

*Abstract:* The rule affects organizations described in Internal Revenue Code section 501(c)(3) and (4) applicable tax-exempt organizations). The collection of information entails obtaining and relying on appropriate comparability data and documenting the basis of an organization's determination that compensation is reasonable, or a property transfer (or transfer of the right to use property) is at fair market value. These actions comprise two of the requirements specified in the legislative history for obtaining the rebuttable presumption of reasonableness.

*Respondents:* Private Sector: Not-for-profit institutions.

*Estimated Total Burden Hours:* 910,083 hours.

*OMB Number:* 1545–2182.

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

*Title:* REG–125592–10, Affordable Care Act Internal Claims and Appeals and External review Disclosures.

*Abstract:* Section 2719 of the Public Health Service Act, incorporated into Code section 9815 by section 1563(f) of the Patient Protection and Affordable Care Act, Public Law 111–148, requires group health plans and issuers of group health insurance coverage, in connection with internal appeals of claims denials, to provide claimants free of charge with any evidence relied upon in deciding the appeal that was not relied on in making the initial denial of the claim. This is a third party disclosure requirement. Individuals appealing a denial of a claim should be able to respond to any new evidence the plan or issuer relies on in the appeal, and this disclosure requirement is essential so that the claimant knows of the new evidence.

*Respondents:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 150 hours.

*OMB Number:* 1545–1010.

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

*Title:* U.S. Income Tax Return for Regulated Investment Companies.

*Form:* 1120–RIC.

*Abstract:* Form 1120–RIC is filed by a domestic corporation electing to be taxed as a RIC in order to report its income and deductions and to compute its tax liability. IRC uses Form 1120–RIC to determine whether the RIC has correctly reported its income, deductions, and tax liability.

*Respondents:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 369,021 hours.

*OMB Number:* 1545–1186.

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

*Title:* Form 8825—Rental Real Estate Income and Expense of a Partnership or an S Corporation.

*Form:* 8825.

*Abstract:* Form 8825 is used to verify that partnerships and S corporations have correctly reported their income and expenses from rental real estate property. The form is filed with either Form 1065 or Form 1120S.

*Respondents:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 6,288,600 hours.

*OMB Number:* 1545–0971.

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

*Title:* Estimated Income Tax for Estates and Trusts.

*Form:* 1041–ES, 1041–ES (PR).

*Abstract:* Internal Revenue Code section 6654(1) imposes a penalty on trusts, and in certain circumstances, a decedent's estate, for underpayment of estimated tax. Form 1041–ES is used by the fiduciary to make the estimated tax payments. For "first-time" filers, the form is available in an Over The Counter (OTC) version at IRS offices. For previous filers, the form is sent to them by the IRS with preprinted vouchers in the Optical Character Resolution (OCR) version.

*Respondents:* Private Sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 3,161,236 hours.

*OMB Number:* 1545–0056.

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

*Title:* Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.

*Abstract:* Form 1023 is filed by applicants seeking Federal income tax exemption as organization described in section 501(c)(3). IRS uses the information to determine if the applicant is exempt and whether the applicant is a private foundation.

*Form:* 1023.

*Respondents:* Private Sector: Not-for-profit institutions.

*Estimated Total Burden Hours:* 3,138,550 hours.

*Bureau Clearance Officer:* Allan Hopkins, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC 20224; (202) 622–6665

*OMB Reviewer:* Shagufta Ahmed, Office of Management and Budget, New

Executive Office Building, Room 10235, Washington, DC 20503; (202) 395–7873

**Celina Elphage,**

*Treasury PRA Clearance Officer.*

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## DEPARTMENT OF THE TREASURY

### Submission for OMB Review; Comment Request

January 10, 2010.

The Department of the Treasury will submit the following public information collection requirements to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104–13 on or after the date of publication of this notice. A copy of the submission may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments regarding these information collections should be addressed to the OMB reviewer listed and to the Treasury PRA Clearance Officer, Department of the Treasury, 1750 Pennsylvania Avenue, NW., Suite 11010, Washington, DC 20220.

**DATES:** Written comments should be received on or before February 14, 2011 to be assured of consideration.

#### Internal Revenue Service (IRS)

*OMB Number:* 1545–1292.

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

*Title:* PS–97–91 and PS–101–90 (T.D. 8448) Enhanced Oil Recovery Credit.

*Abstract:* This regulation provides guidance concerning the costs subject to the enhanced oil recovery credit, the circumstances under which the credit is available, and procedures for certifying to the Internal Revenue Service that a project meets the requirements of section 43(c) of the Internal Revenue Code.

*Respondents:* Private sector: Businesses or other for-profits.

*Estimated Total Burden Hours:* 1,460 hours.

*OMB Number:* 1545–1324.

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

*Title:* CO–88–90 (TD 8530—Final) Limitation on Net Operating Loss Carryforwards and Certain Built-in Losses Following Ownership Change; Rule for Value of a Loss Corporation Under the Jurisdiction of a Court in a Title II Case.

*Abstract:* This information serves as evidence of an election to apply section 382(1)(6) in lieu of section 382(1)(5) and

an election to apply the provisions of the regulations retroactively. It is required by the Internal Revenue Service to assure that the proper amount of carryover attributes are used by a loss corporation following specified types of ownership changes.

*Respondents:* Private sector; Businesses or other for-profits.

*Estimated Total Burden Hours:* 813 hours.

*Bureau Clearance Officer:* Allan Hopkins, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC 20224; (202) 622-6665.

*OMB Reviewer:* Shagufta Ahmed, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503; (202) 395-7873.

**Dawn D. Wolfgang,**

*Treasury PRA Clearance Officer.*

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**BILLING CODE 4830-01-P**

## DEPARTMENT OF THE TREASURY

### Office of the Comptroller of the Currency

#### Agency Information Collection Activities: Proposed Agency Information Collection Activities; Comment Request

**AGENCY:** Office of the Comptroller of the Currency (OCC), 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 comment on a continuing 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 Office of Management and Budget (OMB) control number. The OCC is soliciting comment concerning its information collection titled "Loans in Areas Having Special Flood Hazards."

**DATES:** You should submit written comments by: March 15, 2011.

**ADDRESSES:** Communications Division, Office of the Comptroller of the Currency, Mail Stop 2-3, Attention: 1557-0202, 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 may personally inspect and photocopy comments at the OCC, 250 E Street, SW., Washington, DC. For security reasons, the OCC requires that visitors

make an appointment to inspect comments. You may do so by calling (202) 874-4700. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

Additionally, you should send a copy of your comments to OCC Desk Officer, 1557-0202, 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 Mary H. Gottlieb, (202) 874-5090, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, 250 E Street, SW., Washington, DC 20219.

**SUPPLEMENTARY INFORMATION:** The OCC is proposing to extend OMB approval of the following information collection:

*Title:* Loans in Areas Having Special Flood Hazards—12 CFR 22.

*OMB Control Number:* 1557-0202.

*Description:* The regulation requires national banks to make disclosures and keep records regarding whether a property held as security for a loan is located in a special flood hazard area.

This information collection is required by section 303(a)<sup>1</sup> and title V of the Riegle Community Development and Regulatory Improvement Act,<sup>2</sup> the National Flood Insurance Reform Act of 1994 amendments to the National Flood Insurance Act of 1968,<sup>3</sup> the Flood Disaster Protection Act of 1973,<sup>4</sup> and by OCC regulations implementing those statutes. The information collection requirements are contained in 12 CFR part 22.

Section 22.6 requires a national bank to use the Standard Flood Hazard Determination Form developed by the Federal Emergency Management Agency (FEMA) and to maintain a completed copy of that form for the period of time the bank owns the loan.

Section 22.7 requires a national bank or its loan servicer, if a borrower has not obtained flood insurance, to notify the borrower to obtain adequate flood insurance coverage or the bank or servicer will purchase flood insurance on the borrower's behalf.

Section 22.9 requires a national bank making, extending, increasing, or renewing a loan secured by a building or a mobile home located in a special flood hazard area to advise the borrower

and the loan servicer that the property is located in a special flood hazard area, provide a description of the flood insurance purchase requirements, and provide information regarding the availability of insurance under the National Flood Insurance Program and of Federal assistance in the event of a declared Federal flood disaster. In lieu of providing the borrower notice, a national bank may obtain a satisfactory written assurance from a seller or lessor that, within a reasonable time before completion of the sale or lease transaction, the seller or lessor provided such notice to the purchaser or lessee. For the period of time the bank owns the loan, the bank must maintain a record of the borrower's and loan servicer's receipts of these notices and, where appropriate, the written assurance from the seller or the lessor.

Section 22.10 requires a national bank making, increasing, extending, renewing, selling, or transferring a loan secured by a building or a mobile home located in a special flood hazard area to notify FEMA of the identity of the servicer, and of any change in servicers.

These information collection requirements ensure bank compliance with applicable Federal law, further bank safety and soundness, provide protections for banks and the public, and further public policy interests.

*Type of Review:* Regular review.

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

*Estimated Number of Respondents:* 1,650.

*Estimated Total Annual Responses:* 166,650.

*Estimated Frequency of Response:* On occasion.

*Estimated Time per Respondent:* 25.5 hours.

*Estimated Total Annual Burden:* 42,075 hours.

An agency may not conduct or sponsor, and a respondent is not required to respond to, an information collection unless the information collection displays a currently valid OMB control number.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments 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;

<sup>1</sup> 12 U.S.C. 4804.

<sup>2</sup> 42 U.S.C. 4104(a).

<sup>3</sup> 12 U.S.C. 4104a and 4104b.

<sup>4</sup> 12 U.S.C. 4012a and 4106(b).