

*Estimated Total Annual Burden Hours:* 51,110.

The following paragraph applies to all of the collections of information covered by this notice:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: May 17, 2004.

**Glenn Kirkland,**

*IRS Reports Clearance Officer.*

[FR Doc. 04-11585 Filed 5-20-04; 8:45 am]

BILLING CODE 4830-01-P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[REG-106177-97]

#### Proposed Collection; Comment Request for Regulation Project

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information

collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

Currently, the IRS is soliciting comments concerning an existing proposed regulation, REG-106177-97, Qualified State Tuition Programs.

**DATES:** Written comments should be received on or before July 20, 2004 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Glenn Kirkland, Internal Revenue Service, room 6411, 1111 Constitution Avenue, NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the regulations should be directed to Allan Hopkins, at (202) 622-6665, or at Internal Revenue Service, room 6407, 1111 Constitution Avenue, NW., Washington, DC 20224, or through the Internet, at [Allan.M.Hopkins@irs.gov](mailto:Allan.M.Hopkins@irs.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Qualified State Tuition Programs.

*OMB Number:* 1545-1614.

*Regulation Project Number:* REG-106177-97.

*Abstract:* This regulation affects qualified State tuition programs (QSTPs) established under Code section 529 and individuals receiving distributions from QSTPs. The information required by the regulation will be used by the IRS and individuals receiving QSTP distributions to verify compliance with section 529 and to determine that the taxable amount of the distribution has been computed correctly.

*Current Actions:* Section 529 was amended to delete section (b)(3) which provided that a program was required to impose a more than *de minimis* penalty on any refund of earnings from an account unless (1) used for qualified higher education expenses, (2) made on account of death or disability, or (3) made on account of certain scholarships or certain other allowances or payments up to the amount of the scholarship, allowance or payment, received by the designated beneficiary. This change eliminated the burden connected with the collection of the penalty.

The burden for recordkeeping with respect to transactions and separate accounts has changed because of an increase in the number of accounts. The estimated number of accounts has increased to 5,677,680.

*Type of review:* Revision of OMB approval.

*Affected Public:* State, local or tribal governments and individuals or households.

*Estimated Number of Respondents/Recordkeepers:* 52.

*Estimated Time Per Respondent/Recordkeeper:* 81,889 hrs., 37 minutes.

*Estimated Total Annual Reporting/Recordkeeping Burden Hours:* 4,258,260.

The following paragraph applies to all of the collections of information covered by this notice:

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*Request for Comments:* Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record.

Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: May 17, 2004.

**Glenn Kirkland,**

*IRS Reports Clearance Officer.*

[FR Doc. 04-11586 Filed 5-20-04; 8:45 am]

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## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0387]

#### Proposed Information Collection Activity; Proposed Collection; Comment Request

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed revision of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments for information needed to determine whether an applicant qualifies as a mortgagor for mortgage insurance or guaranty or as a borrower for a rehabilitation loan under the VA program.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before July 20, 2004.

**ADDRESSES:** Submit written comments on the collection of information to Nancy J. Kessinger, Veterans Benefits Administration (20S52), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 or e-mail [irmnkess@vba.va.gov](mailto:irmnkess@vba.va.gov). Please refer to

“OMB Control No. 2900–0387” in any correspondence.

**FOR FURTHER INFORMATION CONTACT:** Nancy J. Kessinger at (202) 273–7079 or FAX (202) 275–5947.

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995 (Pub. L. 104–13; 44 U.S.C. 3501–3521), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA’s functions, including whether the information will have practical utility; (2) the accuracy of VBA’s estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or

the use of other forms of information technology.

*Title:* Request for Verification of Deposit, VA Form 26–8497a.

*OMB Control Number:* 2900–0387.

*Type of Review:* Revision of a currently approved collection.

*Abstract:* VA Form 26–8497a is primarily used by lenders making guaranteed and insured loans to verify the applicant’s deposits in banks and other savings institutions. It is also used to process direct loans, offers on acquired properties, and release from liability/substitution of entitlement cases when needed.

*Affected Public:* Business or other for-profit.

*Estimated Annual Burden:* 13,333 hours.

*Estimated Average Burden Per Respondent:* 5 minutes.

*Frequency of Response:* On occasion.

*Estimated Number of Respondents:* 160,000.

Dated: May 10, 2004.

By direction of the Secretary.

**Loise Russell,**

*Director, Records Management Service.*

[FR Doc. 04–11497 Filed 5–20–04; 8:45 am]

**BILLING CODE 8320–01–P**