Revenue Procedure 2008-36

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General Rules and Specifications for Substitute Forms 1096, 1098, 1099, 5498, W-2G, and 1042-S



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Part 1 General Information

Section 1.1 — Overview of Revenue Procedure 2008-36

1.1.1 Purpose

The purpose of this revenue procedure is to set forth the 2008 requirements for:

- Using official Internal Revenue Service (IRS) forms to file information returns with the IRS,
- Preparing acceptable substitutes of the official IRS forms to file information returns with the IRS, and
- Using official or acceptable substitute forms to furnish information to recipients.

1.1.2 Which Forms Are Covered? This revenue procedure contains specifications for these information returns:

Form	Title
1096	Annual Summary and Transmittal of U.S. Information Returns
1098	Mortgage Interest Statement
1098-C	Contributions of Motor Vehicles, Boats, and Airplanes
1098-E	Student Loan Interest Statement
1098-T	Tuition Statement
1099-A	Acquisition or Abandonment of Secured Property
1099-B	Proceeds From Broker and Barter Exchange Transactions
1099-C	Cancellation of Debt
1099-CAP	Changes in Corporate Control and Capital Structure
1099-DIV	Dividends and Distributions
1099-G	Certain Government Payments
1099-Н	Health Coverage Tax Credit (HCTC) Advance Payments
1099-INT	Interest Income
1099-LTC	Long-Term Care and Accelerated Death Benefits
1099-MISC	Miscellaneous Income
1099-OID	Original Issue Discount
1099-PATR	Taxable Distributions Received From Cooperatives
1099-Q	Payments From Qualified Education Programs (Under Sections 529 and 530)

Form	Title
1099-R	Distributions From Pensions, Annuities, Retirement or Profit-Sharing Plans, IRAs, Insurance Contracts, etc.
1099-S	Proceeds From Real Estate Transactions
1099-SA	Distributions From an HSA, Archer MSA, or Medicare Advantage MSA

Form	Title
5498	IRA Contribution Information
5498-ESA	Coverdell ESA Contribution Information
5498-SA	HSA, Archer MSA, or Medicare Advantage MSA Information
W-2G	Certain Gambling Winnings
1042-S	Foreign Person's U.S. Source Income Subject to Withholding

1.1.3 Scope For purposes of this revenue procedure, a substitute form or statement is one that is not printed by the IRS. For a substitute form or statement to be acceptable to the IRS, it must conform to the official form or the specifications outlined in this revenue procedure. Do not submit any substitute forms or statements listed above to the IRS for approval. Privately printed forms may not state, "This is an IRS approved form."

Filers making payments to certain recipients during a calendar year are required by the Internal Revenue Code (the Code) to file information returns with the IRS for these payments. These filers must also provide this information to their recipients. In some cases, this also applies to payments received. See *Part 4* for specifications that apply to recipient statements (generally Copy B).

In general, section 6011 of the Code contains requirements for filers of information returns. A filer must file information returns electronically or on paper. A filer who is required to file 250 or more information returns of any one type during a calendar year must file those returns electronically.

Although not required, small volume filers (fewer than 250 returns during a calendar year) may file the forms electronically. See the legal requirements for filing information returns (and providing a copy to a payee) in the 2008 General Instructions for Forms 1099, 1098, 5498, and W-2G and the 2008 Instructions for Form 1042-S. In addition, see the most recent revision of Publication 1220, *Specifications for Filing Forms 1098, 1099, 5498, and W-2G Electronically*.

1.1.4 For MoreThe IRS prints and provides the forms on which various payments must be**Information**reported. Alternatively, filers may prepare substitute copies of these IRS forms
and use such forms to report payments to the IRS.

- For copies of the official forms and instructions, call our toll-free number at 1-800-TAX-FORM (1-800-829-3676).
- The IRS operates a central call site to answer questions related to information returns, penalties, and backup withholding. The hours of operation are Monday through Friday from 8:30 a.m. to 4:30 p.m., Eastern time. For your convenience, you may call the toll-free

number, 1-866-455-7438. You may still use the original telephone number, 304-263-8700 (not toll-free). For TTY/TDD equipment, call 304-267-3367 (not toll-free).

• For other tax information related to business returns or accounts, call 1-800-829-4933. If you have access to TTY/TDD equipment, call 1-800-829-4059 to ask tax account questions or to order forms and publications.

1.1.5 What's New The following changes have been made to this year's Revenue Procedure:

- New email address. The Substitute Forms Unit email address has changed to <u>Substituteforms@irs.gov</u> instead of <u>*taxforms@irs.gov</u>.
- *Address change.* The room number in the address of the Substitute Forms Unit has changed to Room 6526.
- *Sections reversed.* Old *Sections 1.2 and 1.3* of Part 1 have been reversed to show a more logical sequence.
- Logos, slogans, and advertising. The IRS received questions concerning whether substitute payee statements containing logos, slogans, or advertising were valid payee statements. The IRS originally anticipated responding to these questions by revising the regulations. However, it has been determined that it is not necessary to amend the regulations. Instead, guidance is being provided in this revenue procedure. See new *Section 1.3.2* of Part 1.
- Where to file. All information returns filed on paper will be filed with only two Internal Revenue Service Centers: Austin, TX, and Kansas City, MO. Do not file Form 1098-C at the Internal Revenue Service Center at Ogden, UT, after December 31, 2007. See Part D, page 4, of the General Instructions for Forms 1099, 1098, 5498, and W-2G and Form 1096, Annual Summary and Transmittal of U.S. Information Returns.
- *Magnetic media filing no longer acceptable.* All references to magnetic media have been removed from Publication 1179 and from all forms to which the publication refer. Enterprise Computing Center–Martinsburg (ECC-MTB) will no longer accept tape cartridges for returns filed after December 1, 2008. After that date, electronic filing will be the only acceptable method for filing returns with ECC-MTB. See Part F, page 5, of the General Instructions for Forms 1099, 1098, 5498, and W-2G.
- *OCR Specifications*. Additional OCR specifications were added to *Section 2.1.5* of Part 2.
- *Form 1099-CAP.* We have removed the box 6 checkbox from Form 1099-CAP. Under Regulations section 1.367(a)-3, nonrecognition of losses is required for all reportable transactions from corporate inversions, making the checkbox unnecessary.
- *Form 1099-DIV.* Box 7 may be blank as RICs no longer have to report this information to recipients.

- *Form 1099-R.* These changes were made to the Guide to Distribution Codes. 1) For Distribution Code 1, reference to the qualified reservist distribution under section 72(t)(2)(G) has been deleted due to expiration of the provision. 2) An exception was added to Distribution Code 2 for distributions that are permissible withdrawals under an eligible automatic contribution arrangement under section 414(w). 3) New Distribution Code H, Direct rollover of a designated Roth account distribution to a Roth IRA, has been added. 4) Distribution Codes B and D are a valid combination for 2008.
- *Form 1042-S.* The boxes on Form 1042-S have been changed and reconfigured for 2008. The major changes are to 1) Boxes 7 through 9. These boxes are used to show the amount withheld, the amount withheld by other withholding agents, and the total amount of tax withheld. 2) Box 15. This box is used to show the recipient's foreign tax identifying number, if any. 3) Box 22. This box is used to show the recipient's account number (optional).
- *Editorial changes.* We made editorial changes. Redundancies were eliminated as much as possible.

Section 1.2 — Definitions

1.2.1 Form Recipient	Form recipient means the person to whom you are required by law to furnish a copy of the official form or information statement. The form recipient may be referred to by different names on various Forms 1099 and related forms ("payer," "borrower," "student," "debtor," "policyholder," "insured," "transferor," "recipient," "participant," "donor," or, in the case of Form W-2G, the "winner"). See <i>Section 1.3.4</i> .
1.2.2 Filer	Filer means the person or organization required by law to file a form listed in <i>Section 1.1.2</i> with the IRS. As outlined earlier, a filer may be a payer, creditor, recipient of mortgage or student loan interest payments, educational institution, broker, barter exchange, person reporting real estate transactions, trustee or issuer of any individual retirement arrangement or medical savings account, lender who acquires an interest in secured property or who has reason to know that the property has been abandoned, or certain donees of motor vehicles, boats, and airplanes.
1.2.3 Substitute Form	Substitute form means a paper substitute of Copy A of an official form listed in <i>Section 1.1.2</i> that totally conforms to the provisions in this revenue procedure.

1.2.4 Substitute Form Recipient Statement	Substitute form recipient statement means a paper statement of the information reported on a form listed in <i>Section 1.1.2</i> . This statement must be furnished to a person (form recipient), as defined under the applicable provisions of the Code and the applicable regulations.
1.2.5 Composite Substitute Statement	Composite substitute statement means one in which two or more required statements (for example, Forms 1099-INT and 1099-DIV) are furnished to the recipient on one document. However, each statement must be designated separately and must contain all the requisite Form 1099 information except as provided under <i>Section 4.2</i> . A composite statement may not be filed with the IRS.
	eneral Requirements for Acceptable Substitute Forms 1096, 1098, 099, 5498, W-2G, and 1042-S
1.3.1 Introduction	Paper substitutes for Form 1096 and Copy A of Forms 1098, 1099, 5498, W-2G, and 1042-S that totally conform to the specifications listed in this revenue procedure may be privately printed and filed as returns with the IRS. The reference to the Department of the Treasury — Internal Revenue Service should be included on all such forms.
	If you are uncertain of any specification and want it clarified, you may submit a letter citing the specification, stating your understanding and interpretation of the specification, and enclosing an example of the form (if appropriate) to:
	Internal Revenue Service Attn: Substitute Forms Program SE:W:CAR:MP:T:T:SP 1111 Constitution Ave., NW Room 6526 Washington , DC 20224
	Note. Allow at least 30 days for the IRS to respond.
	You may also contact the Substitute Forms Program via e-mail at <u>Substituteforms@irs.gov</u> . Please enter "Substitute Forms" on the Subject Line.
	Forms 1096, 1098, 1099, 5498, W-2G, and 1042-S are subject to annual review and possible change. Therefore, filers are cautioned against overstocking supplies of privately printed substitutes. The specifications contained in this revenue procedure apply to 2008 forms only.
1.3.2 Logos, Slogans, and Advertisements	The IRS received questions concerning whether substitute payee statements containing logos, slogans, or advertising were valid payee statements. The IRS originally anticipated responding to these questions by revising the

regulations. However, it has been determined that it is not necessary to amend the regulations. Instead, guidance is being provided in this revenue procedure.

In Rev. Proc. 2007-50, 2007-31 I.R.B. 244 (reprinted as Publication 1179, revised 7-2007), the IRS solicited comments on the inclusion of logos, slogans, or advertising on substitute payee statements. The IRS did not receive any comments in response to these solicitations.

Some Forms 1098, 1099, 5498, W-2G, and 1042-S that include logos, slogans, and advertisements (including advertisements for tax preparation software) may be confused with questionable forms. A payee may not recognize the importance of the payee statement for tax reporting purposes due to the use of logos, slogans, and advertisements. **Thus, with the exception of the electronic tax logo** (*i.e.*, **the IRS** *e-file* **logo**), **the IRS has determined that slogans, advertising, and other logos will not be allowed on Forms 1096, 1098, 1099, 5498, W-2G, 1042-S, or any payee statements reporting amounts paid during the 2010 calendar year, and thereafter. The IRS** *e-file* **logo on the IRS official payee copies may be included, but it is not required, on any of the substitute form copies.**

As indicated in *Sections 1.3.1 and 5.1.3*, of this revenue procedure, Forms 1096, 1098, 1099, 5498, W-2G, and 1042-S are subject to annual review and possible change. The prohibition against including slogans, advertising, and other logos on information returns and payee statements reporting amounts paid during the **2010** calendar year and thereafter is being announced at this time to provide advance notice. This revenue procedure will be revised to state other requirements of the IRS regarding the preparation and use of substitute forms for Forms 1096, 1098, 1099, 5498, W-2G, and 1042-S for amounts paid during the 2010 calendar year, at a future date. If you have comments about the prohibition against including slogans, advertising, and other logos on information returns and payee statements, send your comments to: Internal Revenue Service, Attn: Substitute Forms Program, SE:W:CAR:MP:T:T:SP, IR 6526, 1111 Constitution Ave., NW, Washington, DC 20224.

1.3.3 Copy A Specifications

Proposed substitutes of Copy A must be an exact replica of the official IRS form with respect to layout and content. Proposed substitutes for Copy A that do not conform to the specifications in this revenue procedure are not acceptable. Further, if you file such forms with the IRS, you may be subject to a penalty for failure to file a correct information return under section 6721 of the Code. Generally, the penalty is \$50 for each return where such failure occurs (up to \$250,000). No IRS office is authorized to allow deviations from this revenue procedure.

Caution: Overuse of proportional fonts may cause you to be subject to penalties and delays in processing.

1.3.4 Copy B and Copy C Specifications Copy B and Copy C of the following forms must contain the information in *Part 4* to be considered a "statement" or "official form" under the applicable provisions of the Code. The format of this information is at the discretion of the filer with the exception of the location of the tax year, form number, form name, and the information for composite Form 1099 statements as outlined under *Section 4.2*.

Form	Recipient
1098	For Payer
1098-C	For Donor
1098-E; 1099-A	For Borrower
1098-T	For Student
1099-C	For Debtor
1099-CAP	For Shareholder
1099-LTC	For Policyholder
1099-R; W-2G	Indicates that these forms may require Copy B to be attached to the federal income tax return.
1099-S	For Transferor
All other Forms 1099; 1042-S	For Recipient
5498; 5498-SA	For Participant
5498-ESA	For Beneficiary

Copy B, of the forms below, are for the following recipients.

Copy C of the following forms are:

Form	Recipient
1098-C	For Donor's Records
1099-CAP	For Corporation
1099-LTC	For Insured
1099-R	For Recipient's Records
All other Forms 1099	See Section 4.4.2
5498-ESA	For Trustee
W-2G	For Winner's Records

Note. On Copy C, Form 1099-LTC, you may reverse the locations of the policyholder's and the insured's name, street address, city, state, and ZIP code for easier mailing.

Part 2 Specifications for Substitute Forms 1096 and Copies A of Forms 1098, 1099, and 5498 (All Filed with the IRS)

Section 2.1 — Specifications

2.1.1 General Requirements	Form identifying numbers (for example, 9191 for Form 1099-DIV) m printed in nonreflective black carbon-based ink in print positions 15 th using an OCR A font. The check boxes to the right of the form ident numbers must be 10-point boxes. The "VOID" checkbox is in print po The "CORRECTED" check box is in position 33. Measurements are left edge of the paper, not including the perforated strip. See <i>Exhibits</i>	hrough 19 ifying osition 25. from the
	The substitute form must be an exact replica of the official IRS form respect to layout and content. To determine the correct form measurem <i>Exhibits A through Z</i> at the end of this publication.	
	Hot wax and cold carbon spots are not permitted on any of the interna plies. These spots are permitted on the back of a mailer top envelope	
	Use of chemical transfer paper for Copy A is acceptable.	
	The Government Printing Office (GPO) symbol must be deleted.	
2.1.2 Color and Paper Quality	Color and paper quality for Copy A (cut sheets and continuous pinfee as specified by JCP Code 0–25, dated November 29, 1978, must be will bleached chemical wood, optical character recognition (OCR) bond p in accordance with the following specifications.	hite 100%
	Note. Reclaimed fiber in any percentage is permitted provided the req of this standard are met.	uirements
	Acidity: Ph value, average, not less than	4.5
	 Basis Weight: 17 x 22-500 cut sheets Metric equivalent-g/m² 	18-20 75
	A tolerance of ± 5 pct. is allowed.	15
	 Stiffness: Average, each direction, not less than-milligrams 	50
	 Tearing strength: Average, each direction, not less than-grams 	40
	• Opacity: Average, not less than-percent	82
	Thickness: Average-inch	0.0038

	Metric equivalent-mm	0.097
	A tolerance of +0.0005 inch (0.0127 mm) is allowed. Paper cannot vary more than 0.0004 inch (0.0102 mm) from one edge to the other.	
	Porosity: Average, not less than-seconds	10
	• Finish (smoothness): Average, each side-seconds	20-55
	• For information only, the Sheffield equivalent-units	170- 100
	• Dirt: Average, each side, not to exceed-parts per million	8
2.1.3 Chemical Transfer Paper	Chemical transfer paper is permitted for Copy A only if the following are met:	standards
	• Only chemically backed paper is acceptable for Copy A. Front a chemically treated paper cannot be processed properly by mach	
	Carbon-coated forms are not permitted.Chemically transferred images must be black.	
	All copies must be clearly legible. Fading must be minimized to assu legibility.	re
2.1.4 Printing	All print on Copy A of Forms 1098, 1099, 5498, and the print on Form above the statement, "Return this entire page to the Internal Revenue & Photocopies are not acceptable." must be in Flint J-6983 red OCR drop or an exact match. However, the four-digit form identifying number m nonreflective carbon-based black ink in OCR A font.	Service. pout ink
	The shaded areas of any substitute form should generally correspond format of the official form.	to the
	The printing for the Form 1096 statement and the following text may less shade or tone of black ink. Black ink should only appear on the lower the reverse side of Form 1096, where it will not bleed through and int with scanning.	part of
	Note. The instructions on the front and back of Form 1096, which ind filing addresses, must be printed.	clude
	Separation between fields must be 0.1 inch.	
	Except for Form 1099-R and 1099-MISC, the numbered captions are p solid with no shaded background.	printed as
	Other printing requirements are discussed below.	

2.1.5 OCR Specifications

The contractor must initiate or have a quality control program to assure OCR ink density. Readings will be made when printed on approved 20 lb. white OCR bond with a reflectance of not less than 80%. Black ink must not have a reflectance greater than 15%. These readings are based on requirements of the "Scan-Optics Series 9000" Optical Scanner using Flint J-6983 red OCR dropout ink or an exact match.

The following testers and ranges are acceptable:

Important information: The forms produced under these specifications must be guaranteed to function properly when processed through High Speed Scan-Optics 9000mm scanners. Forms require precision spacing, printing, and trimming.

Density readings on the solid J-6983 (red) must be between the ranges of 0.95 to 0.90. The optimal scanning range is 0.93. Density readings on the solid black must be between the ranges of 112 to 108. The optimal scanning range is 110.

Note. The readings were taken using an Ex-Rite 500 series densitometer, in Status T with Obsolute or – paper setting under an Illuminate 5000 Calvin Watt Light. The printing contractor must maintain print contrast specification of ink and densitometer reflectivity reading throughout entire production run.

- *MacBeth PCM-II*. The tested Print Contrast Signal (PCS) values when using the MacBeth PCM-II tester on the "C" scale must range from .01 minimum to .06 maximum.
- *Kidder 082A*. The tested PCS values when using the Kidder 082A tester on the Infra Red (IR) scale must range from .12 minimum to .21 maximum. White calibration disc must be 100%. Sensitivity must be set at one (1).
- *Alternative testers*. Alternative testers must be approved by the government so that tested PCS values can be established. You may obtain approval by writing to the following address:

Commissioner of Internal Revenue Attn: SE:W:CAR:MP:P:B:T Business Publishing – Tax Products 1111 Constitution Ave., NW Washington, DC 20224

2.1.6 Typography	Type must be substantially identical in size and shape to the official form. All rules are either ¹ / ₂ -point or ³ / ₄ -point. Rules must be identical to those on the official IRS form.
	Note. The form identifying number must be nonreflective carbon-based black

Note. The form identifying number must be nonreflective carbon-based black ink in OCR A font.

2.1.7 Dimensions	Generally, three Forms 1098, 1099, or 5498 (Copy A) are contained on a single page, 8 inches wide (without any snap-stubs and/or pinfeed holes) by 11 inches deep.
	Exceptions. Forms 1099-B, 1099-DIV, 1099-MISC, 1099-R, and 1042-S contain two documents per page. Form 1098-C is a single page document.
	There is a .33 inch top margin from the top of the corrected box, and a .25 inch right margin. There is a $\frac{1}{32}$ (0.0313) inch tolerance for the right margin. If the right and top margins are properly aligned, the left margin for all forms will be correct. All margins must be free of print. See <i>Exhibits A through Z</i> in this publication for the correct form measurements.
	These measurements are constant for certain Forms 1098, 1099, and 5498. These measurements are shown only once in this publication, on Form 1098 <i>(Exhibit B).</i> Exceptions to these measurements are shown on the rest of the exhibits.
	The depth of the individual trim size of each form on a page must be $3^{2/3}$ inches, the same depth as the official form.
	Exceptions. The depth of Forms 1099-B, 1099-DIV, 1099-MISC, 1099-R, and 1042-S is 5 ¹ / ₂ inches.
2.1.8 Perforation	Copy A (three per page; two per page for Forms 1099-B, 1099-DIV, 1099-MISC, 1099-R, and 1042-S) of privately printed continuous substitute forms must be perforated at each 11"' page depth. No perforations are allowed between the $3^2/3$ " forms ($5^{1}/2$ " for Forms 1099-B, 1099-DIV, 1099-MISC, or 1099-R) on a single copy page of Copy A.
	The words "Do Not Cut or Separate Forms on This Page" must be printed in red dropout ink (as required by form specifications) between the three forms (two for Forms 1099-B, 1099-DIV, 1099-MISC, or 1099-R).
	Note. Perforations are required between all the other individual copies (Copies B and C, and Copies 1 and 2 for Forms 1099-R and 1099-MISC, and Copy D for Forms 1099-LTC and 1099-R) in the set.
2.1.9 What To Include	You must include the OMB Number on Copies A and Form 1096 in the same location as on the official form.
	The words "For Privacy Act and Paperwork Reduction Act Notice, see the 2008 General Instructions for Forms 1099, 1098, 5498, and W-2G" must be printed on Copy A; "For more information and the Privacy Act and Paperwork Reduction Act Notice, see the 2008 General Instructions for Forms 1099, 1098, 5498, and W-2G" must be printed on Form 1096.
	A postal indicia may be used if it meets the following criteria:

- It is printed in the OCR ink color prescribed for the form, and
- No part of the indicia is within one print position of the scannable area.

The printer's symbol (GPO) must not be printed on substitute Copy A. Instead, the employer identification number (EIN) of the forms printer must be entered in the bottom margin on the face of each individual form of Copy A, or on the bottom margin on the back of each Form 1096.

The Catalog Number (Cat. No.) shown on the 2008 forms is used for IRS distribution purposes and need not be printed on any substitute forms.

The form must not contain the statement "IRS approved" or any similar statement.

Section 2.2 — Instructions for Preparing Paper Forms That Will Be Filed with the IRS

2.2.1 Recipient The form recipient's name, street address, city, state, ZIP code, and telephone number (if required) should be typed or machine printed in black ink in the same format as shown on the official IRS form. The city, state, and ZIP code must be on the same line.

The following rules apply to the form recipient's name(s):

- The name of the appropriate form recipient must be shown on the first or second name line in the area provided for the form recipient's name.
- No descriptive information or other name may precede the form recipient's name.
- Only one form recipient's name may appear on the first name line of the form.
- If the multiple recipients' names are required on the form, enter on the first name line the recipient name that corresponds to the recipient taxpayer identification number (TIN) shown on the form. Place the other form recipients' names on the second name line (only 2 name lines are allowable).

Because certain states require that trust accounts be provided in a different format, generally filers should provide information returns reflecting payments to trust accounts with the:

- Trust's employer identification number (EIN) in the recipient's TIN area,
- Trust's name on the recipient's first name line, and
- Name of the trustee on the recipient's second name line.

Although handwritten forms will be accepted, the IRS prefers that filers type or machine print data entries. Also, filers should insert data in the middle of blocks well separated from other printing and guidelines, and take measures

to guarantee clear, dark black, sharp images. Carbon copies and photocopies are not acceptable. 2.2.2 Account Use the account number box on all Forms 1098, 1099, 5498, and W-2G for Number Box an account number designation when required by the official IRS form. The account number is required if you have multiple accounts for a recipient for whom you are filing more than one information return of the same type. Additionally, the IRS encourages you to include the recipients' account number on paper forms if your system of records uses the account number rather than the name or TIN for identification purposes. Also, the IRS will include the account number in future notices to you about backup withholding. If you use window envelopes and a reduced rate to mail statements to recipients, be sure the account number does not appear in the window. Otherwise, the Postal Service may not accept them for mailing. **Exception.** Form 1098-T can have third party provider information. 2.2.3 Machine-printed forms should be printed using a 6 lines/inch option, and **Specifications** should be printed in 10 pitch pica (10 print positions per inch) or 12 pitch elite and Restrictions (12 print positions per inch). Proportional spaced fonts are unacceptable. Substitute forms prepared in continuous or strip form must be burst and stripped to conform to the size specified for a single sheet before they are filed with the IRS. The size specified does not include pin feed holes. Pin feed holes must not be present on forms filed with the IRS. Do not: • Use a felt tip marker. The machine used to "read" paper forms generally cannot read this ink type. Use dollar signs (\$), ampersands (&), asterisks (*), commas (,), or other special characters in the numbered money boxes. Exception. Use decimal points to indicate dollars and cents (for example, 2000.00 is acceptable). Use apostrophes ('), asteriks (*), or other special characters on the payee name line. Fold Forms 1098, 1099, or 5498 mailed to the IRS. Mail these forms flat in an appropriately sized envelope or box. Folded documents cannot be readily moved through the machine used in IRS processing. Staple Forms 1096 to the transmitted returns. Any staple holes near the return code number may impair the IRS's ability to machine scan the type of documents. Type other information on Copy A. Cut or separate the individual forms on the sheet of forms of Copy A (except Forms W-2G).

2.2.4 Where To	Mail completed paper forms to the IRS service center shown in the Instructions
File	for Form 1096 and in the 2008 General Instructions for Forms 1099, 1098,
	5498, and W-2G. Specific information needed to complete the forms mentioned
	in this revenue procedure are given in the specific form instructions. A chart
	is included in the 2008 General Instructions for Forms 1099, 1098, 5498,
	and W-2G giving a quick guide to which form must be filed to report a
	particular payment.

Part 3 Specifications for Substitute Form W-2G (Filed with the IRS)

Section 3.1 — General

3.1.1 Purpose	The following specifications give the format requirements for substitute Form W-2G (Copy A only), which is filed with the IRS.
	A filer may use a substitute Form W-2G to file with the IRS (referred to as "substitute Copy A"). The substitute form must be an exact replica of the official form with respect to layout and content.

Section 3.2 — Specifications for Copy A of Form W-2G

3.2.1 Substitute	You must follow these specifications when printing substitute Copy A of
Form W-2G	the Form W-2G.
(Copy A)	

Item	Substitute Form W-2G (Copy A)
Paper Color and Quality	Paper for Copy A must be white chemical wood bond, or equivalent, 20 pound (basis 17 x 22-500), plus or minus 5 percent. The paper must consist substantially of bleached chemical wood pulp. It must be free from unbleached or ground wood pulp or post-consumer recycled paper. It also must be suitably sized to accept ink without feathering.
Ink Color and Quality	All printing must be in a high quality non gloss black ink.
Typography	The type must be substantially identical in size and shape to the official form. All rules on the document are either $1/2$ point (.007 inch), 1 point (0.015 inch), or 3 point (0.045). Vertical rules must be parallel to the left edge of the document, horizontal rules to the top edge.

Item	Substitute Form W-2G (Copy A)
Dimensions	The official form is 8 inches wide x 3 ² / ₃ inches deep, exclusive of a ² / ₃ inch snap stub on the left side of the form. Any substitute Copy A must be the same dimensions. The snap feature is not required on substitutes. All margins must be free of print. The top and right margins must be ¹ / ₄ inch plus or minus .0313. If the top and right margins are properly aligned, the left margin for all forms will be correct. If the substitute forms are in continuous or strip form, they must be burst and stripped to conform to the size specified for a single form.
Hot Wax and Cold Carbon Spots	Hot wax and cold carbon spots are not permitted on any of the internal form plies. These spots are permitted on the back of a mailer top envelope ply.
Printer's Symbol	The Government Printing Office (GPO) symbol must not be printed on substitute Forms W-2G. Instead, the employer identification number (EIN) of the forms printer must be printed in the bottom margin on the face of each individual Copy A on a sheet. The form must not contain the statement "IRS approved" or any similar statement.
Catalog Number	The Catalog Number (Cat. No.) shown on Form W-2G is used for IRS distribution purposes and need not be printed on any substitute forms.

Part 4 Substitute Statements to Form Recipients and Form Recipient Copies

Section 4.1 — Specifications

4.1.1 Introduction	If you do not use the official IRS form to furnish statements to recipients, you must furnish an acceptable substitute statement. To be acceptable, your substitute statement must comply with the rules in this section. If you are furnishing a substitute form, see Regulations sections 1.6042-4, 1.6044-5, 1.6049-6, and 1.6050N-1 to determine how the following statements must be provided to recipients for most Forms 1099-DIV and 1099-INT, all Forms 1099-OID and 1099-PATR, and Form 1099-MISC or 1099-S for royalties. Generally, information returns may be furnished electronically with the consent of the recipient. See Section 4.5.1.
	Note. A trustee of a grantor-type trust may choose to file Forms 1099 and furnish a statement to the grantor under Regulations sections $1.671-4(b)(2)(iii)$ and $(b)(3)(ii)$. The statement required by those regulations is not subject to the requirements outlined in this section.
4.1.2 Substitute Statements to Recipients for Certain Forms 1099-INT and 1099-DIV, and for Forms 1099-OID and 1099-PATR	The rules in this section apply to Form 1099-INT (except for interest reportable under section 6041), 1099-DIV (except for section 404(k) dividends), 1099-OID, and 1099-PATR only. You may furnish form recipients with Copy B of the official Form 1099 or a substitute Form 1099 (form recipient statement) if it contains the same language as the official IRS form (such as aggregate amounts paid to the form recipient, any backup withholding, the name, address, and TIN of the person making the return, and any other information required by the official form). Except for state income tax withholding information, information not required by the official form should not be included on the substitute form.
	You may enter a total of the individual accounts listed on the form only if they have been paid by the same payer. For example, if you are listing interest paid on several accounts by one financial institution on Form 1099-INT, you may also enter the total interest amount. You may also enter a date next to the corrected box if that box is checked.
	A substitute form recipient statement for Forms 1099-INT, 1099-DIV, 1099-OID, or 1099-PATR must comply with the following requirements:
	1. Box captions and numbers that are applicable must be clearly identified,

 Box captions and numbers that are applicable must be clearly identified, using the same wording and numbering as on the official form.
 Note. For Form 1099-INT, if box 3 is not on your substitute form, you may drop "not included in box 3" from the box 1 caption.

- 2. The form recipient statement (Copy B) must contain all applicable form recipient instructions provided on the front and back of the official IRS form. You may provide those instructions on a separate sheet of paper.
- 3. The form recipient statement must contain the following in bold and conspicuous type:

This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported.

- 4. The box caption **"Federal income tax withheld"** must be in boldface type on the form recipient statement.
- 5. The form recipient statement must contain the Office of Management and Budget (OMB) number as shown on the official IRS form. See *Part 5*.
- 6. The form recipient statement must contain the tax year (for example, 2008), form number (for example, Form 1099-INT), and form name (for example, Interest Income) of the official IRS Form 1099. This information must be displayed prominently together in one area of the statement. For example, the tax year, form number, and form name could be shown in the upper right part of the statement. Each copy must be appropriately labeled (such as Copy B, For Recipient). See *Section 4.4* for applicable labels and arrangement of assembly of forms. Note. Do not include the words "Substitute for" or "In lieu of" on the form recipient statement.
- 7. Layout and format of the form is at the discretion of the filer. However, the IRS encourages the use of boxes so that the statement has the appearance of a form and can be easily distinguished from other non-tax statements.
- 8. Each recipient statement of Forms 1099-DIV, 1099-INT, 1099-OID, and 1099-PATR must include the direct access telephone number of an individual who can answer questions about the statement. Include that telephone number conspicuously anywhere on the recipient statement.
- 9. A mutual fund family may state separately on one document (for example, one piece of paper) the dividend income earned by a recipient from each fund within the family of funds as required by Form 1099-DIV. However, each fund and its earnings must be stated separately. The form must contain an instruction to the recipient that each fund's dividends and name, not the name of the mutual fund family, must be reported on the recipient's tax return. The form cannot contain an aggregate total of all funds. In addition, a mutual fund family may furnish a single statement (as a single filer) for Forms 1099-INT, 1099-DIV, and 1099-OID information. Each fund and its earnings must be stated separately. The form must contain an instruction to the recipient that each fund's earnings and name, not the name of the mutual fund family may furnish a single statement (as a single filer) for Forms 1099-INT, 1099-DIV, and 1099-OID information. Each fund and its earnings must be stated separately. The form must contain an instruction to the recipient that each fund's earnings and name, not the name of the mutual fund family,

must be reported on the recipient's tax return. The form cannot contain an aggregate total of all funds.

4.1.3 Substitute Statements to Recipients for Certain Forms 1098, 1099, 5498, and W-2G Statements to form recipients for Forms 1098, 1098-C, 1098-E, 1098-T, 1099-A, 1099-B, 1099-C, 1099-CAP, 1099-G, 1099-H, 1099-LTC, 1099-MISC, 1099-Q, 1099-R, 1099-S, 1099-SA, 5498, 5498-ESA, 5498-SA, W-2G, 1099-DIV (only for section 404(k) dividends reportable under section 6047), and 1099-INT (only for interest of \$600 or more made in the course of a trade or business reportable under section 6041) can be copies of the official forms or an acceptable substitute.

Caution. The IRS does not require a donee to use Form 1098-C as the written acknowledgment for contributions of motor vehicles, boats, and airplanes. However, if you choose to use copies of Form 1098-C or an acceptable substitute as the written acknowledgment, then you must follow the requirements of this section 4.1.3.

To be acceptable, a substitute form recipient statement must meet the following requirements.

- 1. The tax year, form number, and form name must be the same as the official form and must be displayed prominently together in one area on the statement. For example, they may be shown in the upper right part of the statement.
- 2. The filer's and the form recipient's identifying information required on the official IRS form must be included.
- 3. Each substitute recipient statement for Forms W-2G, 1098, 1098-C, 1098-E, 1098-T, 1099-A, 1099-B, 1099-CAP, 1099-DIV, 1099-G (excluding state and local income tax refunds), 1099-H, 1099-INT, 1099-LTC, 1099-MISC (excluding fishing boat proceeds), 1099-OID, 1099-PATR, 1099-Q, and 1099-S must include the direct access telephone number of an individual who can answer questions about the statement. Include the telephone number conspicuously anywhere on the recipient statement. Although not required, payers reporting on Forms 1099-C, 1099-R, 1099-SA, 5498, 5498-ESA, and 5498-SA are encouraged to furnish telephone numbers.
- 4. All applicable money amounts and information, including box numbers, required to be reported to the form recipient must be titled on the form recipient statement in substantially the same manner as those on the official IRS form. The box caption "Federal income tax withheld" must be in boldface type on the form recipient statement.

Exception. If you are reporting a payment as "Other income" in box 3 of Form 1099-MISC, you may substitute appropriate language for the box title. For example, for payments of accrued wages and leave to a beneficiary of a deceased employee, you might change the title of box 3 to "Beneficiary payments" or something similar.

Note. You cannot make this change on Copy A.

Note. If federal income tax is withheld and shown on Form 1099-R or W-2G, Copy B and Copy C must be furnished to the recipient. If federal income tax is not withheld, only Copy C of Form 1099-R and W-2G must be furnished. However, for Form 1099-R, instructions similar to those on the back of the official Copy B and Copy C of Form 1099-R must be furnished to the recipient. For convenience, you may choose to provide both Copies B and C of Form 1099-R to the recipient.

- 5. You must provide appropriate instructions to the form recipient similar to those on the official IRS form, to aid in the proper reporting on the form recipient's income tax return. For payments reported on Forms 1099-B, and 1099-CAP, the requirement to include instructions substantially similar to those on the official IRS form may be satisfied by providing form recipients with a single set of instructions for all Forms 1099-B and 1099-CAP statements required to be furnished in a calendar year.
- 6. If you use carbonless sets to produce recipient statements, the quality of each copy in the set must meet the following standards:
 - All copies must be clearly legible,
 - All copies must be able to be photocopied, and

• Fading must not diminish legibility and the ability to photocopy. In general, black chemical transfer inks are preferred, but other colors are permitted if the above standards are met. Hot wax and cold carbon spots are not permitted on any of the internal form plies. The back of a mailer top envelope ply may contain these spots.

- 7. A mutual fund family may state separately on one document (for example, one piece of paper) the Form 1099-B information for a recipient from each fund as required by Form 1099-B. However, the gross proceeds, etc., from each transaction within a fund must be stated separately. The form must contain an instruction to the recipient that each fund's (not the mutual fund family's) name and amount must be reported on the recipient's tax return. The form cannot contain an aggregate total of all funds.
- 8. You may use a Uniform Settlement Statement (under the Real Estate Settlement Procedures Act of 1974 (RESPA)) for Form 1099-S. The Uniform Settlement Statement is acceptable as the written statement to the transferor if you include the legend for Form 1099-S in *Section 4.3.2* and indicate which information on the Uniform Settlement Statement is being reported to the IRS on Form 1099-S.
- For reporting state income tax withholding and state payments, you may add an additional box(es) to recipient copies as appropriate.
 Note. You cannot make this change on Copy A.
- 10. On Copy C of Form 1099-LTC, you may reverse the location of the policyholder's and the insured's name, street address, city, state, and ZIP code for easier mailing.

11. If an institution insurer uses a third party service provider to file Form 1098-T, then in addition to the institution or insurers name, address, and telephone number, the same information may be included for the third party service provider in the space provided on the form.

Section 4.2 — Composite Statements

4.2.1 Composite Substitute Statements for Certain Forms 1099-INT, 1099-DIV, 1099-MISC, and 1099-S, and for Forms 1099-OID and 1099-PATR A composite form recipient statement is permitted for reportable payments of interest, dividends, original issue discount, patronage dividends, and royalties (Forms 1099-INT (except for interest reportable under section 6041), 1099-DIV (except for section 404(k) dividends), 1099-MISC or 1099-S (for royalties only), 1099-OID, or 1099-PATR) when one payer is reporting more than one of these payments during a calendar year to the same form recipient. Generally, do not include any other Form 1099 information (for example, 1098 or 1099-A) on a composite statement with the information required on the forms listed in the preceding sentence.

Exception. A filer may include Form 1099-B information on a composite form with the forms listed above.

Although the composite form recipient statement may be on one sheet, the format of the composite form recipient statement must satisfy the following requirements in addition to the requirements listed earlier in *Section 4.1.2*.

- All information pertaining to a particular type of payment must be located and blocked together on the form and separate from any information covering other types of payments included on the form. For example, if you are reporting interest and dividends, the Form 1099-INT information must be presented separately from the Form 1099-DIV information.
- The composite form recipient statement must prominently display the tax year, form number, and form name of the official IRS form together in one area at the beginning of each appropriate block of information.
- Any information required by the official IRS forms that would otherwise be repeated in each information block is required to be listed only once in the first information block on the composite form. For example, there is no requirement to report the name of the filer in each information block. This rule does not apply to any money amounts (for example, federal income tax withheld) or to any other information that applies to money amounts.
- A composite statement is an acceptable substitute only if the type of payment and the recipient's tax obligation with respect to the payment are as clear as if each required statement were furnished separately on an official form.

4.2.2 Composite Substitute Statements to Recipients for Forms Specified in Section 4.1.3 A composite form recipient statement for the forms specified in *Section 4.1.3* is permitted when one filer is reporting more than one type of payment during a calendar year to the same form recipient. A composite statement is not allowed for a combination of forms listed in *Section 4.1.3* and forms listed in *Section 4.1.2*.

Exceptions:

- Substitute payments in lieu of dividends reported in Box 8 of Form 1099-MISC may be reported on a composite substitute statement with Form 1099-DIV.
- Form 1099-B information may be reported on a composite form with the forms specified in *Section 4.1.2* as described in *Section 4.2.1*.
- Forms 1099-A and 1099-C transactions, if related, may be combined on Form 1099-C.
- Royalties reported on Form 1099-MISC or 1099-S may be reported on a composite form only with the forms specified in Section 4.1.2.

Although the composite form recipient statement may be on one sheet, the format of the composite form recipient statement must satisfy the requirements listed in *Section 4.2.1* as well as the requirements in *Section 4.1.3*. A composite statement of Forms 1098 and 1099-INT (for interest reportable under section 6049) is not allowed.

Section 4.3 — Required Legends

4.3.1 Required

Legends for

Forms 1098

Form 1098 recipient statements (Copy B) must contain the following legends:

- Form 1098—
 - "The information in boxes 1, 2, 3, and 4 is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if the IRS determines that an underpayment of tax results because you overstated a deduction for this mortgage interest or for these points or because you did not report this refund of interest on your return."
 - 2. "**Caution.** The amount shown may not be fully deductible by you. Limits based on the loan amount and the cost and value of the secured property may apply. Also, you may only deduct interest to the extent it was incurred by you, actually paid by you, and not reimbursed by another person."
- Form 1098-C:

Copy B — "In order to take a deduction of more than \$500 for this contribution, you must attach this copy to your federal tax return." Copy C — "This information is being furnished to the Internal Revenue Service unless box 7 is checked."

- Form 1098-E "This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if the IRS determines that an underpayment of tax results because you overstated a deduction for student loan interest."
- Form 1098-T "This is important tax information and is being furnished to the Internal Revenue Service."

4.3.2 Required Legends for Forms 1099 and W-2G

Forms 1099-A, 1099-C, and 1099-CAP: Copy B — "This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if taxable income results from this transaction and the IRS determines that it has not been reported." • Forms 1099-B, 1099-DIV, 1099-G, 1099-INT, 1099-MISC, 1099-OID, 1099-PATR, and 1099-O: Copy B — "This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported." Forms 1099-H: Copy B — "This is important tax information and is being furnished to the Internal Revenue Service." Form 1099-LTC: Copy B — "This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this item is required to be reported and the IRS determines that it has not been reported." Copy C — "Copy C is provided to you for information only. Only the policyholder is required to report this information on a tax return." Form 1099-R: Copy B — "Report this income on your federal tax return. If this form shows federal income tax withheld in box 4, attach this copy to your return." Copy C — "This information is being furnished to the Internal Revenue Service." Form 1099-S: • Copy B — "This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this item is required to be reported and the IRS determines that it has not been reported." Form 1099-SA:

	 Copy B — "This information is being furnished to the Internal Revenue Service." Form W-2G: Copy B — "This information is being furnished to the Internal Revenue Service. Report this income on your federal tax return. If this form shows federal income tax withheld in box 2, attach this copy to your return." Copy C — "This is important tax information and is being furnished to the Internal Revenue Service. If you are required to file a return, a negligence penalty or other sanction may be imposed on you if this income is taxable and the IRS determines that it has not been reported."
4.3.3 Required Legends for Forms 5498	 Form 5498 recipient statements (Copy B) must contain the following legends: Form 5498 — "This information is being furnished to the Internal Revenue Service." Note. If you do not furnish another statement to the participant because no contributions were made for the year, the statement of the fair market value and any required minimum distribution, of the account must contain this legend and a designation of which information is being furnished to the IRS. Form 5498-ESA — "The information in boxes 1 and 2 is being furnished to the Internal Revenue Service." Form 5498-SA — "The information in boxes 1 through 6 is being furnished to the Internal Revenue Service."

Section 4.4 — Miscellaneous Instructions for Copies B, C, D, 1, and 2

4.4.1 Copies	Copies B, C, and in some cases, D, 1, and 2 are included in the official assembly for the convenience of the filer. You are not legally required to include all these copies with the privately printed substitute forms. Furnishing Copies B and, in some cases, C will satisfy the legal requirement to provide statements of information to form recipients.
	Note. If an amount of federal income tax withheld is shown on Form 1099-R or W-2G, Copy B (to be attached to the tax return) and Copy C must be furnished to the recipient. Copy D (Forms 1099-R and W-2G) may be used for filer records. Only Copy A should be filed with the IRS.
4.4.2 Arrangement of Assembly	 Copy A ("For Internal Revenue Service Center") of all forms must be on top. The rest of the assembly must be arranged, from top to bottom, as follows. For: Form 1098 — Copy B "For Payer"; Copy C "For Recipient." Form 1098-C — Copy B "For Donor"; Copy C "For Donor's Records"; Copy D "For Donee."

- Form 1098-E Copy B "For Borrower"; Copy C "For Recipient."
- Form 1098-T Copy B "For Student"; Copy C "For Filer."
- Form 1099-A Copy B "For Borrower"; Copy C "For Lender."
- Forms 1099-B, 1099-DIV, 1099-G, 1099-H, 1099-INT, 1099-OID, 1099-PATR, 1099-Q, and 1099-SA — Copy B "For Recipient"; Copy C "For Payer."
- Form 1099-C Copy B "For Debtor"; Copy C "For Creditor."
- Form 1099-CAP Copy B "For Shareholder"; Copy C "For Corporation."
- Form 1099-LTC Copy B "For Policyholder"; Copy C "For Insured"; and Copy D "For Payer."
- Form 1099-MISC Copy 1 "For State Tax Department"; Copy B "For Recipient"; Copy 2 "To be filed with recipient's state income tax return, when required"; and Copy C "For Payer."
- Form 1099-R Copy 1 "For State, City, or Local Tax Department"; Copy B "Report this income on your federal tax return. If this form shows federal income tax withheld in box 4, attach this copy to your return"; Copy C "For Recipient's Records"; Copy 2 "File this copy with your state, city, or local income tax return, when required"; Copy D "For Payer."
- Form 1099-S Copy B "For Transferor"; Copy C "For Filer."
- Form 5498 Copy B "For Participant"; Copy C "For Trustee or Issuer."
- Form 5498-ESA Copy B "For Beneficiary"; Copy C "For Trustee."
- Form 5498-SA Copy B "For Participant"; Copy C "For Trustee."
- Form W-2G Copy 1 "For State Tax Department"; Copy B "Report this income on your federal tax return. If this form shows federal income tax withheld in box 2, attach this copy to your return"; Copy C "For Winner's Records"; Copy 2 "Attach this copy to your state income tax return, if required."; Copy D "For Payer."
- **4.4.3 Perforations** Perforations are required between forms on all copies except Copy A to make separating the forms easier. (Copy A of Form W-2G may be perforated.)

Section 4.5 — Electronic Delivery of Form 1099 and Form 5498 Payee Statements

4.5.1 Electronic If you are required to furnish a written statement (Copy B or an acceptable substitute) to a recipient, then you may furnish the statement electronically instead of on paper. This includes furnishing the statement to recipients of Forms 1098, 1098-E, 1098-T, 1099-A, B, C, CAP, DIV, H, INT, G, LTC, MISC, OID, PATR, Q, R, S, SA, 5498, 5498-ESA, and 5498-SA. It also includes Form W-2G (except for horse and dog racing, jai alai, sweepstakes, wagering pools, and lotteries).

Note. Until further guidance is issued, you can not furnish Form 1098-C electronically.

If you meet the requirements listed below, you are treated as furnishing the statement timely.

Consent The recipient must consent in the affirmative and not have withdrawn the consent before the statement is furnished. The consent by the recipient must be made electronically in a way that shows that he or she can access the statement in the electronic format in which it will be furnished.

You must notify the recipient of any hardware or software changes prior to furnishing the statement. A new consent to receive the statement electronically is required after the new hardware or software is put into service.

Prior to furnishing the statements electronically, you must provide the recipient a statement with the following statements prominently displayed:

- If the recipient does not consent to receive the statement electronically, a paper copy will be provided.
- The scope and duration of the consent. For example, whether the consent applies to every year the statement is furnished or only for the January 31 immediately following the date of the consent.
- How to obtain a paper copy after giving consent.
- How to withdraw the consent. The consent may be withdrawn at any time by furnishing the withdrawal in writing (electronically or on paper) to the person whose name appears on the statement. Confirmation of the withdrawal also will be in writing (electronically or on paper).
- Notice of termination. The notice must state under what conditions the statements will no longer be furnished to the recipient.
- Procedures to update the recipient's information.
- A description of the hardware and software required to access, print and retain a statement, and a date the statement will no longer be available on the website.

Format, Posting, Additionally, you must: *and Notification*

- Ensure the electronic format contains all the required information and complies with the guidelines in this document.
- Post, on or before the January 31 due date, the applicable statement on a website accessible to the recipient through October 15 of that year.
- Inform the recipient, electronically or by mail, of the posting and how to access and print the statement.

For more information, see Regulations section 31.6051-1. For electronic furnishing of Forms 1098-E and 1098-T, see Regulations section 1.6050S-2.

For electronic furnishing of Forms 1099-R, 1099-SA, 1099-Q, 5498, 5498-ESA, and 5498-SA, see Notice 2004-10, 2004-6 I.R.B. 433.

Part 5 Additional Instructions for Substitute Forms 1098, 1099, 5498, W-2G, and 1042-S

Section 5.1 — Paper Substitutes for Form 1042-S

5.1.1 Paper Substitutes	Paper substitutes of Copy A for Form 1042-S, <i>Foreign Person's U.S. Source Income Subject to Withholding</i> , that totally conform to the specifications contained in this procedure may be privately printed without prior approval from the Internal Revenue Service. Proposed substitutes not conforming to these specifications must be submitted for consideration.
	Note. Copies B, C, D, and E of Form 1042-S may contain multiple income entries for the same recipient, that is multiple rows of the top boxes 1-10 of the form.
5.1.2 Time Frame For Submission of Form 1042-S	The request should be submitted by November 15 of the year prior to the year the form is to be used. This is to allow the Service adequate time to respond and the submitter adequate time to make any corrections. These requests should contain a copy of the proposed form, the need for the specific deviation(s), and the number of information returns to be printed.
5.1.3 Revisions	Form 1042-S is subject to annual review and possible change. Withholding agents and form suppliers are cautioned against overstocking supplies of the privately printed substitutes.
5.1.4 Obtaining Copies	Copies of the official form for the reporting year may be obtained from most Service offices. The Service provides only cut sheets of these forms. Continuous fan-fold/pin-fed forms are not provided.
5.1.5 Instructions For Withholding Agents	 Instructions for withholding agents: Only original copies may be filed with the Service. Carbon copies and reproductions are not acceptable. The term "Recipient's U.S. TIN" for an individual means the social security number (SSN) or IRS individual taxpayer identification number (ITIN), consisting of nine digits separated by hyphens as follows: 000-00-0000. For all other recipients, the term means employer identification number (EIN) or qualified intermediary employer identification number (QI-EIN). The QI-EIN designation includes a withholding foreign partnership employer identification number (WP-EIN) and a withholding foreign trust employer identification number (WT-EIN). The EIN and QI-EIN consist of nine digits separated

by a hyphen as follows: 00-0000000. The taxpayer identification number (TIN) must be in one of these formats.

- Withholding agents are requested to type or machine print whenever possible, provide quality data entries on the forms (that is, use black ink and insert data in the middle of blocks well separated from other printing and guidelines), and take other measures to guarantee a clear, sharp image. Withholding agents are not required, however, to acquire special equipment solely for the purpose of preparing these forms.
- The "AMENDED" and "PRO-RATA BASIS REPORTING" boxes must be printed at the top center of the form under the title and checked, if applicable.
- Substitute forms prepared in continuous or strip form must be burst and stripped to conform to the size specified for a single form before they are filed with the Service. The dimensions are found below. Computer cards are acceptable provided they meet all requirements regarding layout, content, and size.

Property	Substitute Form 1042-S Format Requirements
Printing	Privately printed substitute Forms 1042-S must be exact replicas of the official forms with respect to layout and content. Only the dimensions of the substitute form may differ. The Government Printing Office (GPO) symbol must be deleted. The exact dimensions are found below.
Box Entries	Only one item of income may be represented on the copy submitted to the Service (Copy A). Multiple income items may be shown on copies provided to recipients or retained by withholding agents. All boxes appearing on the official form must be present on the substitute form, with appropriate captions.
Color and Quality of Ink	All printing must be in high quality non-gloss black ink. Bar codes should be free from picks and voids.
Typography	Type must be substantially identical in size and shape to corresponding type on the official form. All rules on the document are either 1 point (0.015") or 3 point (0.045"). Vertical rules must be parallel to the left edge of the document; horizontal rules must be parallel to the top edge.
Carbons	Carbonized forms or "spot carbons" are not permissible. Interleaved carbons, if used, must be of good quality to preclude smudging and should be black.

5.1.6 Substitute Form 1042-S Format Requirements

Property	Substitute Form 1042-S Format Requirements
Assembly	If all five parts are present, the parts of the assembly shall be arranged from top to bottom as follows: Copy A (Original) "for Internal Revenue Service," Copies B, C, and D "for Recipient," and Copy E "for Withholding Agent."
Color Quality of Paper	• Paper for Copy A must be white chemical wood bond, or equivalent, 20 pound (basis 17 x 22–500), plus or minus 5 percent; or offset book paper, 50 pound (basis 25 x 38–500). No optical brighteners may be added to the pulp or paper during manufacture. The paper must consist of principally bleach chemical wood pulp or recycled printed paper. It also must be suitably sized to accept ink without feathering.
	• Copies B, C, D (for Recipient), and E (For Withholding Agent) are provided in the official assembly solely for the convenience of the withholding agent. Withholding agents may choose the format, design, color, and quality of the paper used for these copies.
Dimensions	• The official form is 8 inches wide x 5 ¹ / ₂ inches deep, exclusive of a ¹ / ₂ inch snap stub on the left side of the form. The snap feature is not required on substitutes.
	• The width of a substitute Copy A must be a minimum of 7 inches and a maximum of 8 inches, although adherence to the size of the official form is preferred. If the width of substitute Copy A is reduced from that of the official form, the width of each field on the substitute form must be reduced proportionately. The left margin must be ¹ / ₂ inch and free of all printing other than that shown on the official form.
	• The depth of a substitute Copy A must be a minimum of 5 ¹ / ₆ inches and a maximum of 5 ¹ / ₂ inches.
Other Copies	Copies B, C, and D must be furnished for the convenience of payees who must send a copy of the form with other federal and state returns they file. Copy E may be used as a withholding agent's record/copy.

Section 5.2 — OMB Requirements for All Forms in This Revenue Procedure

5.2.1 OMB Requirements	The Paperwork Reduction Act (the Act) of 1995 (Public Law 104-13) requires that:
	 OMB approves all IRS tax forms that are subject to the Act. Each IRS form contains (in or near the upper right corner) the OMB approval number, if any. (The official OMB numbers may be found on the official IRS printed forms and are also shown on the forms in the exhibits in <i>Part 6.</i>) Each IRS form (or its instructions) states: Why the IRS needs the information, How it will be used, and Whether or not the information is required to be furnished to the IRS.
	This information must be provided to any users of official or substitute IRS forms or instructions.
5.2.2 Substitute Form Requirements	 The OMB requirements for substitute IRS forms are: Any substitute form or substitute statement to a recipient must show the OMB number as it appears on the official IRS form. For Copy A, the OMB number must appear exactly as shown on the official IRS form. For any copy other than Copy A, the OMB number must use one of the following formats. OMB No. XXXX-XXXX (preferred) or OMB # XXXX-XXXX (acceptable).
5.2.3 Required Explanation to Users	All substitute forms (Copy A only) must state "For Privacy Act and Paperwork Reduction Act Notice, see the 2008 General Instructions for Forms 1099, 1098, 5498, and W-2G." (or "For Privacy Act and Paperwork Reduction Act Notice, see separate instructions." for Copy A of Form 1042-S). If no instructions are provided to users of your forms, you must furnish them with the exact text of the Privacy Act and Paperwork Reduction Act Notice.
Section 5.3 —	Reproducible Copies of Forms

5.3.1 Introduction	You can order official IRS forms and publications by calling 1-800-TAX-FORM (1-800-829-3676). Other ways to get federal tax material include:
	• The Internet.

• CD.

	• GPO Superintendent of Documents Bookstores.
	Note. Several IRS forms are provided electronically on the IRS home page and on the IRS Federal Tax Forms CD, Form 1096 and Copy A of 1098 series, 1099 series, and 5498 series cannot be used for filing with the IRS when printed from a conventional printer. These forms contain drop-out ink requirements as described in Part 2 of this publication.
5.3.2 Internet	You can download tax materials from the Internet by visiting the IRS web site at <u>www.irs.gov</u> .
5.3.3 IRS Federal Tax Forms CD	The IRS also offers an alternative to downloading electronic files and provides current and prior-year access to tax forms and instructions through its <i>IRS Federal Tax Forms CD</i> . The CD, Pub. 1796, <i>IRS Federal Tax Products CD</i> , will be available for the upcoming filing season. You may buy the CD on the Internet at <u>www.irs.gov/cdorders</u> or by calling 1-877-CDFORMS (1-877-233-6767).
5.3.4 GPO Supt. of Documents Bookstores	The Government Printing Office (GPO) Superintendent of Documents Bookstores also sell individual copies of tax forms, instructions, and publications.

Section 5.4 — Effect on Other Revenue Procedures

5.4.1 Other	Revenue Procedure 2007-50, 2007-31 I.R.B. 244, dated July 30, 2007, which
Revenue	provides rules and specifications for private printing of 2007 substitute forms
Procedures	and statements to recipients, is superseded.
Part 6 Exhibits

Section 6.1 — Exhibits of Forms in the Revenue Procedure

6.1.1 Purpose Exhibits A through Z illustrate some of the specifications that were discussed earlier in this revenue procedure. The dimensions apply to the actual size forms, but the exhibits have been reduced in size.

Generally, the illustrated dimensions apply to all like forms. For example, Exhibit B shows 11.00" from the top edge to the bottom edge of Form 1098 and .85" between the bottom rule of the top form and the top rule of the second form on the page. These dimensions apply to all forms that are printed three to a page.

6.1.2 Guidelines Keep in mind the following guidelines when printing substitute forms.

- Closely follow the specifications to avoid delays in processing the forms.
- Always use the specifications as outlined in this revenue procedure and illustrated in the exhibits.
- Do not add the text line "Do Not Cut or Separate Forms on This Page" to the bottom form. This will cause inconsistency with the specifications.

Exhibit A

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Exhibit B

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	ιο.)	3 Refund of overpaid interest	For Privacy Advance of Privacy Advance of Paperwork Reduction Advance, see the 2008 General Instructions for

Exhibit C

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Exhibit D

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Exhibit E

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			2 Amounts billed for qualified tuition and related expenses \$	- 20 08		Statement
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Exhibit F

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Exhibit G

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					Broker an Barter Exchang
			1b CUSIP no.	2008	Transaction
				Form 1099-B	
			2 Stocks, bonds, etc.		1.90"
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			\$	\$ 3.90*	Copy
RECIPIENT'S name			5 No. of shares exchanged	6 Classes of stock exchanged	Internal Revenu
			1.40"	■ 1.40 [®]	Service Cent
Street address (including apt. no.)			7 Description		File with Form 10
					For Privacy A and Paperwo
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ony, state, and zir code			2008 2008	9 Unrealized profit or (los open contracts—12/31/	2007 Notice, see t
			\$	\$	2008 Gener Instructions f
CORPORATION'S name			10 Unrealized profit or (loss) on open contracts-12/31/2008		Forms 1039, 108
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Exhibit H

		EGIED		
CREDITOR'S name, street address, ci	ity, state, and ZIP code		OMB No. 1545-1424	
			2008	Cancellatio
				of Deb
			Form 1099-C	
CREDITOR'S federal identification number	DEBTOR'S identification number	1 Date canceled	2 Amount of debt canceled	Сору
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DEBTOR'S name		3 Interest if included in box	2 4	Internal Revenu
(3.40"	>		Service Cente File with Form 109
Streat address (including ant no)		\$ 5 Debt description		For Privacy A
Street address (including apt. no.)		5 Debt description		and Paperwo Reduction A
City, state, and ZIP code		-		Notice, see the
				2008 Gener
Account number (see instructions)		6 Check for bankruptcy	7 Fair market value of property	Forms 1099, 109
			\$	5498, and ₩-20
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Exhibit I

7373		CORRE	CTED		
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				- 2008	Corporate Control and
			2 Aggregate amount rec'd*	Form 1099-CAP	Capital Structure
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			5		2008 Gener
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			2 Aggregate amount rec'd" \$	Form 1099-CAP	Control an Capital Structur
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Exhibit J

PAYER'S name, street address, city,			Total ordinary dividends	OMB No. 1545-0110	
PATER 5 hame, street address, city,	state, ZIP code, and telepho	ne no. Ta	Total ordinary dividends	OMB No. 1545-0110	
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			Qualified dividends	2008	Distribution
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		\$		Form 1099-DIV	
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		\$		\$	Fo
PAYER'S federal identification number	RECIPIENT'S identification number				Internal Revenu Service Cente
					File with Form 109
RECIPIENT'S name		20	Section 1202 gain	2d Collectibles (28%) gain	
		\$		\$	For Privacy Ad and Paperwor
		3	Nondividend distributions	4 Federal income tax withh	Reduction A
Street address (including apt. no.)		\$		\$ 5 Investment expenses	Notice, see th
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				\$	Instructions for
City, state, and ZIP code			Foreign tax paid	7 Foreign country or U.S. possessi	
		\$			1098, 5498 and W-20
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Exhibit K

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PAYER'S name, street address, city,	state, ZIP code, and telephone no.	1 Unemployment compensation	OMB No. 1545-0120	
		1.40"		Certain Government
		2 State or local income tax	2008	Payments
		refunds, credits, or offsets	Form 1099-G	-
PAYER'S federal identification number	RECIPIENT'S identification number	3 Box 2 amount is for tax year	4 Federal income tax withh	eld Copy A
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RECIPIENT'S name		5 ATAA payments	6 Taxable grants	Internal Revenue Service Center
		\$	\$	File with Form 1096. For Privacy Act
Street address (including apt. no.)		7 Agriculture payments \$	8 Check if box 2 is trade or business income	and Paperwork Reduction Act
City, state, and ZIP code			indente	Notice, see the 2008 General
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				5498, and W-2G.
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				5498, and W-2G.

Exhibit L

7171 ISSUER'S/PROVIDER'S name, street a	Address, city, state, ZIP code, and	1 Amount of HCTC advance	OMB No. 1545-1813		
telephone no.		payments		н	ealth Coverage
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Exhibit O

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	PAYER'S name,		state, ZIP code, and telephone no.	_	ED ₩ Rents	ом	B No. 1545-0115		
				-	1.40" ►				
 5.50"				\$			2008		Miscellaneous
1.50				2	Royalties	6			Income
				¢		For	m 1099-MISC		.2
	4.	50"		3	Other income	_	Federal income tax v	withheld	Copy A
				•		·			For
	PAYER'S federa	identification	RECIPIENT'S identification	\$	Fishing boat proceeds	\$ 6	Medical and health care	e payments	Internal Revenue
	number		number					1.7	Service Center
				\$		\$			File with Form 1096.
	RECIPIENT'S na	me		7	Nonemployee compensation	<u> </u>	Substitute payments i	in lieu of	
							dividends or interest		For Privacy Act
									and Paperwork
				\$	Design of the back of	\$			Reduction Act Notice, see the
	Street address (i	ncluding apt. no.)		9	Payer made direct sales of \$5,000 or more of consumer		Crop insurance pr	roceeds	2008 General
	•	3.40"=		•	products to a buyer (recipient) for resale	\$			Instructions for
	City, state, and 2	IP code		11		12			Forms 1099,
									1098, 5498,
	Account number	(see instructions)	2nd TIN not.	13	Excess golden parachute payments	14	Gross proceeds p an attorney	aid to	and W-2G.
				\$		\$			
	15a Section 409/	deferrals	15b Section 409A income	16	State tax withheld	17	State/Payer's stat	te no.	18 State income
	\$		¢	\$. \$		l			\$
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Exhibit P

9696		CORRE	CTED		
PAYER'S name, street address, city,	state, ZIP code, and tel		1 Original issue discount	OMB No. 1545-0117	
			for 2008		
			\$	2008	Original Issue
			2 Other periodic interest	GUUU	Discoun
			\$	Form 1099-OID	1
PAYER'S federal identification number	RECIPIENT'S identific	ation number	3 Early withdrawal penalty	4 Federal income tax withheld	Сору А
			\$	\$	Fo Fo
RECIPIENT'S name			5 Description		Internal Revenue Service Cente
					File with Form 1096
			C Original issue discount on i	LLC Treasury obligations	For Privacy Ac
Street address (including apt. no.)			6 Original issue discount on	J.S. Treasury obligations	and Paperwork Reduction Ac
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4 2.80" ==				4.15*	5498, and W-2G
orm 1099-OID			at. No. 14421R	Department of the Treasury -	1
9696 PAYER'S name, street address, city,	VOID State, ZIP code, and tel	CORRE	CTED 1 Original issue discount for 2008	OMB No. 1545-0117	
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RECIPIENT'S name	1		5 Description	1*	Internal Revenue
					Service Center
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Street address (including apt. no.)			6 Original issue discount on	U.S. Treasury obligations	and Paperwork
			\$		Reduction Ac Notice, see the
City, state, and ZIP code			7 Investment expenses		2008 Genera
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Account number (see instructions)		2nd TIN not.			Forms 1099, 1098
					5408 and W-2G
			et:		5498, and W-2G
orm 1099-OID			at. No. 14421R	Department of the Treasury -	
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Exhibit Q

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			2 Nonpatronage distributions	0000	Distribution
			\$	2008	Received From
			3 Per-unit retain allocations	La restriction de la deserve	Cooperative
			\$	Form 1099-PATR	
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		anon manuer	\$		Copy
RECIPIENT'S name			5 Redemption of nonqualified	6 Domestic production activities	For For
REGIPIENT S hame			notices and retain allocations	deduction	Internal Revenu Service Center
					File with Form 109
			\$	\$	For Privacy A
Street address (including apt. no.)				7 Investment credit	and Paperwo
				\$	Reduction A
City, state, and ZIP code			8 Work opportunity credit	9 Patron's AMT adjustment	Notice, see th
			\$	\$	2008 Generations for
Account number (see instructions)		2nd TIN not.	10 Other credits and deduction	ns	Forms 1099, 109
2.80"			\$	4.15"	5498, and W-20
orm 1099-PATR			at. No. 14435F	Department of the Treasury	
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			2 Nonpatronage distributions \$	2008	Received From
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Street address (including apt. no.)			-	7 Investment credit	For Privacy A
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Exhibit R

	RECTED		
PAYER'S/TF#STEE'S name, street address, city, state, ZIP code, and telephone numbe 2.83* 3.4*		OMB No. 1545-1760	Payments Fro Qualifi Educatio Progran (Under Section 529 and 53
PAYER'S/TRUSTEE'S federal identification no. PECIPIENT'S social security number RECIPIENT'S name	r 3 Basis \$ 5 Check one: • Qualified tuition program— Private or State	4 Trustee-to-trustee transfer 1.4* 6 Check if the recipient is not the designated beneficiary 3.25*	Copy F Internal Reven Service Cent File with Form 10 For Privacy /
Street address (including apt. no.) City, state, and ZIP code Account number (see instructions)	Coverdell ESA		and Paperwo Reduction / Notice, see 2008 Gene Instructions Forms 1099, 10 5498, and W-2
BLBL VOID CORF PAYER'S/TRUSTEE'S name, street address, city, state, ZIP code, and telephone number	RECTED r 1 Gross distribution \$ 2 Earnings \$	OMB No. 1545-1760	Payments Fro Qualifi Educati Prograr (Under Sectio 529 and 53
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Exhibit S

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		1st year of desig. Roth contrib.	10 \$ \$	State tax withhe	ld	11 State/Payer's s	tate no.	12 State distribution
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Exhibit V

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Exhibit X

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Exhibit Y

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Exhibit Z

Department		Foreign Persor Subject to Wit			O-RATA	<u></u>			opy A for Revenue Servic
1 Income code	2 Gross income	3 Withholding allowances	4 Net income	5 Tax rate	6 Exemptic		l tax withheld		
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10 Am	unt repaid to recip	vient		14 R	l Recipient's l			n.	
					SSN	l or ITIN	E	EIN	QI-EIN
11 With	hholding agent's El			15 R	lecipient's fo	oreign tax id	entifying numb	er, if any	16 Country code
12a WIT	EIN "HHOLDING AGEN"	QI-EIN T'S name		17 N	QI's/FLOW	-THROUGH	I ENTITY'S na	ame	18 Country code
12b Address (number and street)				19a N	IQI's/Entity'	s address (number and s	street)	
12c Add	ditional address line	e (room or suite no.)		19b A	dditional ad	ddress line	(room or suite	e no.)	
12d City or town, province or state, country, ZIP or foreign postal code				19c C	ity or town, p	rovince or stat	te, country, ZIP o	or foreign pos	stal code
13a REC	CIPIENT'S name		13b Recipient cod	e 20 N	IQI's/Entity'	s U.S. TIN,	if any 🕨		
13c Address (number and street)				21 P	AYER'S na	me and TIN	l (if different fi	rom withho	olding agent's)
13d Additional address line (room or suite no.)				22 R	Recipient ac	count numt	ber (optional)		
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