37 | 750,000 | 1 | 750,000 | 0.5 | 375,000 |
| 68 | 1.401(a)-20 Q&A 45-47 | 25,000 | 1 | 25,000 | 0.4 | 10,000 |
| 69 | 1.401(a)(31)-1T Q&A 1-4 | 8,900,000 | 1 | 8,900,000 | 0.15 | 1,335,000 |
| 70 | 1.401(a)-50 | 15 | 1 | 15 | 0.5 | 8 |
| 71 | 1.401(k)-1(d)(2)(iii) & (iv) | 75,000 | 1 | 75,000 | 4 | 300,000 |
| 72 | 1.401(m)-1(c)(2) | 75,000 | 1 | 75,000 | 0.5 | 37,500 |
| 73 | 1.401(m)-1(f)(6) | 50,000 | 1 | 50,000 | 0.5 | 25,000 |
| 74 | 1.402(e)-2(f) | 700,000 | 1 | 700,000 | 1 | 700,000 |
| 75 | 1.402(f)-1 | 400,000 | 1 | 400,000 | 0.58 | 232,000 |
| 76 | 1.402(g)-1(e)(2) | 75,000 | 1 | 75,000 | 0.5 | 37,500 |
| 77 | 1.402(g)-1(e)(3) | 100,000 | 1 | 100,000 | 0.25 | 25,000 |
| 78 | 1.403(b)-2T Q&A-3 | 100 | 1 | 100 | 50 | 5,000 |
| 79 | 1.408-5 | 10,000 | 1 | 10,000 | 10 | 100,000 |
| 80 | 1.408-6 | 10,000 | 1 | 10,000 | 250 | 2,500,000 |
| 81 | 1.408-6(b) | 10,000 | 1 | 10,000 | 10 | 100,000 |
| 82 | 1.408-6(d)(4)(ii)(c) | 500 | 1 | 500 | 10 | 5,000 |
| 83 | 1.408-7 | 10,000 | 1 | 10,000 | 20 | 200,000 |
| 84 | 1.408-9(a) | 5,000 | 1 | 5,000 | 2 | 10,000 |
| 85 | 1.408-9(b) | 50,000 | 1 | 50,000 | 1 | 50,000 |
| 86 | 1.411(a)-4(b)(6) | 5,000 | 1 | 5,000 | 1 | 5,000 |
| 87 | 1.411(a)-8T(b) | 4,000 | 1 | 4,000 | 2 | 8,000 |
| 88 | 1.411(a)-11(c) | 11,300,000 | 1 | 11,300,000 | 0.05 | 565,000 |
| 89 | 1.411(d)-4 Q&A-2(d)(iv)(3) | 3,000 | 1 | 3,000 | 0.5 | 1,500 |
| 90 | 1.411(d)-4 Q&A-3(b)(1) | 1,500 | 1 | 1,500 | 0.5 | 750 |
| 91 | 1.412(c)(1)-3(c), (e)& (i) - restoration | 6 | 1 | 6 | 5 | 30 |
| 92 | 1.412(c)(1)-3(c), (e)& (i) - actuarial | 1 | 1 | 1 | 3 | 3 |
| 93 | 11.412(c)-7 (temp) | 500 | 1 | 500 | 2 | 1,000 |
| 94 | 1.414(1)-1(h)(4)(i)(2) | 1,000 | 1 | 1,000 | 1 | 1,000 |
| 95 | 1.417(e)-1(b)(2) | 750,000 | 1 | 750,000 | 0.5 | 375,000 |
| 96 | 1.421-1(a)(1) | 10,000 | 1 | 10,000 | 40 | 400,000 |
| 97 | 1.422-5 | 5,000 | 1 | 5,000 | 20 | 100,000 |
| 98 | 14a.422A-1Q&A-30(temp) | 500 | 1 | 500 | 20 | 10,000 |
| 99 | 1.422A-2(b)(3)(iv) (temp) | 500 | 1 | 500 | 20 | 10,000 |
| 100 | 1.423-2(c)(1) | 5,000 | 1 | 5,000 | 20 | 100,000 |
| 101 | 1.423-2(c)(4) | 500 | 1 | 500 | 20 | 10,000 |
| 102 | 1.457-2(b) | 36,000 | 1 | 36,000 | 50 | 1,800,000 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 103 | 1.457-2(h)(1) | 100,000 | 1 | 100,000 | 0.5 | 50,000 |
| 104 | 1.457-2(i)(2) | 400,000 | 1 | 400,000 | 0.05 | 20,000 |
| 105 | 1.457-2(k) | 50,000 | 1 | 50,000 | 0.25 | 12,500 |
| 106 | 1.509(a)-4(i)(4) | 40 | 1 | 40 | 4 | 160 |
| 107 | 1.854-2(a) | 6,000 | 1 | 6,000 | 1 | 6,000 |
| 108 | 1.854-2(b) | 3,000 | 1 | 3,000 | 0.25 | 750 |
| 109 | 1.860E-2(a)(5) | 40 | 1 | 40 | 2 | 80 |
| 110 | 1.936-10(c)(11)(i) | 50 | 1 | 50 | 0.75 | 38 |
| 111 | 1.936-10(c)(11)(ii) | 50 | 1 | 50 | 1 | 50 |
| 112 | 1.936-10(c)(12) | 50 | 1 | 50 | 1.25 | 63 |
| 113 | 1.936-10(c)(13)(i) | 50 | 1 | 50 | 1 | 50 |
| 114 | 1.936-10(c)13) (ii) | 50 | 1 | 50 | 0.5 | 25 |
| 115 | 1.936-10(c)(13)(iii)(B) | 50 | 1 | 50 | 1 | 50 |
| 116 | 1.1015-1(a)(3) | 500 | 1 | 500 | 0.5 | 250 |
| 117 | 1.1015-1(g) | 147,000 | 1 | 147,000 | 0.5 | 73,500 |
| 118 | 1.1092(b)-3T(d)(2) and (4) | 10,000 | 1 | 10,000 | 1 | 10,000 |
| 119 | 18.1377-1 | 4,000 | 1 | 4,000 | 0.25 | 1,000 |
| 120 | 1.1377-1(b)(1) | 4,000 | 1 | 4,000 | 0.25 | 1,000 |
| 121 | 1.1398-2(f)(2)(v) | 4,000 | 1 | 4,000 | 0.08 | 320 |
| 122 | 1.1441-4(b)(iii) | 300 | 1 | 300 | 10 | 3,000 |
| 123 | 1.1441-4(b)(4)(i) | 300 | 1 | 300 | 5 | 1,500 |
| 124 | 1.1443-1(b)(4) | 1,000 | 1 | 1,000 | 300 | 300,000 |
| 125 | 1.1445-8(e) | 6,000,000 | 1 | 6,000,000 | 0.25 | 1,500,000 |
| 126 | 1.1445-2(c)(3) and 1.1445-5(b)(4)(iii), (c)(2)(iii) and (d)(2)(i) | 1,000 | 1 | 1,000 | 0.25 | 250 |
| 127 | 1.1445-10T | 1,200 | 1 | 1,200 | 0.5 | 600 |
| 128 | 1.1461-2(c)(3)(ii) | 1,500,000 | 1 | 1,500,000 | 0.0167 | 25,050 |
| 129 | 1.1502-95T(e)(3) | 1,420 | 1 | 1,420 | 0.25 | 355 |
| 130 | 31.3121(b)(3)-1(b) | 25,000 | 1 | 25,000 | 0.25 | 6,250 |
| 131 | 31.3121(b)(12)-1 | 10,400 | 1 | 10,400 | 2 | 20,800 |
| 132 | 31.3302(a)-3(a) | 50 | 1 | 50 | 1 | 50 |
| 133 | 31.3401(a)-1(b)(12) | 5,000 | 1 | 5,000 | 0.0833 | 417 |
| 134 | 31.3401(a)-1(b)(8)(ii)(c) | 5 | 1 | 5 | 0.17 | 1 |
| 135 | 31.3401(a)(6)-1(d) | 6,000 | 1 | 6,000 | 0.25 | 1,500 |
| 136 | 31.3401(a)(8) (c)-1(b)(2) | 6,000 | 1 | 6,000 | 0.25 | 1,500 |
| 137 | 31.3402(h)(3)-1 | 250,000 | 1 | 250,000 | 0.5 | 125,000 |
| 138 | 35.3405-1(temp) | 10,160,000 | 1 | 10,160,000 | 0.0167 | 169,672 |
| 139 | 31.3508-1(b)(iii) | 2,000,000 | 1 | 2,000,000 | 0.0833 | 166,600 |
| 140 | 31.3508-1(c)(iii) | 1,000,000 | 1 | 1,000,000 | 0.0833 | 83,300 |
| 141 | 31.3508-1(e) | 3,000,000 | 1 | 3,000,000 | 0.0833 | 249,900 |
| 142 | 48.4041-5 | 1,000 | 1 | 1,000 | 0.1 | 100 |
| 143 | 48.4041-10 | 100 | 1 | 100 | 0.1 | 10 |
| 144 | 48.4041-15 | 1,000 | 1 | 1,000 | 0.1 | 100 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 145 | 48.4041-17 | 1,000 | 1 | 1,000 | 0.1 | 100 |
| 146 | 145.4052-1(a) | 60,000 | 1 | 60,000 | 0.6 | 36,000 |
| 147 | 48.4081-2(c)(3) | 500 | 1 | 500 | 0.1 | 50 |
| 148 | 48.4081-3(e)(2)(ii) | 200 | 1 | 200 | 0.1 | 20 |
| 149 | 48.4081-3(f)(2)(ii) | 150 | 1 | 150 | 0.1 | 15 |
| 150 | 48.4081-4(b)(2)(ii) | 1,000 | 1 | 1,000 | 0.1 | 100 |
| 151 | 48.4081-4(c) | 100 | 1 | 100 | 0.1 | 10 |
| 152 | 48.4081-6(c)(1)(ii) | 1,200 | 1 | 1,200 | 0.1 | 120 |
| 153 | 49.4253-3 & 49.4253-11 | 100 | 1 | 100 | 0.5 | 50 |
| 154 | 49.4253-4 & 49.4253-11 | 100 | 1 | 100 | 0.5 | 50 |
| 155 | 49.4261-4(c) | 100,000 | 1 | 100,000 | 0.01 | 1,000 |
| 156 | 49.4261-4(d) | 1,000,000 | 1 | 1,000,000 | 0.01 | 10,000 |
| 157 | 49.4261-6(c) | 1,000,000 | 1 | 1,000,000 | 0.01 | 10,000 |
| 158 | 49.4261-6(d) | 50,000 | 1 | 50,000 | 0.01 | 500 |
| 159 | 49.4261-6(e) | 1,000 | 1 | 1,000 | 1 | 1,000 |
| 160 | 49.4264(c)-1(a)(2) | 1,000 | 1 | 1,000 | 0.01 | 10 |
| 161 | 52.4682-2(b) | 200 | 1 | 200 | 0.1 | 20 |
| 162 | 52.4682-2(b)(3) & (4) | 100 | 1 | 100 | 0.1 | 10 |
| 163 | 52.4682-5(d)&(f)(3) | 500 | 1 | 500 | 0.1 | 50 |
| 164 | 56.4911-10(f)(2) | 300 | 1 | 300 | 1 | 300 |
| 165 | 56.4911-10(f)(3) | 300 | 1 | 300 | 1 | 300 |
| 166 | 53.4942(a)-3(c)(ii) | 100 | 1 | 100 | 1 | 100 |
| 167 | 53.4945 | 200 | 1 | 200 | 1 | 200 |
| 168 | 54.4975-7(b)(9) | 4,000 | 1 | 4,000 | 0.5 | 2,000 |
| 169 | 54.4975-7(b)(10) and (12) | 4,000 | 1 | 4,000 | 0.5 | 2,000 |
| 170 | 1.6031(c)-1T(a)(1) | 5,000 | 1 | 5,000 | 1 | 5,000 |
| 171 | 1.6031(c)-1T(a)(3) | 250 | 1 | 250 | 0.5 | 125 |
| 172 | 1.6031(c)-1T(e) | 5,000 | 1 | 5,000 | 0.25 | 1,250 |
| 173 | 1.6031(c)-1T(h) | 500 | 1 | 500 | 1 | 500 |
| 174 | 1.6033-3(b) | 45,616 | 1 | 45,616 | 1 | 45,616 |
| 175 | 1.6041-5 | 7,500 | 1 | 7,500 | 0.0833 | 625 |
| 176 | 5f.6045-1(c)(3)(i)(B) (temporary) | 500 | 1 | 500 | 2 | 1,000 |
| 177 | 1.6045-4(d)(2) and (3) | 3,000 | 1 | 3,000 | 0.1667 | 500 |
| 178 | 1.6047-1(a)(3) | 450,000 | 1 | 450,000 | 0.5 | 225,000 |
| 179 | 1.6047-1(a)(4) | 900,000 | 1 | 900,000 | 0.5 | 450,000 |
| 180 | 1.6047-1(b) | 450,000 | 1 | 450,000 | 0.5 | 225,000 |
| 181 | 1.6049-4(c)(1)(iii) | 500 | 1 | 500 | 0.0833 | 42 |
| 182 | 1.6049-5 | 3,250 | 1 | 3,250 | 0.0833 | 271 |
| 183 | 1.6049-5(b)(2) | 25,000 | 1 | 25,000 | 0.0833 | 2,083 |
| 184 | 1.6050K-1(d) | 200,000 | 1 | 200,000 | 0.1 | 20,000 |
| 185 | 31.6091-1(d) | 1,750 | 1 | 1,750 | 0.0333 | 58 |
| 186 | 301.6111-1T, Q & A #41 | 5,300 | 1 | 5,300 | 0.25 | 1,325 |

| | | | | | | |
|---|---|---|---|---|---|---|
| 187 | 301.6111-1T, Q & A #51-54 | 35,000 | 1 | 35,000 | 0.1 | 3,500 |
| 188 | 301.6112-1T, Q & A #11-13 | 100 | 1 | 100 | 0.1 | 10 |
| 189 | 301.6112-1T, Q & A #15 | 350 | 1 | 350 | 0.1 | 35 |
| 190 | 301.6223(c)-1T(d) | 1,000 | 1 | 1,000 | 1 | 1,000 |
| 191 | 301.6223(g)-1T(a)(1) | 11,500 | 1 | 11,500 | 3 | 34,500 |
| 192 | 301.6223(g)-1T(a)(2) | 11,500 | 1 | 11,500 | 3 | 34,500 |
| 193 | 301.6223(g)-1T(b) | 11,500 | 1 | 11,500 | 6 | 69,000 |
| 194 | 301.6223(h)-1T | 12,700 | 1 | 12,700 | 3 | 38,100 |
| 195 | 301.6402-7 | 100 | 1 | 100 | 0.25 | 25 |
| 196 | 31.6413(a)-1(a)(1) | 25,000 | 1 | 25,000 | 20 | 500,000 |
| 197 | 48.6416(b)(3)-3 | 400 | 1 | 400 | 0.1 | 40 |
| 198 | 1.7704-1(f)(1) | 500 | 1 | 500 | 0.5 | 250 |
| 199 | 1.7872-5T(b)(6) | 50,000 | 1 | 50,000 | 0.0833 | 4,165 |
| 200 | 35a.999-3(7805) | 25,000,000 | 1 | 25,000,000 | 0.0167 | 417,500 |
| 201 | 35a.9999-5(a)Q&A5 | 50 | 1 | 50 | 1 | 50 |
| 202 | 35a.9999-5(b)Q&A8 | 1,000,000 | 1 | 1,000,000 | 4 | 4,000,000 |
| 203 | 35a.9999-5(b)Q&A12,14,15 | 1,000 | 1 | 1,000 | 2 | 2,000 |
| 204 | 35a.9999-5(b)Q&A13 | 100 | 1 | 100 | 2 | 200 |
| 205 | 35a.9999-5(b)Q&A19 | 50 | 1 | 50 | 2 | 100 |
| | **Totals of items above** | **130,714,403** | | **130,723,849** | | **34,228,870** |