

instituting proceedings to allow for additional analysis, and input from commenters with respect to the Proposed Rule Change's consistency with the Act and the rules thereunder, including the following:

- Section 17A(b)(3)(F) of the Act,<sup>23</sup> which requires, in part, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions, assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible, and, in general, to protect investors and the public interest; and

- Rule 17Ad-22(e)(3)(ii) of the Act,<sup>24</sup> which requires a covered clearing agency to establish, implement, maintain and enforce written policies and procedures reasonably designed to plan for the recovery and orderly wind-down of the covered clearing agency necessitated by credit losses, liquidity shortfalls, losses from general business risk, or any other losses.

#### IV. Request for Written Comments

The Commission requests that interested persons provide written submissions of their views, data, and arguments with respect to the Proposed Rule Change with respect to the issues identified above, as well as any other concerns they may have with the Proposed Rule Change. In particular, the Commission invites the written views of interested persons concerning whether the Proposed Rule Change is consistent with Section 17A(b)(3)(F) and Rule 17Ad-22(e)(3)(ii) under the Act, cited above, or any other provision of the Act, rules, and regulations thereunder.

Although there do not appear to be any issues relevant to approval or disapproval that would be facilitated by an oral presentation of views, data, and arguments, the Commission will consider, pursuant to Rule 19b-4, any request for an opportunity to make an oral presentation.<sup>25</sup>

Interested persons are invited to submit written data, views, and arguments regarding whether the Proposed Rule Change should be approved or disapproved by April 17,

2018. Any person who wishes to file a rebuttal to any other person's submission must file that rebuttal by May 1, 2018.

Comments may be submitted by any of the following methods:

#### Electronic Comments

- Use the Commission's internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File No. SR-OCC-2017-020 on the subject line.

#### Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File No. SR-OCC-2017-020. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's internet website (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the Proposed Rule Change that are filed with the Commission, and all written communications relating to the Proposed Rule Change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filing also will be available for inspection and copying at the principal office of OCC and on OCC's website at <https://www.theocc.com/about/publications/bylaws.jsp>.

All comments received will be posted without change. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly.

All submissions should refer to File No. SR-OCC-2017-021 and should be submitted on or before April 17, 2018. If comments are received, any rebuttal comments should be submitted on or before May 1, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>26</sup>

**Eduardo A. Aleman,**

*Assistant Secretary.*

[FR Doc. 2018-06106 Filed 3-26-18; 8:45 am]

**BILLING CODE 8011-01-P**

## DEPARTMENT OF THE TREASURY

### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Multiple IRS Information Collection Requests

**AGENCY:** Departmental Offices, U.S. Department of the Treasury.

**ACTION:** Notice.

**SUMMARY:** The Department of the Treasury will submit the following information collection requests to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. The public is invited to submit comments on these requests.

**DATES:** Comments should be received on or before April 26, 2018 to be assured of consideration.

**ADDRESSES:** Send comments regarding the burden estimate, or any other aspect of the information collection, including suggestions 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 8142, Washington, DC 20220, or email at [PRA@treasury.gov](mailto:PRA@treasury.gov).

**FOR FURTHER INFORMATION CONTACT:** Copies of the submissions may be obtained from Jennifer Quintana by emailing [PRA@treasury.gov](mailto:PRA@treasury.gov), calling (202) 622-0489, or viewing the entire information collection request at [www.reginfo.gov](http://www.reginfo.gov).

#### SUPPLEMENTARY INFORMATION:

##### Internal Revenue Service (IRS)

1. *Title:* Mortgage Credit Certificates (MCCs).

*OMB Control Number:* 1545-0922.

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

*Abstract:* Mortgage Credit Certificates provide qualified holders of the certificates with a credit against income

<sup>23</sup> 15 U.S.C. 78q-1(b)(3)(F).

<sup>24</sup> 17 CFR 17Ad-22(e)(3)(ii).

<sup>25</sup> Section 19(b)(2) of the Act, as amended by the Securities Acts Amendments of 1975, Public Law 94-29, 89 Stat. 97 (1975), grants the Commission flexibility to determine what type of proceeding—either oral or notice and opportunity for written comments—is appropriate for consideration of a particular proposal by a self-regulatory organization. See Securities Acts Amendments of 1975, Report of the Senate Committee on Banking, Housing and Urban Affairs to Accompany S. 249, S. Rep. No. 75, 94th Cong., 1st Sess. 30 (1975).

<sup>26</sup> 17 CFR 200.30-3(a)(12).

tax liability. In general, an Issuer elects to establish a mortgage credit certificate program in lieu of issuing qualified mortgage revenue bonds. Section 25 of the Code permits states and political subdivisions to elect to issue Mortgage Credit Certificates in lieu of qualified mortgage revenue bonds. Form 8329 is used by lending institutions and Form 8330 is used by state and local governments to report on mortgage credit certificates (MCCs) authorized under IRC Section 25. IRS matches the information supplied by lenders and issuers to ensure that the credit is computed properly.

*Form:* 8329, 8330.

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

*Estimated Total Annual Burden Hours:* 73,720.

**2. Title:** TD 9099—Disclosure of Relative Values of Optional Forms of Benefit.

*OMB Control Number:* 1545–0928.

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

*Abstract:* This document contains previously approved final regulations that consolidate the content requirements applicable to explanations of qualified joint and survivor annuities and qualified preretirement survivor annuities payable under certain retirement plans, and specify requirements for disclosing the relative value of optional forms of benefit that are payable from certain retirement plans in lieu of a qualified joint and survivor annuity. These regulations affect plan sponsors and administrators, and participants in and beneficiaries of, certain retirement plans.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 385,000.

**3. Title:** Form 8609, Low-Income Housing Credit Allocation Certification; Form 8609–A, Annual Statement for Low-Income Housing Credit.

*OMB Control Number:* 1545–0988.

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

*Abstract:* Owners of residential low-income rental buildings may claim a low-income housing credit for each qualified building over a 10-year credit period. Form 8609 can be used to obtain a housing credit allocation from the housing credit agency. Form 8609, along with Form 8609–A, is used by the owner to certify necessary information required by the law. The private sector and government agencies, such as housing credit agencies, are affected groups.

*Form:* 8609, 8609–A.

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

*Estimated Total Annual Burden Hours:* 414,915.

**4. Title:** TD 8302—Low-Income Housing Credit for Federally-assisted Buildings.

*OMB Control Number:* 1545–1005.

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

*Abstract:* These previously approved final regulations are for the rule requires the taxpayer (low-income building owner) to seek a waiver in writing from the IRS concerning low-income buildings acquired during a special 10-year period in order to avert a claim against a Federal mortgage insurance fund.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 3,000.

**5. Title:** Adjustments to Basis of Stock and Indebtedness to Shareholders of S Corporations and Treatment of Distributions by S Corporations to Shareholders (TD 9300) and Open Account Debt (TD 9428).

*OMB Control Number:* 1545–1139.

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

*Abstract:* These previously approved regulations provide the procedures and the statements to be filed by S corporations for making the election provided under section 1368, and by shareholders who choose to reorder items that decrease their basis. Statements required to be filled will be used to verify that taxpayers are complying with the requirements imposed by Congress.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 450.

**6. Title:** CO–25–96 (TD 8824) Limitations on Net Operating Loss Carryforwards and Certain Built-in Losses and Credits.

*OMB Control Number:* 1545–1218.

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

*Abstract:* Section 1502 provides for the promulgation of previously approved regulations with respect to corporations that file consolidated income tax returns. Section 382 limits the amount of income that can be offset by loss carryovers and credits after an ownership change. These final

regulations provide rules for applying section 382 to groups of corporations that file a consolidated return.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 662.

**7. Title:** Limitations on net operating loss carryforwards and certain built-in losses following ownership change.

*OMB Control Number:* 1545–1275.

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

*Abstract:* 26 U.S.C. 382 limits the amount of the taxable income of any new loss corporation for any post-change year which may be offset by pre-change losses, for each such year. 26 CFR 1.382–9(d)(2)(iii) and (d)(4)(iv) allow a loss corporation to rely on a statement by beneficial owners of indebtedness in determining whether the loss corporation qualifies under section 382(l)(1)(5). Section 1.382–9(d)(6)(ii) requires a loss corporation to file an election if it wants to apply the regulations retroactively, or revoke a prior section 382(l)(1)(6) election.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 200.

**8. Title:** Methods to Determine Taxable Income in connection with a Cost Sharing Arrangement—IRC Section 482.

*OMB Control Number:* 1545–1364.

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

*Abstract:* The purpose of Internal Revenue Code (IRC) section 482 is to ensure taxpayers clearly reflect income attributable to controlled transactions and to prevent avoidance of taxes regarding such transactions. IRC section 482 places a controlled taxpayer on tax parity with an uncontrolled taxpayer by determining true taxable income.

Previously approved, TD 9568 (76 FR 80082) published December 22, 2011, contained final regulations regarding methods to determine taxable income in connection with a cost sharing arrangement under section 482 of the Internal Revenue Code. The final regulations address issues that had arisen in administering the cost sharing regulations. The final regulations affect domestic and foreign entities that enter into cost sharing arrangements described in the final regulations.

*Form:* None.

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

*Estimated Total Annual Burden*

Hours: 9,350.

9. *Title:* T.D. 8537—Carryover of Passive Activity Losses and Credits and At Risk Losses to Bankruptcy Estates of Individuals.

*OMB Control Number:* 1545–1375.

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

*Abstract:* This document contains previously approved final regulations relating to the application of carryover of passive activity losses and credits and at risk losses to the bankruptcy estates of individuals. The final regulations affect individual taxpayers who file bankruptcy petitions under chapter 7 or chapter 11 of title 11 of the United States Code and have passive activity losses and credits under section 469 or losses under section 465.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 100.

10. *Title:* EE–14–81 Deductions and Reductions in Earnings and Profits (or Accumulated Profits) With Respect to Certain Foreign Deferred Compensation Plans Maintained by Certain Foreign Corporations.

*OMB Control Number:* 1545–1393.

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

*Abstract:* The previously approved regulation provides guidance regarding the limitations on deductions and adjustments to earnings and profits (or accumulated profits) for certain foreign deferred compensation plans. Respondents will be multinational corporations.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 634,450.

11. *Title:* TD 9199—Diesel Fuel and Kerosene Excise Tax; Dye Injection.

*OMB Control Number:* 1545–1418.

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

*Abstract:* The previously approved regulations relate to the diesel fuel and kerosene excise tax and reflect changes made by the American Jobs Creation Act of 2004 (Act) regarding mechanical dye injection systems. Under the Act, diesel fuel and kerosene that are to be used in a nontaxable use must be indelibly dyed by use of a mechanical dye injection system that satisfies the requirements set forth in the regulations. However, Notice 2005–80 lifted the requirement

for mechanical injection and because of this there is currently no requirement in the regulations for pre-approval by the IRS to inject dye into exempt fuel. The statutory requirement remains codified until such time they are finalized or removed. The burden has been adjusted accordingly.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 1.

12. *Title:* TD 8706 Electronic Filing of Form W–4.

*OMB Control Number:* 1545–1435.

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

*Abstract:* This document contains previously approved final regulations relating to Form W–4, Employee’s Withholding Allowance Certificate. The final regulations authorize employers to establish electronic systems for use by employees in filing their Forms W–4. The regulations provide employers and employees with guidance necessary to comply with the law. The regulations affect employers that establish electronic systems and their employees.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 40,000.

13. *Title:* TD 8881—General Revision of Regulations Relating to Withholding of Tax on Certain U.S. Source Income Paid to Foreign Persons.

*OMB Control Number:* 1545–1484.

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

*Abstract:* This document contains previously approved regulations relating to the withholding of income tax under sections 1441, 1442, and 1443 on certain U.S. source income paid to foreign persons and related requirements governing collection, deposit, refunds, and credits of withheld amounts under sections 1461 through 1463. These regulations affect persons making payments of U.S. source income to foreign persons.

*Form:* None.

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

*Estimated Total Annual Burden Hours:* 1.

14. *Title:* Government Service Information.

*OMB Control Number:* 1545–1919.

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

*Abstract:* Form 12854 is used to identify applicants who have had prior

government service in order to request the official personnel folder from federal records and to identify possible pay-setting issues.

*Form:* 12854.

*Affected Public:* Individuals and households.

*Estimated Total Annual Burden Hours:* 6,203.

*Authority:* 44 U.S.C. 3501 *et seq.*

Dated: March 21, 2018.

**Spencer W. Clark,**

*Treasury PRA Clearance Officer.*

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## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900—NEW]

### Agency Information Collection Submission for OMB Emergency Review: Request for Restoration of Educational Assistance

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

**ACTION:** Emergency clearance notice and request for comments.

**SUMMARY:** The Veterans Benefits Administration (VBA), Department of Veterans Affairs (VA), submitted a request to the Office of Management and Budget (OMB) for emergency clearance and review of VA Form 22–0989, Request for Restoration of Educational Assistance, 2900—NEW. Under the Paperwork Reduction Act (PRA) of 1995, VA is soliciting comments for this collection.

**DATES:** Comments on this proposal for emergency review should be received within April 26, 2018. VA is requesting OMB to take action within 30 calendar days from the close of this **Federal Register** Notice on the request for emergency review. This process is conducted in accordance with 5 CFR 1320.1.

**ADDRESSES:** Interested persons are invited to submit written comments on the proposed collection of information to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street NW, Washington, DC 20503, Attention: Desk Officer for the Department of Veterans Affairs, or sent via electronic mail to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov). To obtain a copy of associated documents for this information collection, access [Reginfo.gov](http://Reginfo.gov). Please refer to “OMB