

**FOR FURTHER INFORMATION CONTACT:**

Michael Smith, (202) 245-0322. Federal Information Relay Service (FIRS) for the hearing impaired, (800) 877-8339.

**SUPPLEMENTARY INFORMATION:**

Additional information is contained in the Board's decision, which is available on our Web site at <http://www.stb.dot.gov>. Copies of the decision may be purchased by contacting the Board's Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0238. Assistance for the hearing impaired is available through FIRS at (800) 877-8339.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

Decided: February 6, 2012.

By the Board, Chairman Elliott, Vice Chairman Mulvey, and Commissioner Begeman.

**Raina S. White,**

*Clearance Clerk.*

[FR Doc. 2012-3072 Filed 2-9-12; 8:45 am]

**BILLING CODE 4915-01-P**

**DEPARTMENT OF THE TREASURY****Submission for OMB Review; Comment Request**

February 7, 2012.

The Department of the Treasury will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, Public Law 104-13, on or after the date of publication of this notice.

**DATES:** Comments should be received on or before March 12, 2012 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestion for reducing the burden, to (1) Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for Treasury, New Executive Office Building, Room 10235, Washington, DC 20503, or email at [OIRA\\_Submission@OMB.EOP.GOV](mailto:OIRA_Submission@OMB.EOP.GOV) and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave., NW., Suite 11020, Washington, DC 20220, or on-line at [www.PRAComment.gov](http://www.PRAComment.gov).

**FOR FURTHER INFORMATION CONTACT:**

Copies of the submission(s) may be obtained by calling (202) 927-5331, email at [PRA@treasury.gov](mailto:PRA@treasury.gov), or the entire information collection request maybe found at [www.reginfo.gov](http://www.reginfo.gov).

**Internal Revenue Service (IRS)**

*OMB Number:* 1545-0499.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Simplified Employee Pension-Individual Retirement Accounts Contribution Agreement.

*Form:* 5305-SEP.

*Abstract:* This form is used by an employer to make and agreement to provide benefits to all employees under a Simplified Employee Pension (SEP) described in section 408(k). This form is not to be filed with the IRS but to be retained in the employer's records as proof of establishing a SEP and justifying a deduction for contributions to the SEP. The data is used to verify the deduction.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 495,000.

*OMB Number:* 1545-1221.

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

*Title:* EE-147-87 (Final) Qualified Separate Lines of Business.

*Abstract:* The affected public includes employers who maintain qualified employee retirement plans. Where applicable, the employer must furnish notice to the IRS that the employer treats itself as operating qualified separate lines of business and some may request an IRS determination that such lines satisfy administrative scrutiny.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 444.

*OMB Number:* 1545-1660.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Notice 99-43, Nonrecognition Exchanges under Section 897.

*Abstract:* This notice announces a modification of the current rules under Temporary Regulation Sec. 1.897-6T(a)(1) regarding transfers, exchanges, and other dispositions of U.S. real property interests in nonrecognition transactions occurring after June 18, 1980. The new rule will be included in regulations finalizing the temporary regulations.

*Affected Public:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 200.

*OMB Number:* 1545-1788.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Taxpayer Advocacy Panel (TAP) Membership Application Process.

*Form:* 13013, 13013-D.

*Abstract:* The Federal advisory Committee Act requires that committee

membership be fairly balanced in terms of points of view represented and the functions to be performed. As a result, members of specific committees often have both the expertise and professional skills that parallel the program responsibilities of their sponsoring agencies. Selection of committee members is made based on the FACA's requirements and the potential member's background and qualifications. Therefore, an application, Form 13013, is needed to ascertain the desired skills set for membership. The TAP Tax Check Waiver, Form 13013-D, must be signed as a condition of membership. New and continuing members of IRS Advisory Committees/Councils are required to undergo a tax compliance check. Once signed by the applicant, the tax check waiver authorizes the Government Liaison Disclosure analysts to provide the results to the appropriate IRS officials.

*Affected Public:* Individuals or Households.

*Estimated Total Burden Hours:* 525.

**Dawn D. Wolfgang,**

*Treasury PRA Clearance Officer.*

[FR Doc. 2012-3196 Filed 2-9-12; 8:45 am]

**BILLING CODE 4830-01-P**

**DEPARTMENT OF THE TREASURY****Office of the Comptroller of the Currency****Agency Information Collection Activities: Submission to OMB; Comment Request**

**AGENCY:** Office of Thrift Supervision (OTS), Treasury.

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

**SUMMARY:** The OCC, 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 a new information collection, as required by the Paperwork Reduction Act of 1995. An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless it displays a currently valid OMB control number. The OCC is soliciting comment concerning the information collection titled "Capital Distribution." It is also giving notice that it has submitted the collection to OMB for review.

**DATES:** Comments must be received by March 12, 2012.

**ADDRESSES:** Communications Division, Office of the Comptroller of the Currency, Public Information Room,

Mailstop 2-3, Attention: 1557-NEW, 250 E Street SW., Washington, DC 20219. In addition, comments may be sent by fax to (202) 874-5274, or by electronic mail to [regs.comments@occ.treas.gov](mailto:regs.comments@occ.treas.gov). You can inspect and photocopy the comments at the OCC, 250 E Street SW., Washington, DC 20219. You can make an appointment to inspect the comments by calling (202) 874-4700.

Additionally, you should send a copy of your comments to OCC Desk Officer, 1557-NEW, by mail to U.S. Office of Management and Budget, 725, 17th Street NW., #10235, Washington, DC 20503, or by fax to (202) 395-6974.

**FOR FURTHER INFORMATION CONTACT:** You can request additional information or a copy of the collection from Ira L. Mills, (202) 874-6055, or Mary H. Gottlieb, (202) 874-4824, OCC Clearance Officers, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 250 E Street SW., Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** The OCC is requesting OMB approval of the following information collection, which was previously approved under the Office of Thrift Supervision's OMB Control No. 1550-0059. Title III of The Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, 124 Stat. 1376 (2010) (Dodd-Frank Act) transferred the powers, authorities, rights and duties of the Office of Thrift Supervision (OTS) to other banking agencies, including the OCC. In addition, Dodd-Frank requires the Board of Governors of the Federal Reserve System (Board) to promulgate regulations governing capital distributions. OTS Control No. 1550-0059 was, therefore, transferred to the FRB under OMB Control No. 7100-0339. This information collection replaces the collection transferred to the FRB.

The OCC solicited comments on this collection on August 23, 2011 (76 FR 52735). No comments were received.

Comments continue to be solicited on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the OCC;

- The accuracy of OCC's estimate of the burden of the proposed information collection;

- Ways to enhance the quality, utility, and clarity of the information to be collected;

- Ways to minimize the burden of the information collection on respondents, including through the use of information technology.

We will summarize the comments that we receive and include them in our

request for OMB approval. All comments will become a matter of public record.

*Title of Collection:* Capital Distribution.

*OMB Control Number:* 1557-NEW.

*Description:* Under 12 CFR 163.143, the OCC will review the information to determine whether the request of Federal savings associations is in accordance with existing statutory and regulatory criteria. The information also provides the OCC with a mechanism for monitoring capital distributions since distributions may reduce an institution's capital levels and may, in some instances, impact the institution adversely.

*Type of Review:* New collection.

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

*Estimated Number of Respondents:* 495.

*Estimated Frequency of Response:* On occasion.

*Estimated Total Burden:* 546 hours.

Dated: February 2, 2012.

**Michele Meyer,**

*Assistant Director, Legislative and Regulatory Activities Division.*

[FR Doc. 2012-3076 Filed 2-9-12; 8:45 am]

**BILLING CODE 4810-33-P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 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 Excise Tax Under Section 4980B, 4980D, 4980E & 4980G.

**DATES:** Written comments should be received on or before April 10, 2012 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Yvette B. Lawrence, Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or

copies of this regulation should be directed to Elaine Christophe, (202) 622-3179, Internal Revenue Service, room 6129, 1111 Constitution Avenue NW., Washington, DC 20224, or through the Internet at [Elaine.H.Christophe@irs.gov](mailto:Elaine.H.Christophe@irs.gov).

#### SUPPLEMENTARY INFORMATION:

*Title:* Excise Tax Under Section 4980B, 4980D, 4980E & 4980G.

*OMB Number:* 1545-2146.

*Regulation Project Number:* REG-120476-07.

*Abstract:* This regulation provide the requirement for filing of the return and the time for filing a return for the payment of the excise taxes under section 4980B, 4980D, 4980E, and 4980G.

*Current Actions:* There is no change to this existing regulation.

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

*Affected Public:* Business or other for-profit organizations, not-for-profit organizations, and individuals.

*Estimated Number of Respondents:* 5,000.

*Estimated Time per Respondent:* .50 hours.

*Estimated Total Annual Burden Hours:* 2,500.

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:

- 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;
- the accuracy of the agency's estimate of the burden of the collection of information;
- ways to enhance the quality, utility, and clarity of the information to be collected;
- 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
- estimates of capital