

The text of those temporary regulations also serves as the text of these proposed regulations. The preamble to the temporary regulations explains the temporary regulations.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in EO 12866. Therefore, a regulatory assessment is not required. It has also been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations, and, because the regulations do not impose a collection of information on small entities, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply. Pursuant to section 7805(f) of the Internal Revenue Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Comments and Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any written (a signed original and eight (8) copies) or electronic comments that are submitted timely to the IRS. All comments will be available for public inspection and copying.

A public hearing has been scheduled for May 27, 1998, at 10:00 a.m. in Room 2615, Internal Revenue Building, 1111 Constitution Avenue NW, Washington, DC. Because of access restrictions, visitors will not be admitted beyond the building lobby more than 15 minutes before the hearing starts.

The rules of 26 C.F.R. 601.601(a)(3) apply to the hearing.

Persons that wish to present oral comments at the hearing must submit written comments by April 7, 1998, and submit an outline of the topics to be discussed and time to be devoted to each topic (signed original and eight (8) copies) by May 6, 1998.

A period of 10 minutes will be allotted to each person for making comments.

An agenda showing the scheduling of the speakers will be prepared after the deadline for receiving outlines has passed. Copies of the agenda will be available free of charge at the hearing.

Drafting Information

Several persons from the Office of Chief Counsel and the Treasury Department participated in the development and drafting of these regulations.

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Proposed Amendment to the Regulations

Accordingly, 26 CFR part 1 is proposed to be amended as follows:

PART 1—INCOME TAXES

Paragraph 1. The authority citation for part 1 is amended by adding an entry in numerical order to read as follows:

Authority: 26 U.S.C. 7805 * * *
Section 1.1397E-1 also issued under 26 U.S.C. 1397E(b) and 1397E(d). * * *

Par. 2. Sections 1.1397E-1 is added to read as follows:

§ 1.1397E-1 Qualified zone academy bonds.

[The text of this proposed section is the same as the text of § 1.1397E-1T published in T.D. 8755.]

Michael P. Dolan,
*Deputy Commissioner of
Internal Revenue.*

Approved December 19, 1997.

Donald C. Lubick,
*Acting Assistant Secretary of
the Treasury.*

(Filed by the Office of the Federal Register on January 6, 1998, 8:45 a.m., and published in the issue of the Federal Register for January 7, 1998, 63 F.R. 671)

Proposed Forms W-8, W-8A, W-8B, and W-8C

Announcement 98-15

The Internal Revenue Service announces that it is requesting comments from the public on proposed new Forms W-8, W-8A, W-8B, W-8C. These forms are being developed as a result of final regulations published on October 14, 1997, relating to the withholding of income tax under sections 1441, 1442, and 1443 on certain U.S. source income paid to foreign persons. T.D. 8734, 62 F.R. 53387; 1997-44 I.R.B. 5. These regulations, which provide for the use of several

withholding certificates, will be effective January 1, 1999.

Form W-8 (Certificate of Foreign Status of Beneficial Owner for United States Tax Withholding) would be provided to a withholding agent or payer by a beneficial owner of certain types of income to establish foreign status, to claim that such person is the beneficial owner of the income for which the form is being furnished, and if applicable, to claim a reduced rate of, or exemption from, withholding as a resident of a foreign country with which the United States has an income tax treaty.

Form W-8A (Foreign Person's Claim of Income Effectively Connected With the Conduct of a Trade or Business in the United States) would be provided to a withholding agent or payer by a foreign person claiming that certain income is effectively connected with the conduct of a trade or business in the United States.

Form W-8B (Certification for United States Tax Withholding for Foreign Governments and Other Foreign Organizations) would be provided to a withholding agent or payer by a foreign government, international organization, foreign central bank of issue, or foreign tax-exempt organization to claim that such organization is the beneficial owner of the income for which the form is being furnished, and if applicable, to claim a reduced rate of, or exemption from, withholding as a resident of a foreign country with which the United States has an income tax treaty.

Form W-8C (Certificate of Intermediary for United States Tax Withholding) would be provided to a withholding agent or payer by an intermediary either to make representations regarding the status of beneficial owners of the amount paid or to transmit appropriate documentation to the withholding agent.

This announcement provides draft copies of proposed Forms W-8, W-8A, W-8B, and W-8C. The forms are being issued without the instructions so that withholding agents can adapt their systems to comply with the regulations. Based on comments, the forms may be revised, and together with instructions, will be re-issued for further comment as part of the OMB approval process.

The IRS would like to receive comments on these proposed draft forms from all interested persons by April 8, 1998. Please send comments to Chairman, Tax

Forms Coordinating Committee, Internal
Revenue Service, T:FP, Room 5577, 1111
Constitution Avenue, NW, Washington,
DC 20224.