



DEPARTMENT OF THE TREASURY  
Washington, DC 20220

April 23, 2004

**Department of the Treasury**  
Third Quarterly Update of the 2003 - 2004 Priority Guidance Plan

Joint Statement by:

**Gregory Jenner**  
Acting Assistant Secretary (Tax Policy)  
U.S. Department of the Treasury

**Mark W. Everson**  
Commissioner  
Internal Revenue Service

**Donald L. Korb**  
Chief Counsel  
Internal Revenue Service

We are pleased to announce the third quarterly update of the 2003 - 2004 Priority Guidance Plan.

On July 24, 2003, we released the 2003 - 2004 Priority Guidance Plan listing 268 projects for the plan year beginning July 1, 2003 and ending June 30, 2004. In our Joint Statement that accompanied the release of the 2003 - 2004 Priority Guidance Plan, we emphasized our commitment to increased and more timely published guidance. We indicated that we would update the plan quarterly to reflect additional guidance that we intend to publish during the plan year. Updating the plan also provides flexibility to respond to developments arising during the year.

The attached update sets forth the guidance on the original 2003 - 2004 Priority Guidance Plan, as previously updated, that we have published. Although the update may indicate that a particular item on the plan has been completed, it is possible that one or more additional projects may be completed in the plan year relating to that item. The update also includes 36 items of additional guidance, some of which have already been published.

We continue to invite the public to provide us with comments and suggestions as we identify and write guidance throughout the plan year.

The updated 2003 -2004 Priority Guidance Plan will be republished on the IRS website on the Internet ([www.irs.gov](http://www.irs.gov)) under Tax Professionals, IRS Resources, Administrative Information and Resources, 2003 - 2004 Priority Guidance Plan. Copies can also be obtained by calling Treasury's Office of Public Affairs at (202) 622-2960.

**OFFICE OF TAX POLICY  
AND  
INTERNAL REVENUE SERVICE**

**2003-2004 PRIORITY GUIDANCE PLAN**

**APRIL 23, 2004 UPDATE**

**CONSOLIDATED RETURNS**

Original PGP Projects:

1. Guidance under section 1502 regarding transactions involving obligations of consolidated group members.
2. Guidance under section 1502 regarding rate or discount subsidy payments.
3. Final regulations under section 1502 regarding certain group structure changes.
4. Guidance under section 1502 regarding treatment of member stock.
  - PUBLISHED 3/18/2004 in FR as TEMP 9118

Additional PGP Projects:

5. Guidance under section 1504(a)(5)(C) and (D) regarding affiliation.
6. Guidance under section 1502 regarding application of section 108 to members of a consolidated group.
  - PUBLISHED 9/4/2003 in FR as TEMP 9089
  - PUBLISHED 12/11/2003 in FR as TEMP 9098
  - PUBLISHED 3/15/2004 in FR as TEMP 9117

**CORPORATIONS AND THEIR SHAREHOLDERS**

Original PGP Projects:

1. Final regulations regarding the effect of reorganizations on attribute reduction in respect of cancellation of indebtedness.
2. Guidance regarding redemptions of corporate stock.
3. Guidance regarding transactions involving the transfer or receipt of no net equity value.
4. Final regulations regarding taxable asset acquisitions and dispositions of insurance companies.

5. Guidance regarding the acquisition of businesses having certain nonqualified settlement funds.
6. Guidance regarding the effect of pre-closing changes of acquiror stock value on continuity of interest.
7. Guidance regarding the business purpose requirement under section 355.
  - PUBLISHED 11/17/2003 in IRB 2003-46 as REV. RUL. 2003-110 (released 10/23/2003)
  - PUBLISHED 1/26/2004 in IRB 2004-4 as AOD 2004-1
  - PUBLISHED 3/15/2004 in IRB 2004-11 as REV. RUL. 2004-23 (released 2/13/2004)
8. Guidance regarding the active trade or business requirement under section 355(b).
9. Guidance regarding predecessors and successors under section 355(e).
10. Guidance regarding the assumption of liabilities in certain transfers of property.
11. Guidance regarding transfers of assets after putative reorganizations.
  - PUBLISHED 3/2/2004 in FR as NPRM REG-165579-02
12. Guidance regarding certain cross-chain transactions.
13. Guidance under section 368(a)(1)(F).
14. Guidance under section 382.
  - PUBLISHED 10/6/2003 in IRB 2003-40 as NOTICE 2003-65 (released 9/12/2003)
15. Guidance under section 1374 regarding liquidations of C corporations.

Additional PGP Projects:

16. Guidance under section 358 regarding Allocation of Basis.

**EMPLOYEE BENEFITS**

**A. Retirement Benefits**

Original PGP Projects:

1. Guidance on phased retirement arrangements.
2. Guidance on distribution rules for rollover contributions.

- PUBLISHED 2/17/2004 in IRB 2004-7 as REV. RUL. 2004-12 (released 1/29/2004)
3. Guidance updating Rev. Rul. 81-100.
  4. Proposed regulations under section 401(a)(4) for cash balance plans.
  5. Regulations under section 401(a)(9) on required minimum distributions.
  6. Guidance on whether employees of a section 501(c)(3) organization who are eligible to participate in a section 403(b) plan are excludable employees for section 401(k) and (m) plans.
    - PUBLISHED 3/16/2004 in FR as NPRM REG-149752-03
  7. Guidance relating to annuity plans under section 403(b).
  8. Final regulations under section 408(q).
  9. Guidance under section 409(p) on S corporation ESOPs.
    - PUBLISHED 2/9/2004 in IRB 2004-6 as REV. RUL. 2004-4 (released 1/23/2004)
  10. Revenue ruling under section 410(b)(6)(C).
    - PUBLISHED 2/17/2004 in IRB 2004-7 as REV. RUL. 2004-11 (released 1/29/2004)
  11. Guidance under section 411(a).
    - PUBLISHED 2/17/2004 in IRB 2004-7 as REV. RUL. 2004-10 (released 1/29/2004)
  12. Guidance under sections 411(b)(1)(H) and 411(b)(2).
  13. Guidance under section 411(d)(6).
    - PUBLISHED 3/24/2004 in FR as NPRM REG-128309-03
  14. Guidance on mortality tables.
    - PUBLISHED 9/22/2003 in IRB 2003-38 as NOTICE 2003-62 (released 9/3/2003)
  15. Guidance on section 412(i) plans.
    - PUBLISHED 2/17/2004 in FR as NPRM REG-126967-03
  16. Additional transitional rules when a PEO retirement plan is converted to a multiple employer plan.
    - PUBLISHED 12/15/2003 in IRB 2003-50 as REV. PROC. 2003-86 (released 11/25/2003)

17. Regulations under section 415.
18. Guidance on section 416(g)(4)(H) for safe harbor 401(k) plans.
  - PUBLISHED 2/17/2004 in IRB 2004-7 as REV. RUL. 2004-13 (released 1/29/2004)
19. Guidance on use of electronic technologies for various retirement plan transactions.
  - PUBLISHED 2/9/2004 in IRB 2004-6 as NOTICE 2004-10 (released 1/20/2004)
20. Final regulations under section 417(a).
  - PUBLISHED 12/17/2003 in FR as TD 9099
21. Guidance under section 417(e).
22. Guidance under section 420.
23. Guidance under section 457.
24. Revenue Procedure on model provisions for section 457(b) plans.
25. Guidance under section 3405 on actions by a duly authorized agent.

Additional PGP Projects:

26. Notice on abusive Roth IRA transactions.
  - PUBLISHED 1/26/2004 in IRB 2004-4 as NOTICE 2004-8 (released 12/31/2003)
27. Revenue procedure on funding waivers under section 412(d).
  - PUBLISHED 2/17/2004 in IRB 2004-7 as REV. PROC. 2004-15 (released 1/29/2004)
28. Revenue ruling on nondiscrimination requirements for qualified plans selling life insurance to participants.
  - PUBLISHED 3/8/2004 in IRB 2004-10 as REV. RUL. 2004-21 (released 2/13/2004)
29. Revenue ruling on deduction limits for qualified plans holding life insurance.
  - PUBLISHED 3/8/2004 in IRB 2004-10 as REV. RUL. 2004-20 (released 2/13/2004)
30. Revenue procedure on determining fair market value of life insurance distributed from qualified plans or taxable under section 79 or section 83.

- PUBLISHED 3/8/2004 in IRB 2004-10 as REV. PROC. 2004-16  
(released 2/13/2004)
31. Revenue procedure on EGTRRA amendment period extension.
    - PUBLISHED 4/19/2004 in IRB 2004-16 as REV. PROC. 2004-25  
(released 3/31/2004)
  32. Notice on weighted average interest rate modification.
    - WILL BE PUBLISHED 5/3/2004 in IRB 2004-18 as NOTICE 2004-34  
(released 4/12/2004)
  33. Announcement on election of alternative deficit reduction contribution.
    - WILL BE PUBLISHED 5/3/2004 in IRB 2004-18 as ANN. 2004-38  
(released 4/12/2004)
  34. Announcement requesting comments on revenue procedure for pre-approved plans.
    - WILL BE PUBLISHED 5/3/2004 in IRB 2004-18 as ANN. 2004-33  
(released 4/16/2004)
  35. Announcement regarding the update on the future of the EP Determination Letter Program.
    - WILL BE PUBLISHED 5/3/2004 in IRB 2004-18 as ANN. 2004-32  
(released 4/16/2004)
  36. Federal Register notice requesting comments for updating the regulations regarding the Joint Board for the Enrollment of Actuaries.
  37. Guidance on notice by employers electing the alternative deficit reduction contribution.

**B. Executive Compensation, Health Care and Other Benefits, and Employment Taxes**

Original PGP Projects:

1. Guidance under section 35 on credit for health care insurance costs of eligible individuals.
  - PUBLISHED 3/1/2004 in IRB 2004-9 as REV. PROC. 2004-12  
(released 2/12/2004)
2. Guidance on election between taxable and nontaxable benefits.
3. Guidance under section 62(c) on payments to couriers.
  - PUBLISHED 1/26/2004 in IRB 2004-4 as REV. RUL. 2004-1  
(released 1/15/2004)

4. Revenue ruling on electronic receipts and accountable plans.
  - PUBLISHED 11/3/2003 in IRB 2003-44 as REV. RUL. 2003-106 (released 10/20/2003)
5. Guidance under section 83.
  - PUBLISHED 3/15/2004 in IRB 2004-11 as REV. RUL. 2004-37 (released 2/25/2004)
6. Guidance on disability payments.
7. Guidance on HRAs.
8. Revenue ruling under section 105 on nonprescription drugs.
  - PUBLISHED 9/22/2003 in IRB 2003-38 as REV. RUL. 2003-102 (released 9/3/2003)
9. Guidance on debit cards.
10. Revenue ruling on the application of section 280G to various bankruptcy situations.
11. Guidance on health care provider incentive payments.
12. Final regulations on Incentive Stock Options.
13. Guidance on the employment taxation and reporting requirements applicable to interest in nonstatutory stock options and deferred compensation transferred to a former spouse incident to divorce.
14. Guidance under section 3121 regarding the definition of salary reduction agreement.
15. Guidance on the employment tax treatment of bonuses paid to employees on the signing of a collectively bargained agreement.
16. Guidance on FICA and FUTA tax with respect to incentive stock options under section 422 and employee stock purchase plans under section 423.
17. Notice on issues with respect to the treatment of choreworkers.
  - PUBLISHED 10/27/2003 in IRB 2003-43 as NOTICE 2003-70 (released 10/3/2003)
18. Guidance on the reporting procedures for successor organizations following Rev. Proc. 96-60.
19. Guidance under section 3504.

20. Revenue ruling under section 4980B on Medicare entitlement as a second qualifying event.
  - PUBLISHED 3/8/2004 in IRB 2004-10 as REV. RUL. 2004-22 (released 2/13/2004)
21. Guidance on tips paid to restaurant employees.
22. Guidance on the deposit requirements for employment tax in connection with the exercise of nonstatutory options.

Additional PGP Projects:

23. Notice on health savings accounts.
  - PUBLISHED 1/12/2004 in IRB 2004-2 as NOTICE 2004-2 (released 12/22/2003)
24. Guidance on the tax treatment of payments under the Smallpox Emergency Personnel Protection Act.
  - PUBLISHED 3/15/2004 in IRB 2004-11 as REV. RUL. 2004-17 (released 3/2/2004)
25. Additional guidance on health savings accounts.
  - PUBLISHED 4/12/2004 in IRB 2004-15 as NOTICE 2004-23 (released 3/30/2004)
26. Regulations on student FICA exception.
  - PUBLISHED 2/25/2004 in FR as NPRM REG-156421-03
27. Notice on student FICA exception.
  - PUBLISHED 3/8/2004 in IRB 2004-10 as NOTICE 2004-12 (released 2/24/2004)
28. Notice on transitional relief for health savings accounts.
  - PUBLISHED 4/12/2004 in IRB 2004-15 as NOTICE 2004-25 (released 3/30/2004)
29. Revenue ruling on high deductible health plans.
  - PUBLISHED 4/12/2004 in IRB 2004-15 as REV. RUL. 2004-38 (released 3/30/2004)
30. Revenue procedure providing transitional relief on prescription drug coverage for individuals covered by a high deductible health plan.
  - PUBLISHED 4/12/2004 in IRB 2004-15 as REV. PROC. 2004-22 (released 3/30/2004)



31. Notice warning taxpayers about questionable positions taken on income tax and alternative minimum tax on the exercise of statutory and nonstatutory stock options.
  - PUBLISHED 4/19/2004 in IRB 2004-16 as NOTICE 2004-28 (released 3/26/2004)
32. Revenue ruling on interaction of health savings accounts, flexible spending accounts, and health reimbursement arrangements.
33. Regulations on transfers of nonstatutory stock options.

## **EXCISE TAXES**

### Original PGP Projects:

1. Final regulations under section 4051 regarding the definition of highway vehicle in sections 145.4051 and 48.4061(a)-1.
2. Guidance regarding the definition of highway tractors subject to the heavy truck tax under section 4051.
3. Guidance under section 4051(a)(2) and (3) regarding suitability for use.
4. Guidance under section 4081 regarding the entry into the United States of taxable fuel.
5. Final regulations under section 4252 regarding toll telephone services.
6. Guidance under section 4261 regarding resellers of air transportation.
7. Guidance under section 4291 regarding the duties of the collector of collected excise taxes.
8. Proposed regulations under section 6416(a)(4) regarding claims for gasoline tax.

## **EXEMPT ORGANIZATIONS**

### Original PGP Projects:

1. Guidance on joint ventures between exempt organizations and for-profit companies.
2. Guidance on low-income housing partnerships and 501(c)(3) participation.
3. Guidance on downpayment assistance organizations.

4. Guidance on section 501(c)(4) organizations.
  - PUBLISHED 1/26/2004 in IRB 2004-4 as REV. RUL. 2004-6 (released 12/23/2003)
5. Guidance concerning the internet and unrelated business income tax.
6. Regulations under section 529 regarding qualified tuition programs.
7. Guidance on reporting requirements applicable to Coverdell education savings accounts.
  - PUBLISHED 8/18/2003 in IRB 2003-33 as NOTICE 2003-53 (released 7/31/2003)
8. Guidance on split interest trusts.
  - WILL BE PUBLISHED 5/10/2004 in IRB 2004-19 as NOTICE 2004-35 (released 4/21/2004)
  - WILL BE PUBLISHED 5/10/2004 in IRB 2004-19 as NOTICE 2004-36 (released 4/21/2004)

Additional PGP Projects:

9. Announcement on suspension of tax exempt status.
  - PUBLISHED 12/1/2003 in IRB 2003-48 as ANN. 2003-74 (released 11/14/2003)

**FINANCIAL INSTITUTIONS AND PRODUCTS**

Original PGP Projects:

1. Proposed regulations regarding accruals on sales of REMIC regular interests between payment dates.
2. Guidance on system upgrade payments made to utilities.
3. Final regulations under section 263(g).
4. Guidance under section 265(a)(2).
5. Proposed regulations on notional principal contracts.
  - PUBLISHED 2/26/2004 in FR as NPRM REG-166012-02
6. Revenue ruling under section 446 concerning the timing rules of hedging transactions not identified under section 1.1221-2(f).
  - PUBLISHED 12/29/2003 in IRB 2003-52 as REV. RUL. 2003-127

7. Final regulations addressing the treatment of inducement fees for REMIC residual interests.
8. Proposed regulations addressing valuation under section 475.
9. Final regulations under section 475(e) and (f).
10. Guidance under section 851 on the treatment of certain obligations backed by Treasury securities for RIC diversification purposes.
11. Revenue ruling under section 856 on customary services performed by REITs.
  - PUBLISHED 3/8/2004 in IRB 2004-10 as REV. RUL. 2004-24
12. Advance notice of proposed rulemaking on interest-only REMIC regular interests.
13. Final regulations on REMIC residual interests.
14. Guidance on credit card transactions.
15. Guidance under section 7872.

Additional PGP Projects:

16. Proposed regulations clarifying the application of the TEFRA audit procedures to REMICs.
17. Guidance regarding the application of section 1(h) to capital gain dividends of RICs and REITs.
18. Revenue ruling under sections 1233 and 1259 regarding the transfer of a short sale position from one broker to another.
  - PUBLISHED 2/23/2004 in IRB 2004-8 as REV. RUL. 2004-15 (released 1/28/2004)
19. Guidance on tax avoidance transactions using offsetting forward currency option contracts.
  - PUBLISHED 12/22/2003 in IRB 2003-51 as NOTICE 2003-81
20. Guidance under section 853 regarding foreign tax credit reporting by regulated investment companies.

**GENERAL TAX ISSUES**Original PGP Projects:

1. Proposed regulations under section 21 regarding the credit for household and dependent care expenses.
2. Final revenue procedure under section 23 regarding the credit for adoption expenses.
3. Guidance under section 32.
4. Guidance under section 41 regarding the research credit.
  - PUBLISHED 1/2/2004 in FR as TD 9104
  - PUBLISHED 1/2/2004 in FR as ANPRM REG-153656-03
5. Final regulations under section 41 regarding the computation of the research credit in a controlled group.
6. Guidance under section 42.
  - PUBLISHED 11/24/2003 in IRB 2003-47 as REV. PROC. 2003-82
7. Final regulations under sections 1.42-6 and 1.42-14 to conform to statutory changes.
  - PUBLISHED 1/6/2004 in FR as TD 9110
8. Guidance under section 45D regarding the new markets tax credit.
  - PUBLISHED 8/25/2003 in IRB 2003-34 as NOTICE 2003-56 (released 7/22/2003)
  - PUBLISHED 9/29/2003 in IRB 2003-39 as NOTICE 2003-64 (released 9/5/2003)
  - PUBLISHED 10/14/2003 in IRB 2003-41 as NOTICE 2003-68 (released 9/23/2003)
  - PUBLISHED 3/11/2004 in FR as TEMP 9116
9. Final regulations under sections 46 and 167 relating to normalization.
10. Guidance under sections 51 and 51A on qualified IV-A recipient.
  - PUBLISHED 11/10/2003 in IRB 2003-45 as REV. RUL. 2003-112 (released 10/17/2003)
11. Guidance regarding the section 59(e) election.
12. Revenue ruling regarding disaster relief payments to businesses.

13. Revenue ruling under sections 61 and 162 on the proper treatment of Medicaid rebates paid by pharmaceutical companies.
14. Guidance regarding the treatment of employee relocation costs.
15. Final regulations under section 121(c) regarding the reduced maximum exclusion for gain on the sale of a principal residence.
16. Revenue ruling under sections 121 and 1031 regarding like-kind exchange of a principal residence.
17. Guidance under section 152 regarding the release of a claim for exemption for a child of divorced or separated parents.
18. Guidance under section 165 regarding the deduction for worthless stock of subsidiaries for which an election under the check-the-box regulations has been made.
  - PUBLISHED 12/24/2003 in IRB 2003-52 as REV. RUL. 2003-125
19. Final regulations under section 167 regarding the income forecast method.
20. Proposed and temporary regulations under section 168 relating to like-kind exchanges.
  - PUBLISHED 3/1/2004 in FR as TEMP 9115
21. Final regulations under section 168 regarding depreciation of property for which the use changes.
22. Proposed and temporary regulations under sections 168 and 1400L regarding special depreciation allowance.
  - PUBLISHED 9/8/2003 in FR as TEMP 9091
23. Guidance under section 168 regarding changes in classification of property.
  - PUBLISHED 1/2/2004 in FR as TEMP 9105
24. Guidance under section 168 on asset classes and activity classes under Rev. Proc. 87-56.
25. Guidance under section 172 regarding specified liability losses.
26. Guidance under section 174 regarding the treatment of inventory property.
27. Guidance under section 179 on elections.
28. Final regulations under section 221 regarding interest on education loans.

29. Revenue procedure under section 274 regarding the use of statistical sampling.
30. Final regulations under section 280F regarding vans and light trucks.
31. Final regulations under section 465 regarding interest other than as a creditor.
32. Guidance under section 1031 regarding reverse like-kind exchanges of property.
33. Revenue ruling under section 1241 on cancellation of lease or distributor agreements.
34. Guidance on corporations chartered under Indian tribal law.

Additional PGP Projects:

35. Revenue ruling under sections 61, 104, 130, and 139 regarding payments made to claimants of the September 11<sup>th</sup> Victim Compensation Fund of 2001.
  - PUBLISHED 11/17/2003 in IRB 2003-46 as REV. RUL. 2003-115
36. Notice regarding charitable contributions of patents and other intellectual property.
  - PUBLISHED 1/20/2004 in IRB 2004-3 as NOTICE 2004-7
37. Guidance under section 1031 regarding the use of SIC codes in like kind exchanges of depreciable tangible property.
38. Notice under section 29 regarding chemical change.
  - PUBLISHED 11/17/2003 in IRB 2003-46 as NOTICE 2003-70  
(released 10/29/2003)
39. Final regulations under section 42 removing a barrier to the electronic filing of Form 8609 relating to the low-income housing credit.
  - PUBLISHED 1/27/2004 in FR as TD 9112
40. Revenue procedure under section 446 regarding improper to proper depreciation changes.
  - PUBLISHED 1/20/2004 in IRB 2004-3 as REV. PROC. 2004-11  
(released 12/30/2003)
41. Revenue procedure under section 29 regarding when the credit can be claimed.
  - WILL BE PUBLISHED 4/26/2004 in IRB 2004-17 as REV. PROC. 2004-27  
(released 4/5/2004)
42. Revenue ruling under section 126 regarding the Forest Land Enhancement Program (FLEP) cost share payments.
  - PUBLISHED 3/8/2004 in IRB 2004-10 as REV. PROC. 2004-8

43. Revenue procedure under section 611 regarding recoverable reserves for oil and gas.
  - PUBLISHED 3/8/2004 in IRB 2004-10 as REV. PROC. 2004-19
44. Notice on stock loss deductions.
  - PUBLISHED 4/19/2004 in IRB 2004-16 as NOTICE 2004-27 (released 3/25/2004)

## **GIFTS, ESTATES AND TRUSTS**

### Original PGP Projects:

1. Guidance under section 642(c) regarding the contribution of a qualified conservation easement.
  - PUBLISHED 12/15/2003 in IRB 2003-50 as REV. RUL. 2003-123
2. Final regulations under section 643 regarding state law definition of income for trust purposes.
  - PUBLISHED 1/2/2004 in FR as TD 9102
3. Update revenue procedures under section 664 containing sample charitable remainder unitrust provisions.
4. Guidance under section 664 regarding dividends and capital gains for charitable remainder trusts.
  - PUBLISHED 11/20/2003 in FR as NPRM REG-110896-98
5. Final regulations under section 671 regarding reporting requirements for widely-held fixed investment trusts.
6. Guidance under sections 671 and 2036 regarding tax reimbursement provisions in grantor trusts.
7. Guidance under section 2032 regarding section 301.9100 relief.
  - PUBLISHED 12/24/2003 in FR as NPRM REG-139845-02
8. Guidance under section 2053 regarding post-death events.
9. Guidance under section 2632 regarding the election out of the deemed allocation of the generation-skipping transfer tax exemption.
10. Guidance under section 2642 regarding issues related to the generation-skipping transfer tax exemption.
11. Guidance under section 2642 regarding qualified severance.

12. Guidance under section 2651 regarding the predeceased parent rule.
13. Guidance under section 2704 regarding the liquidation of an interest.

Additional PGP Projects:

14. Guidance under section 2702 regarding qualified interests.
  - PUBLISHED 11/3/2003 in IRB 2003-44 as NOTICE 2003-72 (released 10/15/2003)
15. Revenue ruling under section 642(c) regarding governing instrument requirements.
  - PUBLISHED 1/20/2004 in IRB 2004-3 as REV. RUL. 2004-5

**INSURANCE COMPANIES AND PRODUCTS**

Original PGP Projects:

1. Revenue ruling concerning reserves used to calculate required interest under section 812.
  - PUBLISHED 12/1/2003 in IRB 2003-48 as REV. RUL. 2003-120
2. Guidance regarding substantially equal periodic payments under section 72(q).
  - PUBLISHED 3/1/2004 in IRB 2004-9 as NOTICE 2004-15
3. Guidance regarding the 2001 CSO mortality tables.
4. Guidance regarding split-dollar life insurance.
  - PUBLISHED 9/17/2003 in FR as TD 9092

Additional PGP Projects:

5. Revenue ruling describing prior guidance on split-dollar life insurance that, due to subsequent guidance, is obsolete.
  - PUBLISHED 10/6/2003 in IRB 2003-40 as REV. RUL. 2003-105
6. Final regulations under section 817.

**INTERNATIONAL ISSUES**

**A. Subpart F/Deferral**

Original PGP Projects:

1. Regulations on the allocation of subpart F income.
2. Regulations under section 959 on previously taxed earnings and profits.



3. Guidance on the PFIC provisions.

## **B. Inbound Transactions**

### Original PGP Projects:

1. Guidance on cross-border pension distributions.
2. Guidance under section 1441.
  - PUBLISHED 4/5/2004 in IRB 2004-14 as REV. PROC. 2004-21
3. Guidance on securities lending.
4. Guidance on the treatment of certain financial products for withholding purposes.
5. Regulations under section 1446.
6. Regulations relating to the reporting of bank deposit interest.

## **C. Outbound Transactions**

### Original PGP Projects:

1. Guidance on international restructurings.
2. Guidance follow-up to Notice 2003-46.
  - PUBLISHED 10/22/2003 in FR as TD 9093 and NPRM REG-110385-99

## **D. Foreign Tax Credits**

### Original PGP Projects:

1. Regulations on the allocation of foreign taxes under section 901.
  - PUBLISHED 3/15/2004 in IRB 2004-11 as NOTICE 2004-19 (released 2/17/2004)
  - PUBLISHED 3/15/2004 in IRB 2004-11 as NOTICE 2004-20 (released 2/17/2004)
2. Regulations under sections 902 and 904.
3. Regulations on look-through treatment for 10/50 company dividends (see Notice 2003-5).
4. Regulations on the change of taxable year and foreign tax credits.

## **E. Transfer Pricing**

### Original PGP Projects:

1. Regulations on the treatment of cross-border services.
2. Regulations on cost sharing under section 482.
3. Guidance on the APA process (Rev. Proc. 96-53).
4. Regulations on global dealing.

## **F. Sourcing and Expense Allocation**

### Original PGP Projects:

1. Guidance on interest expense apportionment.
  - PUBLISHED 3/26/2004 in FR as TEMP 9120
2. Regulations on the allocation and apportionment of charitable contributions.
3. Regulations relating to the treatment of fringe benefits.
4. Guidance on the source of payments for cross-border use of property.
5. Regulations under sections 863(d) and (e).

## **G. Treaties**

### Original PGP Projects:

1. Treaty guidance on the determination of residence for dual resident companies.
2. Treaty guidance under the independent services article for nonresident partners.
  - PUBLISHED 2/17/2004 in IRB 2004-7 as REV. RUL. 2004-3  
(released 1/29/2004)
3. Guidance on the procedures for claiming treaty waiver of insurance excise tax.
  - PUBLISHED 11/10/2003 in IRB 2003-45 as REV. PROC. 2003-78  
(released 10/10/2003)
4. Guidance on reporting for Canadian RRSPs and other plans.
  - PUBLISHED 8/25/2003 in IRB 2003-34 as NOTICE 2003-57  
(released 8/1/2003)
  - PUBLISHED 12/8/2003 in IRB 2003-49 as NOTICE 2003-75  
(released 11/26/2003)

## H. Other

### Original PGP Projects:

1. Guidance on the definition of “qualified foreign corporation” for purposes of taxation of dividends received by individuals.
  - PUBLISHED 10/20/2003 in IRB 2003-42 as NOTICE 2003-69 (released 9/30/2003)
  - PUBLISHED 10/27/2003 in IRB 2003-43 as NOTICE 2003-71 (released 10/3/2003)
  - PUBLISHED 12/15/2003 in IRB 2003-50 as NOTICE 2003-79 (released 11/26/2003)
2. Regulations under section 269B.
3. Guidance on cross-border insurance issues.
4. Guidance on possessions issues.
5. Regulations concerning the treatment of currency gain or loss.
6. Regulations under section 1503(d).

### Additional PGP Projects:

7. Revenue ruling relating to convention benefits under section 274(h).
  - PUBLISHED 10/20/2003 in IRB 2003-42 as REV. RUL. 2003-109 (released 9/30/2003)
8. Announcement of agreement relating to the limitation on benefits article in the U.S.-Swiss Income Tax Convention.
  - PUBLISHED 10/6/2003 in IRB 2003-40 as ANN. 2003-59
9. Announcement of agreement relating to deferred compensation under the U.S.-Austrian Income Tax Convention.
  - PUBLISHED 10/6/2003 in IRB 2003-40 as ANN. 2003-58
10. Announcement of agreement implementing the mutual agreement procedures of the U.S.-Dutch Income Tax Convention.
  - PUBLISHED 11/10/2003 in IRB 2003-45 as ANN. 2003-63
11. Notice regarding information reporting with respect to foreign disregarded entities.
  - PUBLISHED 1/26/2004 in IRB 2004-4 as NOTICE 2004-4 (released 12/29/2003)

12. Regulations regarding electronic filing of duplicate forms 5472.
  - PUBLISHED 2/9/2004 in FR as TEMP 9113
13. Announcement and Report Concerning Advance Pricing Agreements.
  - PUBLISHED 4/12/2004 in IRB 2004-15 as ANN. 2004-26  
(released 3/30/2004)

## **PARTNERSHIPS**

### Original PGP Projects:

1. Guidance regarding partnership transactions under section 337(d).
2. Final regulations under section 460 regarding partnership transactions for long-term contracts.
3. Final regulations under section 704(b) regarding capital account book-up.
4. Guidance under section 704(b) regarding the allocation of foreign tax credits.
5. Guidance under section 704(c).
  - PUBLISHED 11/24/2003 in FR as NPRM REG-160330-02
  - WILL BE PUBLISHED 5/3/2004 in IRB 2004-18 as REV. RUL. 2004-43  
(released 4/12/2004)
6. Guidance under section 707 regarding disguised sales.
7. Proposed regulations under section 721 regarding partnership interests issued for services and the treatment of compensatory partnership options.
8. Update of the section 751 regulations.
9. Final regulations under section 752 regarding the assumption of partner liabilities.
10. Guidance under section 752 where a general partner is a disregarded entity.
11. Guidance on the application of section 1045 to certain partnership transactions.
12. Guidance under section 6031 on the reporting requirements of tax-exempt bond partnerships.
  - PUBLISHED 11/10/2003 in FR as TEMP 9094
  - PUBLISHED 12/1/2003 in IRB 2003-48 as REV. PROC. 2003-84  
(released 11/6/2003)
13. Guidance under section 7701 regarding Delaware Statutory Trusts.

14. Guidance under section 7701 regarding disregarded entities and collection issues.
  - PUBLISHED 4/1/2004 in FR as NPRM REG-106681-02

Additional PGP Projects:

15. Notice under section 772 regarding dividends as a separately stated item.
  - PUBLISHED 2/17/2004 in IRB 2004-7 as NOTICE 2004-5  
(released 1/27/2004)

**SUBCHAPTER S**

Original PGP Projects:

1. Revenue ruling under section 1361 regarding QSub elections.
2. Guidance on the treatment of LIFO recapture under section 1363(d).
3. Guidance under section 7701 on deemed corporation entity elections for electing S corporations.

Additional PGP Projects:

4. Revenue procedure under section 1362 regarding S corporation rollover to IRA.
  - PUBLISHED 2/17/2004 in IRB 2004-7 as REV. PROC. 2004-14

**TAX ACCOUNTING**

Original PGP Projects:

1. Final regulations under sections 162 and 263 regarding the deduction and capitalization of expenditures for intangible assets.
  - PUBLISHED 1/5/2004 in FR as TD 9107
2. Regulations under sections 162 and 263 regarding the deduction and capitalization of expenditures for tangible assets.
  - PUBLISHED 1/20/2004 in IRB 2004-3 as NOTICE 2004-6
3. Guidance under sections 162 and 263 regarding the deduction and capitalization of costs incurred to fertilize established timber stands.
4. Revenue ruling regarding the deduction and capitalization of costs incurred by utilities to maintain assets used to generate power.
5. Guidance under sections 165 regarding the treatment of preproduction costs of creative property.

6. Regulations under section 263A regarding the simplified service cost and simplified production methods.
7. Guidance under section 263A regarding “negative” additional section 263A costs.
8. Final regulations under sections 263A and 448 regarding adjustments under section 481(a) for certain changes in accounting method.
9. Regulations under section 381 regarding changes in method of accounting.
10. Guidance under section 442 regarding the period for taking into account adjustments resulting from certain changes in annual accounting period by pass-through entities.
  - PUBLISHED 11/10/2003 in IRB 2003-45 as REV. PROC. 2003-79
11. Revenue procedure under section 446 regarding changes in method of accounting for rotatable spare parts.
12. Regulations under section 446 regarding methods of accounting.
13. Temporary regulations under section 448 regarding the nonaccrual experience method.
  - PUBLISHED 9/4/2003 in FR as TEMP 9090
14. Final revenue procedure under section 451 regarding the treatment of advance payments.
15. Revenue ruling under section 461 regarding the proper year for the deduction of payroll taxes on deferred compensation by accrual method taxpayers.
16. Regulations under section 468B regarding certain escrow funds.
17. Guidance on the tax treatment of vendor allowances involving buildouts and image upgrades.
18. Revenue ruling under section 1341 regarding the claim of right.
  - PUBLISHED 2/23/2004 in IRB 2004-8 as REV. RUL. 2004-17 (released 2/6/2004)

Additional PGP Projects:

19. Notice under section 263A regarding the simplified service cost and simplified production methods.
  - PUBLISHED 9/2/2003 in IRB 2003-35 as NOTICE 2003-59

20. Revenue ruling under section 263A regarding the treatment of environmental remediation expenses.
  - PUBLISHED 2/23/2004 in IRB 2004-8 as REV. RUL. 2004-18 (released 2/6/2004)
21. Final, temporary and proposed regulations under section 461(f) regarding transfers to satisfy contested liabilities.
  - PUBLISHED 11/21/2003 in FR as TD 9095 and NPRM REG-136890-02
22. Notice under section 461(f) identifying certain transfers to trusts for contested liabilities as listed transactions.
  - PUBLISHED 12/8/2003 in IRB 2003-49 as NOTICE 2003-77 (released 11/19/2003)
23. Guidance providing procedures under which taxpayers may obtain automatic consent to change a method of accounting to comply with sections 1.263(a)-4 and 1.263(a)-5.
  - PUBLISHED 4/19/2004 in IRB 2004-16 as REV. PROC. 2004-23 (released 3/24/2004)
24. Guidance regarding the treatment of capitalized costs in certain transactions involving the acquisition of a trade or business or a change in the capital structure of a business entity.
  - PUBLISHED 3/15/2004 in IRB 2004-11 as NOTICE 2004-18 (released 2/19/2004)
25. Final regulations under section 461(f) regarding transfers to satisfy contested liabilities.
26. Revenue procedure regarding changes in methods of accounting for transfers to trusts for contested liabilities under section 461(f).
27. Final, temporary, and proposed regulations regarding uniform capitalization of interest expense under section 263A in safe harbor sale and leaseback transactions.
28. Withdrawal of section 1.463-1T regarding a transitional rule election for accruing a deduction for vacation pay under former section 463.
29. Guidance under section 468B regarding the tax treatment of a single-claimant qualified settlement fund.

## TAX ADMINISTRATION

### Original PGP Projects:

1. Update Rev. Proc. 85-35 regarding claims for relief by victims of terrorism.
  - WILL BE PUBLISHED 5/10/2004 in IRB 2004-19 as REV. PROC. 2004-26
2. Final regulations under section 5891 regarding structured settlement factoring transactions.
3. Annual compilation of Tax Shelter Listed Transactions under section 6011.
  - PUBLISHED 12/8/2003 in IRB 2003-49 as NOTICE 2003-76 (released 11/7/2003)
4. Final regulations regarding electronic payee statements.
  - PUBLISHED 2/18/2004 in FR as TD 9114
5. Proposed regulations regarding what constitutes a return under section 6020(b) for purposes of applying the failure to pay penalty.
6. Guidance regarding information reporting under section 6041 for commissions paid to insurance agents.
7. Revenue ruling regarding information reporting for royalty payments under sections 6041 and 6050N.
8. Final regulations regarding information reporting and backup withholding for purchasing card transactions.
9. Revenue procedure regarding Qualified Payment Card Agents.
10. Guidance regarding information reporting with respect to payments in lieu of dividends made to individuals.
  - PUBLISHED 10/6/2003 in IRB 2003-40 as NOTICE 2003-67 (released 9/16/2003)
  - PUBLISHED 12/29/2003 in FR as TD 9103
11. Final regulations under section 6045(f) regarding the reporting of gross proceeds to attorneys.
12. Final regulations under section 6050P regarding information reporting for cancellation of indebtedness.



13. Final regulations under section 6091 regarding hand carrying returns.
14. Proposed regulations under section 6103 regarding the disclosure of unrelated third party tax information in tax proceedings.
15. Final regulations under section 6103 regarding the definition of "agent".
  - PUBLISHED 1/6/2004 in FR as TD 9111
16. Revenue procedure under section 6103 regarding fees charged for furnishing certain returns and return information.
  - PUBLISHED 10/27/2003 in IRB 2003-43 as REV. PROC. 2003-74
17. Final regulations regarding the ability of a return preparer to furnish a completed copy of an income tax return to the taxpayer using a medium other than paper.
  - PUBLISHED 3/25/2004 in FR as TD 9119
18. Withdrawal of regulations under former section 6152 relating to the election by a decedent's estate to pay income tax in installments.
  - PUBLISHED 12/3/2003 in FR as TD 9096
19. Update Rev. Ruls. 75-365, 366, and 367 regarding interests in real estate held by a decedent.
20. Guidance regarding the use of summary assessment procedures with respect to claimed Black Reparations and similar credits.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-33 (released 3/1/2004)
21. Guidance under section 6213 regarding math error assessments based on a Form W-2.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-34 (released 3/1/2004)
22. Revenue ruling regarding the classification of items and the statute of limitations under the TEFRA partnership provisions.
23. Revenue ruling under section 6231 regarding the application of certain TEFRA partnership provisions to disregarded entities.
24. Final regulations under section 6302 regarding the minimum threshold for depositing FUTA taxes.
25. Proposed regulations under sections 6320 and 6330 regarding collection due process.

26. Notice regarding collection issues relating to property held as a tenancy by the entirety arising from the Supreme Court's opinion in United States v. Craft.
  - PUBLISHED 9/29/2003 in IRB 2003-39 as NOTICE 2003-60 (released 9/11/2003)
27. Revenue ruling regarding the limitations on setoff.
28. Revenue ruling regarding setoff with respect to a taxpayer in bankruptcy.
29. Proposed regulations under section 6655 regarding estimated tax payments by corporations.
30. Final regulations under sections 6662 and 6664 regarding penalties relating to tax shelters.
  - PUBLISHED 12/30/2003 in FR as TD 9109
31. Revenue procedure regarding the submission and processing of offers-in-compromise.
  - PUBLISHED 9/8/2003 in IRB 2003-36 as REV. PROC. 2003-71 (released 8/21/2003)
32. Final regulations imposing a user fee for offers-in-compromise.
  - PUBLISHED 8/15/2003 in FR as TD 9086
33. Guidance necessary to facilitate electronic tax administration.
34. Final regulations under section 7430 regarding qualified offers.
  - PUBLISHED 12/29/2003 in FR as TD 9106
35. Proposed regulations under section 7430 regarding miscellaneous changes made by TRA 97 and RRA 98.
36. Update Rev. Proc. 87-24 regarding docketed Tax Court cases.
37. Proposed regulations regarding third party and John Doe summonses.
38. Revenue procedure regarding the early examination of questionable transactions.
39. Revisions to Circular 230 regarding practice before the IRS.
  - PUBLISHED 12/30/2003 in FR as NPRM REG-122379-02
  - PUBLISHED 4/12/2004 in IRB 2004-15 as ANN. 2004-29 (released 3/24/2004)
40. Revenue procedure expanding the prefiling agreement program.

Additional PGP Projects:

41. Announcement regarding a delay of the implementation of the new rolling renewal schedule for enrolled agents to renew their enrollment under Circular 230.
  - PUBLISHED 11/10/2003 in IRB 2003-45 as ANN. 2003-68 (released 10/27/2003)
  - WILL BE PUBLISHED 4/26/2004 in IRB 2004-17 as ANN. 2004-35 (released 4/2/2004)
42. Revenue ruling under section 6323 regarding the effect of actual knowledge of a tax lien for priority purposes.
  - PUBLISHED 11/3/2003 in IRB 2003-44 as REV. RUL. 2003-108
43. Final, temporary and proposed regulations under section 6011 to remove impediments to electronic filing of certain business returns.
  - PUBLISHED 12/19/2003 in FR as TD 9100 and NPRM REG-116664-01
44. Notice under section 6001 establishing a pilot program for entering into a record keeping agreement relating to the research credit under section 41.
  - PUBLISHED 2/9/2004 in IRB 2004-6 as NOTICE 2004-11 (released 2/2/2004)
45. Revenue ruling under section 6402 regarding post-petition credits in chapter 13 bankruptcy cases.
  - CLOSED WITHOUT PUBLICATION
46. Temporary regulations under sections 6043 and 6045 regarding information reporting relating to taxable stock transactions.
  - PUBLISHED 12/30/2003 in FR as TEMP 9101
  - PUBLISHED 1/26/2004 in IRB 2004-4 as NOTICE 2004-9 (released 12/30/2003)
47. Guidance under section 6041 regarding information reporting relating to debit or credit card payments of health expenses.
  - PUBLISHED 3/1/2004 in IRB 2004-9 as NOTICE 2004-16 (released 2/12/2004)
48. Notice providing relief to health insurance providers from the section 6050T information reporting requirements.
49. Notice regarding changes to the ITIN application process.
  - PUBLISHED 1/12/2004 in IRB 2004-2 as NOTICE 2004-1 (released 12/18/2003)
50. Revenue ruling under section 6402 regarding offset under the community property laws of various states.

51. Revenue ruling regarding the liability of multi-members of a limited liability company for employment taxes.
  - WILL BE PUBLISHED 5/3/2004 in IRB 2004-18 as REV. RUL. 2004-41
52. Notice regarding the use of signature stamps by practitioners.
53. Final regulations under section 6011 regarding confidential transactions.
  - PUBLISHED 12/30/2003 in FR as TD 9108
54. Notice under section 6011 regarding S corporation tax shelters.
  - WILL BE PUBLISHED 4/26/2004 in IRB 2004-17 as NOTICE 2004-30 (released 4/1/2004)
55. Notice describing common mistakes that taxpayers make on their federal income tax returns.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as NOTICE 2004-13 (released 3/1/2004)
56. Notice describing common frivolous arguments used by taxpayers in an attempt to avoid or evade tax.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as NOTICE 2004-22 (released 3/1/2004)
57. Revenue ruling regarding frivolous arguments based on the improper use of a purported “corporation sole” entity.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-27 (released 3/1/2004)
58. Revenue ruling regarding frivolous arguments relating to the foreign income exclusion under section 911.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-28 (released 3/1/2004)
59. Revenue ruling regarding frivolous arguments based on a meritless “claim of right”.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-29 (released 3/1/2004)
60. Revenue ruling regarding frivolous arguments under section 861 relating to income from sources within the United States.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-30 (released 3/1/2004)
61. Revenue ruling regarding frivolous arguments relating to the purported “removal” of the taxpayer from the federal tax system and meritless attempts to “chargeback” debts purportedly owed to the taxpayer by the Government.

- PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-31  
(released 3/1/2004)
62. Revenue ruling regarding frivolous arguments relating to personal, living or family expenses that are claimed to be attributable to a home-based business that is either nonexistent or is not a bona fide trade or business.
- PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-32  
(released 3/1/2004)
63. Notice soliciting suggestions for the 2004-2005 Guidance Priority List.
- PUBLISHED 4/19/2004 in IRB 2004-16 as NOTICE 2004-26  
(released 3/24/2004)

## **TAX EXEMPT BONDS**

### Original PGP Projects:

1. Guidance under section 141 regarding naming rights.
2. Guidance on correction alternatives and voluntary compliance for tax exempt bond provisions.
3. Final regulations under section 141 on refundings.
4. Proposed regulations under section 141 regarding allocation and accounting provisions.
5. Regulations under section 142 regarding solid waste disposal facilities.
6. Guidance under section 143 regarding mortgage insurance fees.
  - PUBLISHED 11/5/2003 in FR as NPRM REG-146692-03
7. Guidance under section 143 regarding average area purchase price.
  - PUBLISHED 3/1/2004 in IRB 2004-9 as REV. PROC. 2004-18  
(released 2/10/2004)
8. Final regulations under section 148 regarding brokers' commissions and similar fees.
  - PUBLISHED 12/11/2003 in FR as TD 9097
9. Guidance on arbitrage.
10. Guidance under section 150 regarding change in use provisions.
11. Guidance under section 1397E regarding qualified zone academy bonds.
  - PUBLISHED 3/25/2004 in FR as NPRM REG-121475-03

Additional PGP Projects:

12. Revenue ruling under section 147(e) regarding helicopters.
  - PUBLISHED 11/17/2003 in IRB 2003-46 as REV. RUL. 2003-116 (released 10/29/2003)

**APPENDIX - Regularly Scheduled Publications**

## JULY 2003

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 7/7/2003 in IRB 2003-27 as REV. RUL. 2003-71
2. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in July 2003.
  - PUBLISHED 7/28/2003 in IRB 2003-30 as NOTICE 2003-48 (released 7/3/2003)
3. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
  - PUBLISHED 7/21/2003 in IRB 2003-29 as REV. RUL. 2003-87

## AUGUST 2003

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 8/18/2003 in IRB 2003-33 as REV. RUL. 2003-94
2. Revenue procedure providing the amounts of unused housing credit carryover allocated to qualified states under section 42(h)(3)(D) for the calendar year.
  - PUBLISHED 8/25/2003 in IRB 2003-34 as REV. PROC. 2003-67
3. Notice providing the inflation adjustment factor to be used in determining the enhanced oil recovery credit under section 43 for tax years beginning in the calendar year.
  - PUBLISHED 7/14/2003 in IRB 2003-28 as NOTICE 2003-43
4. Notice providing the applicable percentage to be used in determining percentage depleting for marginal properties under section 613A for the calendar year.
  - PUBLISHED 7/29/2003 in IRB 2003-30 as NOTICE 2003-54
5. Revenue ruling setting forth the terminal charge and the standard industry fare level (SIFL) cents-per-mile rates for the second half of 2003 for use in valuing personal flights on employer-provided aircraft.
  - PUBLISHED 9/15/2003 in IRB 2003-37 as REV. RUL. 2003-89
6. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in August 2003.

- PUBLISHED 9/2/2003 in IRB 2003-25 as NOTICE 2003-58 (released 8/6/2003)
7. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
    - PUBLISHED 8/25/2003 in IRB 2003-34 as REV. RUL. 2003-100

#### SEPTEMBER 2003

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 9/8/2003 in IRB 2003-36 as REV. RUL. 2003-101
2. Revenue ruling providing the monthly bond factor amounts to be used by taxpayers who dispose of qualified low-income buildings or interests therein during the period July through September, 2003.
  - PUBLISHED 8/18/2003 in IRB 2003-33 as REV. RUL. 2003-93
3. Revenue ruling under section 6621 regarding the applicable interest rates for overpayments and underpayments of tax for the period October through December 2003.
  - PUBLISHED 9/29/2003 in IRB 2003-39 as REV. RUL. 2003-104
4. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in September 2003.
  - PUBLISHED 9/22/2003 in IRB 2003-38 as NOTICE 2003-63 (released 9/4/2003)
5. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
  - PUBLISHED 9/22/2003 in IRB 2003-38 as REV. RUL. 2003-103
6. Revenue procedure under section 62 regarding the deduction and deemed substantiation of federal standard mileage amounts.
  - PUBLISHED 10/27/2003 in IRB 2003-43 as REV. PROC. 2003-76
7. Revenue procedure under section 62 regarding the deduction and deemed substantiation of federal travel per diem amounts.
  - PUBLISHED 11/10/2003 in IRB 2003-45 as REV. PROC. 2003-80
8. Update Notice 2002-62 to add approved applicants for designated private delivery service status under section 7502(f). Will be published only if any new applicants are approved.
  - CLOSED WITHOUT PUBLICATION



## OCTOBER 2003

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 10/14/2003 in IRB 2003-41 as REV. RUL. 2003-107 (released 9/17/2003)
2. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in October 2003.
  - PUBLISHED 10/20/2003 in IRB 2003-42 as NOTICE 2003-61 (released 10/6/2003)
3. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
  - PUBLISHED 11/3/2003 in IRB 2003-44 as REV. RUL. 2003-113
4. Revenue procedure under section 1 and other sections of the Code regarding the inflation adjusted items for 2004.
  - PUBLISHED 12/8/2003 in IRB 2003-49 as REV. PROC. 2003-85
5. Revenue procedure providing the loss payment patterns and discount factors for the 2003 accident year to be used for computing unpaid losses under section 846.
  - PUBLISHED 1/12/2004 in IRB 2004-2 as REV. PROC. 2004-9 (released 12/17/2003)
6. Revenue procedure providing the salvage discount factors for the 2003 accident year to be used for computing discounted estimated salvage recoverable under section 832.
  - PUBLISHED 1/12/2004 in IRB 2004-2 as REV. PROC. 2004-10 (released 12/17/2003)
7. Update of Rev. Proc. 2002-71 listing the tax deadlines that may be extended by the Commissioner under section 7508A in the event of a Presidentially-declared disaster or terrorist attack.
  - PUBLISHED 1/26/2004 in IRB 2004-4 as REV. PROC. 2004-13

## NOVEMBER 2003

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 11/10/2003 in IRB 2003-45 as REV. RUL. 2003-114 (released 10/17/2003)

2. Revenue ruling providing the “base period T-Bill rate” as required by section 995(f)(4).
  - PUBLISHED 11/10/2003 in IRB 2003-45 as REV. RUL. 2003-111
3. Revenue ruling setting forth covered compensation tables for the 2004 calendar year for determining contributions to defined benefit plans and permitted disparity.
  - PUBLISHED 12/8/2003 in IRB 2003-49 as REV. RUL. 2003-124 (released 11/21/2003)
4. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in November 2003.
  - PUBLISHED 11/24/2003 in IRB 2003-47 as NOTICE 2003-74 (released 11/7/2003)
5. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
  - PUBLISHED 12/1/2003 in IRB 2003-48 as REV. RUL. 2003-121
6. Update of Rev. Proc. 2002-66 regarding adequate disclosure for purposes of the section 6662 substantial understatement penalty and the section 6694 preparer penalty.
  - PUBLISHED 11/3/2003 in IRB 2003-44 as REV. PROC. 2003-77
7. News release setting forth cost-of living adjustments effective January 1, 2004, applicable to the dollar limits on benefits under qualified defined benefit pension plans and other provisions affecting certain plans of deferred compensation.
  - PUBLISHED 11/10/2003 in IRB 2003-45 as NOTICE 2003-73 (released 10/16/2003 as IR-2003-122)

#### DECEMBER 2003

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 12/8/2003 in IRB 2003-49 as REV. RUL. 2003-122 (released 11/18/2003)
2. Revenue ruling providing the monthly bond factor amounts to be used by taxpayers who dispose of qualified low-income buildings or interests therein during the period October through December, 2003.
  - PUBLISHED 11/17/2003 in IRB 2003-46 as REV. RUL. 2003-117
3. Revenue ruling under section 6621 regarding the applicable interest rates for overpayments and underpayments of tax for the period January through March 2004.
  - PUBLISHED 12/29/2003 in IRB 2003-52 as REV. RUL. 2003-126

4. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in December 2003.
  - PUBLISHED 12/22/2003 in IRB 2003-51 as NOTICE 2003-80
5. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
  - PUBLISHED 12/29/2003 in IRB 2003-52 as REV. RUL. 2003-128
6. Revenue procedure setting forth, pursuant to section 1397E, the maximum face amount of Qualified Zone Academy Bonds that may be issued for each state during 2004.
7. Federal Register notice on Railroad Retirement Tier 2 tax rate.
  - PUBLISHED 12/15/2003 in IRB 2003-50 as NOTICE 2003-78 (released 11/25/2003) (also PUBLISHED 11/25/2003 in FR)

#### JANUARY 2004

1. Revenue procedure updating the procedures for issuing private letter rulings, determination letters, and information letters on specific issues under the jurisdiction of the Chief Counsel.
  - PUBLISHED 1/5/2004 in IRB 2004-1 as REV. PROC. 2004-1
2. Revenue procedure updating the procedures for furnishing technical advice to certain IRS offices, in the areas under the jurisdiction of the Chief Counsel.
  - PUBLISHED 1/5/2004 in IRB 2004-1 as REV. PROC. 2004-2
3. Revenue procedure updating the previously published list of “no-rule” issues under the jurisdiction of certain Associates Chief Counsel other than the Associate Chief Counsel (International) on which advance letter rulings or determination letters will not be issued.
  - PUBLISHED 1/5/2004 in IRB 2004-1 as REV. PROC. 2004-3
4. Revenue procedure updating the previously published list of “no-rule” issues under the jurisdiction of the Associate Chief Counsel (International) on which advance letter rulings or determination letters will not be issued.
  - PUBLISHED 1/5/2004 in IRB 2004-1 as REV. PROC. 2004-7
5. Revenue procedure updating procedures for furnishing letter rulings, general information letters, etc. in employee plans and exempt organization matters relating to sections of the Code under the jurisdiction of the Office of the Commissioner, Tax Exempt and Government Entities Division.
  - PUBLISHED 1/5/2004 in IRB 2004-1 as REV. PROC. 2004-4

6. Revenue procedure updating procedures for furnishing technical advice in employee plans and exempt organization matters under the jurisdiction of the Commissioner, Tax Exempt and Government Entities Division.
  - PUBLISHED 1/5/2004 in IRB 2004-1 as REV. PROC. 2004-5
7. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 1/12/2004 in IRB 2004-2 as REV. RUL. 2004-2  
(released 12/19/2003)
8. Revenue ruling setting forth the prevailing state assumed interest rates provided for the determination of reserves under section 807 for contracts issued in 2003 and 2004.
  - PUBLISHED 2/23/2004 in IRB 2004-8 as REV. RUL. 2004-14  
(released 1/28/2004)
9. Revenue ruling providing the dollar amounts, increased by the 2003 inflation adjustment for section 1274A.
  - PUBLISHED 11/24/2003 in IRB 2003-47 as REV. RUL. 2003-119
10. Revenue ruling setting forth the amount that section 7872 permits a taxpayer to lend to a qualified continuing care facility without incurring imputed interest, adjusted for inflation.
  - PUBLISHED 11/24/2003 in IRB 2003-47 as REV. RUL. 2003-118
11. Revenue procedure providing procedures for limitations on depreciation deductions for owners of passenger automobiles first placed in service during the calendar year; amounts to be included in income by lessees of passenger automobiles first leased during the calendar year; and the maximum allowable value of employer-provided automobiles first made available to employees for personal use in the calendar year.
  - PUBLISHED 3/29/2004 in IRB 2004-13 as REV. PROC. 2004-20
12. Revenue procedure providing the domestic asset/liability percentages and the domestic investment yield percentages for taxable years beginning after December 31, 2003, for foreign companies conducting insurance business in the U.S.
13. Revenue procedure updating procedures for issuing determination letters on the qualified status of employee plans under sections 401(a), 403(a), 409, and 4975.
  - PUBLISHED 1/5/2004 in IRB 2004-1 as REV. PROC. 2004-6
14. Revenue procedure updating the user fee program as it pertains to requests for letter rulings, determination letters, etc. in employee plans and exempt organizations matters under the jurisdiction of the Office of the Commissioner, Tax Exempt and Government Entities Division.

- PUBLISHED 1/5/2004 in IRB 2004-1 as REV. PROC. 2004-8
15. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in January 2004.
    - PUBLISHED 2/2/2004 in IRB 2004-5 as NOTICE 2004-3  
(released 1/8/2004)
  16. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
    - PUBLISHED 1/26/2004 in IRB 2004-4 as REV. RUL. 2004-7

#### FEBRUARY 2004

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 2/9/2004 in IRB 2004-6 as REV. RUL. 2004-9
2. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
  - PUBLISHED 2/23/2004 in IRB 2004-8 as REV. RUL. 2004-19
3. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in February 2004.
  - PUBLISHED 3/1/2004 in IRB 2004-9 as NOTICE 2004-14  
(released 2/4/2004)

#### MARCH 2004

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 3/15/2004 in IRB 2004-11 as REV. RUL. 2004-25  
(released 2/19/2004)
2. Notice providing resident population of the states for determining the calendar year state housing credit ceiling under section 42(h), the private activity bond volume cap under section 146, and the qualified public educational facility bond volume cap under section 142(k).
  - PUBLISHED 3/15/2004 in IRB 2004-11 as NOTICE 2004-21
  - PUBLISHED 3/29/2004 in IRB 2004-13 as Rev. RUL. 2004-35
3. Revenue ruling providing the monthly bond factor amounts to be used by taxpayers who dispose of qualified low-income buildings or interests therein during the period January through March, 2004.
  - PUBLISHED 2/23/2004 in IRB 2004-8 as REV. RUL. 2004-16

4. Revenue ruling under section 6621 regarding the applicable interest rates for overpayments and underpayments of tax for the period April through June, 2004.
  - PUBLISHED 3/15/2004 in IRB 2004-11 as REV. RUL. 2004-26 (released 3/1/2004)
5. Revenue ruling setting forth the terminal charge and the standard industry fare level (SIFL) cents-per-mile rates for the first half of 2004 for use in valuing personal flights on employer-provided aircraft.
  - PUBLISHED 3/22/2004 in IRB 2004-12 as REV. RUL. 2004-36
6. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in March 2004.
  - PUBLISHED 3/29/2004 in IRB 2004-13 as NOTICE 2004-24 (released 3/3/2004)
7. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
  - PUBLISHED 3/29/2004 in IRB 2004-13 as REV. RUL. 2004-35

#### APRIL 2004

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
  - PUBLISHED 4/5/2004 in IRB 2004-14 as REV. RUL. 2004-39 (released 3/17/2004)
2. Revenue ruling providing the average annual effective interest rates charged by each Farm Credit Bank District.
3. Notice providing the inflation adjustment factor, nonconventional fuel source credit, and reference price for the calendar year that determines the availability of the credit for producing fuel from a nonconventional source under section 29.
  - WILL BE PUBLISHED 5/3/2004 in IRB 2004-18 as NOTICE 2004-33
4. Revenue procedure providing a current list of countries and the dates those countries are subject to the section 911(d)(4) waiver and guidance to individuals who fail to meet the eligibility requirements of section 911(d)(1) because of adverse conditions in a foreign country.
  - PUBLISHED 3/8/2004 in IRB 2004-10 as REV. PROC. 2004-17 (released 2/23/2004)
5. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in April 2004.

- WILL BE PUBLISHED 5/3/2004 in IRB 2004-18 as NOTICE 2004-32 (released 4/5/2004)

6. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.

#### MAY 2004

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
2. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in May 2004.
3. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.
4. Revenue procedure providing guidance for use of the national and area median gross income figures by issuers of qualified mortgage bonds and mortgage credit certificates in determining the housing cost/income ratio under section 145.

#### JUNE 2004

1. Revenue ruling setting forth tables of the adjusted applicable federal rates for the current month for purposes of sections 42, 382, 1274, 1288, and 7520.
2. Revenue ruling providing the monthly bond factor amounts to be used by taxpayers who dispose of qualified low-income buildings or interests therein during the period April through June, 2004.
  - PUBLISHED 4/12/2004 in IRB 2004-15 as REV. RUL. 2004-40
3. Revenue ruling under section 6621 regarding the applicable interest rates for overpayments and underpayments of tax for the period July through September 2004.
4. Notice providing the calendar year inflation adjustment factor and reference prices for the renewable electricity production credit under section 45.
  - WILL BE PUBLISHED 4/26/2004 in IRB 2004-17 as NOTICE 2004-29
5. Notice setting forth the weighted average interest rate and the resulting permissible range of interest rates used to calculate current liability for the purpose of the full funding limitation of section 412(c)(7) for plan years beginning in June 2004.
6. Revenue ruling under section 472 providing the Bureau of Labor Statistics price indexes that department stores may use in valuing inventories.