DEPARTMENT OF THE TREASURY
Internal Revenue Service

Proposed Collection; Comment Request for Form 8275 and 8275–R

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice and request for comments.

SUMMARY: The Internal Revenue Service, 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. Currently, the IRS is soliciting comments concerning Form 8275, Disclosure Statement, and Form 8275–R, Regulation Disclosure Statement.

DATES: Written comments should be received on or before August 23, 2019 to be assured of consideration.

ADDRESSES: Direct all written comments to Laurie Brimmer, Internal Revenue Service, Room 6526, 1111 Constitution Avenue NW, Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the form and instructions should be directed to LaNita Van Dyke at Internal Revenue Service, Room 6129, 1111 Constitution Avenue NW, Washington, DC 20224, or through the internet at Lanita.VanDyke@irs.gov.

SUPPLEMENTARY INFORMATION:
Title: Disclosure Statement (Form 8275) and Regulation Disclosure Statement (Form 8275–R).

OMB Number: 1545–0889.

Form Number: Forms 8275 and 8275–R.

Abstract: Internal Revenue Code section 6662 imposes accuracy-related penalties on taxpayers for substantial understatement of tax liability or negligence or disregard of rules and regulations. Code section 6694 imposes similar penalties on return preparers. Regulations sections 1.662–4(e) and (f) provide for reduction of these penalties if adequate disclosure of the tax treatment is made on Form 8275 or, if the position is contrary to regulation on Form 8275–R.

Current Actions: There are no changes to the forms at this time.

Type of Review: Extension of a currently approved collection.

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

Estimated Number of Respondents: 666,666.

Estimated Time per Response: 5 hours, 34 minutes.

Estimated Total Annual Burden Hours: 3,716,664.

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: June 19, 2019.

Laurie Brimmer,
Senior Tax Analyst.

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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 July 24, 2019 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 and (2) Treasury PRA Clearance Officer, 1750 Pennsylvania Ave. NW, Suite 8142, Washington, DC 20220, or email at PRA@treasury.gov.

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

SUPPLEMENTARY INFORMATION:
Internal Revenue Service (IRS)

Title: Form 1099—Miscellaneous Income.

OMB Control Number: 1545–0115.

Type of Review: Revision of a currently approved collection.

Description: Form 1099–MISC is used by payers to report payments of $600 or more of rent, prizes and awards, medical and health care payments, nonemployee compensation, and crop insurance proceeds, $10 or more of royalties, any amount of fishing boat proceeds, certain substitute payments, golden parachute payments, and an indication of direct sales of $5,000 or more.

Form: 1099–MISC.

Affected Public: Businesses or other for-profits.

Estimated Number of Respondents: 99,447,800.

Frequency of Response: Annually.

Estimated Total Number of Annual Responses: 99,447,800.

Estimated Time per Response: .31 hours per response.

Estimated Total Annual Burden Hours: 30,828,818.

Title: Taxable Distributions Received From Cooperatives.

OMB Control Number: 1545–0118.

Type of Review: Revision of a currently approved collection.

Description: Form 1099–PATR is used to report patronage dividends paid by cooperatives (IRC sec. 6044). The information is used by IRS to verify reporting compliance on the part of the recipient.
Form 4972—Tax on Lump-Sum Distributions (From Qualified Retirement Plans of Plan Participants) 

Description: Form 4972 is also used for participation from the lump-sum collection. 

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

OMB Control Number: 1545–0233. 

Frequency of Response: Annually. 

Estimated Number of Annual Responses: 1,820,000. 

Estimated Total Annual Burden Hours: 473,201. 

Estimated Total Annual Burden: 77,968.

Title: Form 4136—Credit for Federal Tax Paid on Fuels. 

Description: The data is used to verify the validity of the claim for the excise tax for certain fuel uses. This form is used to limit their deductible loss to the lesser of the loss or their amount at risk. 

OMB Control Number: 1545–0162. 

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

Frequency of Response: On Occasion. 

Estimated Total Number of Annual Responses: 6,537,500. 

Estimated Total Annual Burden Hours: 44,324,250. 

Estimated Time per Response: 6.78 hours per response. 

Affected Public: Businesses or other for-profits. 

Estimated Number of Respondents: 2,441,858. 

Estimated Total Annual Burden: 77,968.

Title: Form 4198—Deduction for Certain Business Income Tax, Information, and Other Returns. 

Description: IRC section 465 requires corporations to request an automatic 6-month extension of time to file their income tax returns. The information is also to ensure that the proper amount of tax was computed and deposited. 

OMB Control Number: 1545–0984. 

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

Frequency of Response: On Occasion. 

Estimated Total Number of Annual Responses: 2,441,858. 

Estimated Total Annual Burden Hours: 4,122,076. 

Estimated Time per Response: 1.69 hours per response. 

Estimated Total Annual Burden: 230,332. 

Affected Public: Businesses or other for-profits. 

Estimated Number of Respondents: 1,000. 

Estimated Time per Response: 10 hours per response. 

Estimated Total Annual Burden Hours: 10,000.

Title: Low-Income Housing Credit. 

OMB Control Number: 1545–0984. 

Type of Review: Revision of a currently approved collection. 

Frequency of Response: Annually. 

Estimated Total Number of Annual Responses: 230,332. 

Estimated Total Annual Burden Hours: 914,419. 

Estimated Time per Response: 3.97 hours per response. 

Affected Public: Business or other for-profits. 

Estimated Number of Respondents: 230,332. 

Estimated Total Annual Burden: 200.

Title: Revenue Procedure 2003–39, Section 1031 LKE (Like-Kind Exchanges) Auto Leasing Programs. 

OMB Control Number: 1545–1440. 

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

Frequency of Response: Annually. 

Estimated Total Number of Annual Responses: 779. 

Estimated Time per Response: 8.8 hours per response. 

Estimated Total Annual Burden Hours: 6,855. 

Affected Public: Business or other for-profit organizations. 

Estimated Number of Respondents: 779. 

Estimated Time per Response: 2.5 hours per response. 

Estimated Total Annual Burden: 779.

Title: Revenue Procedure 2003–39, Section 1031 LKE (Like-Kind Exchanges) Auto Leasing Programs.
OMB Control Number: 1545–1834.
Type of Review: Extension without change of a currently approved collection.
Description: Revenue Procedure 2003–39 provides safe harbors for certain aspects of the qualification under Sec. 1031 of certain exchanges of property pursuant to LKE Programs for federal income tax purposes.
Form: None.
Affected Public: Businesses or other for-profits.
Estimated Number of Respondents: 8,600.
Estimated Total Number of Annual Responses: 8,600.
Estimated Time per Response: 1 hour per response.
Estimated Total Annual Burden Hours: 8,600.
Title: Supplemental Income and Loss.
OMB Control Number: 1545–1972.
Type of Review: Extension without change of a currently approved collection.
Description: Filers of Form 1040 use Schedule E to report income from rental real estate, royalties, partnerships, S corporations, estates, trusts, and residual interests in real estate mortgage investment conduits (REMICs).
Form: 1040 Sch. E.
Affected Public: Businesses or other for-profits.
Estimated Number of Respondents: 570,000.
Estimated Total Number of Annual Responses: 570,000.
Estimated Time per Response: 9.94 hours per response.
Estimated Total Annual Burden Hours: 5,665,800.
Title: Schedule F (Form 1040)—Profit or Loss From Farming.
OMB Control Number: 1545–1975.
Type of Review: Extension without change of a currently approved collection.
Description: Schedule F (Form 1040) is used by individuals to report their farming income, expenses and self-employment taxes derived from this income. The data is used to verify that the items reported on the form is correct.
Form: 1040 sch. F.
Affected Public: Businesses or other for-profits.
Estimated Number of Respondents: 26,546.
Estimated Total Number of Annual Responses: 26,546.
Estimated Time per Response: 19 hours per response.
Estimated Total Annual Burden Hours: 504,374.
Title: Domestic Production Activities Deduction.
Type of Review: Revision of a currently approved collection.
Description: Section 102 of the American Jobs Creation Act of 2004 (section 199 of the Internal Revenue Code), created a domestic production activities deduction for tax years beginning after December 31, 2004. Taxpayers will use the Form 8903 and related instructions to calculate the deduction. The Form 8903 will be filed by corporations, individuals, partners (including partners of electing large partnerships), S corporation shareholders, beneficiaries of estates and trusts, cooperatives, and patrons of cooperatives.
Form: 8903.
Affected Public: Businesses or other for-profits.
Estimated Number of Respondents: 30,000.
Frequency of Response: On Occasion.
Estimated Total Number of Annual Responses: 30,000.
Estimated Time per Response: 24.66 hours per response.
Estimated Total Annual Burden Hours: 739,800.
Title: Form 8910—Alternative Motor Vehicle Credit.
OMB Control Number: 1545–1998.
Type of Review: Extension without change of a currently approved collection.
Description: Taxpayers will file Form 8910 to claim the credit for certain alternative motor vehicles placed in service after 2005.
Form: 8910.
Affected Public: Businesses or other for-profits.
Estimated Number of Respondents: 3,333.
Estimated Total Number of Annual Responses: 3,333.
Estimated Time per Response: 5.92 hours per response.
Estimated Total Annual Burden Hours: 20,764.
OMB Control Number: 1545–2145.
Type of Review: Extension without change of a currently approved collection.
Description: The notice provides a description of the procedures that taxpayers will be required to follow to make an irrevocable election to take the investment tax credit for energy property under section 48 of the Internal Revenue Code in lieu of the production tax credit under section 45 of the Internal Revenue Code.
Form: None.
Affected Public: Businesses or other for-profits.
Estimated Number of Respondents: 100.
Estimated Total Number of Annual Responses: 100.
Estimated Time per Response: 1 hour per response.
Estimated Total Annual Burden Hours: 100.
Title: Notice of Medical Necessity Criteria under the Mental Health Parity and Addiction Equity Act of 2008.
OMB Control Number: 1545–2165.
Type of Review: Revision of a currently approved collection.
Description: Section 9812 of the Code requires group health plans maintained by an employer with more than 50 employees to disclose upon request to participants and beneficiaries of the plan the medical necessity criteria used in making decisions regarding claims for benefits under the plan.
Form: None.
Affected Public: Businesses or other for profits.
Estimated Number of Respondents: 1,217,875.
Frequency of Response: Annually.
Estimated Total Number of Annual Responses: 1,217,875.
Estimated Time per Response: 3 hours per response.
Estimated Total Annual Burden Hours: 27,206.
Title: Form 5316, Application for Group or Pooled Trust Ruling.
OMB Control Number: 1545–2166.
Type of Review: Extension without change of a currently approved collection.
Description: Group/pooled trust sponsors file this form to request a determination letter from the IRS for a determination that the trust is a group trust arrangement as described in Rev. Rul. 81–100, 1981–1 C.B. 326 as modified and clarified by Rev. Rul. 2004–67, 2004–28 I.R.B.
Form: 5316.
Affected Public: Businesses or other for profits.
Estimated Number of Respondents: 200.
Frequency of Response: Annually.
Estimated Total Number of Annual Responses: 200.
Estimated Time per Response: 19 hours per response.
Estimated Total Annual Burden Hours: 3,800.
Title: Annual Registration Statement Identifying Separated Participants With Deferred Vested Benefits.
OMB Control Number: 1545–2187.
Type of Review: Extension without change of a currently approved collection.
Description: In 2007, the Department of Labor (DOL) published a final rule requiring plans subject to the annual reporting requirements of Title I of Employee Retirement Income Security Act (ERISA) to electronically file the Form 5500, Annual Return/Report of Employee Benefit. In order to accommodate the DOL’s mandate for electronic filing of the Form 5500 series, Schedule (SSA) has been eliminated and replaced with Form 8955–SSA. The information provided by plan sponsors on Form 8955–SSA will be transmitted to the Social Security Administration (SSA) who will provide it to separated participants when those participants file for social security benefits.
Form: 8955–SSA.
Affected Public: Businesses or other for profits.
Estimated Number of Respondents: 200,000.
Frequency of Response: Annually.
Estimated Total Number of Annual Responses: 200,000.
Estimated Time per Response: .83 hours per response.
Estimated Total Annual Burden Hours: 166,000.
Title: Form 14145—IRS Applicant Contact Information.
OMB Control Number: 1545–2240.
Type of Review: Revision of a currently approved collection.
Description: Form 14145, IRS Applicant Contact Information, is used by the IRS Recruitment Office to collect contact information from individuals who may be interested in working for the IRS now, or at any time in the future (potential applicants).
Form: 14145.
Affected Public: Individuals or Households.
Estimated Number of Respondents: 16,045.
Frequency of Response: On occasion.
Estimated Total Number of Annual Responses: 16,045.
Estimated Time per Response: .08 hours per response.
Estimated Total Annual Burden Hours: 1,364.
Authority: 44 U.S.C. 3501 et seq.
Dated: June 17, 2019.
Jennifer P. Quintana,
Treasury PRA Clearance Officer.
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