



Federal Register

**Monday,
December 22, 2003**

Part XVI

**Department of the
Treasury**

Semiannual Regulatory Agenda

DEPARTMENT OF THE TREASURY (TREAS)

DEPARTMENT OF THE TREASURY

31 CFR Subtitle A, Chs. I and II

Semiannual Agenda and Fiscal Year 2004 Regulatory Plan

AGENCY: Department of the Treasury.

ACTION: Semiannual regulatory agenda.

SUMMARY: This notice is given pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96-354, September 19, 1980) and Executive Order (E.O.) 12866 (“Regulatory Planning and Review,” September 30, 1993), which require the publication by the Department of a semiannual agenda of regulations. E.O. 12866 also requires the publication by the Department of a regulatory plan for fiscal year 2004.

FOR FURTHER INFORMATION CONTACT: The Agency Contact identified in the item relating to that regulation.

SUPPLEMENTARY INFORMATION: On November 25, 2002, the President signed the Homeland Security Act of 2002 (the Act), establishing the Department of Homeland Security

(DHS). The Act transferred the U.S. Customs Service from the Department of the Treasury to the DHS, where it is now known as the Bureau of Customs and Border Protection. Notwithstanding the transfer of the Customs Service to DHS, the Act provides that the Secretary of the Treasury retains sole legal authority over the customs revenue functions, and authorizes the Secretary to delegate any of this retained authority to the Secretary of Homeland Security. By Treasury Department Order No. 100-16, the Secretary of the Treasury delegated to the Secretary of Homeland Security authority to prescribe regulations pertaining to the customs revenue functions. This Order further provided that the Secretary of the Treasury retained the sole authority to approve any such regulations concerning import quotas or trade bans; user fees; marking and labeling; copyright and trademark enforcement; and the completion of entry or substance of entry summary, including duty assessment and collection, classification, valuation, application of the U.S. Harmonized Schedules, eligibility or requirements for

preferential trade programs, and the establishment of recordkeeping requirements. Accordingly, these regulations are now listed in the semiannual regulatory agenda of the Departmental Offices of the Department of the Treasury.

The semiannual agenda and The Regulatory Plan of the Department of the Treasury conform to the Unified Agenda format developed by the Regulatory Information Service Center (RISC).

For this edition of Treasury’s regulatory agenda, one regulation of the Alcohol and Tobacco Tax and Trade Bureau is included in The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. This entry in The Regulatory Plan is listed in the table of contents below and is denoted by a bracketed bold reference, which directs the reader to the appropriate sequence number in part II.

Dated: October 28, 2003.

Richard S. Carro,
Senior Advisor to the General Counsel for Regulatory Affairs.

Departmental Offices—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2513	12 CFR 1805 Community Development Financial Institutions (CDFI) Program; Reporting Requirements	1505—AA93
2514	17 CFR 403.4 Amendments to the Government Securities Act Regulations: Customer Protection—Reserves and Custody of Securities	1505—AA94
2515	Amendments to the Government Securities Act Regulations: Exemption for Holdings Subject to Fiduciary Standards	1505—AB06
2516	Terrorism Risk Insurance Program; Initial Claims Procedure Requirements	1505—AB07
2517	Terrorism Risk Insurance Program; Litigation Management	1505—AB08
2518	Terrorism Risk Insurance Program; Additional Claims Issues	1505—AB09
2519	Textiles and Textile Products Subject to Textile Trade Agreements	1505—AB13
2520	Liquidation; Extension; Suspension	1505—AB14
2521	19 CFR 12 Detention, Seizure, and Forfeiture of “Bootleg” Sound Recording and Music Videos of Live Musical Performances	1505—AB15
2522	19 CFR 111 Remote Location Filing	1505—AB20
2523	Merchandise Processing Fees Eligible to be Claimed as Certain Types of Drawback Based on Substitution of Finished Petroleum Derivatives	1505—AB44

Departmental Offices—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2524	31 CFR 19 Common Rule Suspension and Debarment	1505—AA86
2525	31 CFR 501 Reporting and Procedures Regulations; Cuban Assets Control Regulations: Publication of Economic Sanctions Enforcement Guidelines	1505—AA95
2526	31 CFR 1.8 to 1.12 Disclosure of Records in Litigation	1505—AA97
2527	19 CFR 4 Harbor Maintenance Fee	1505—AB11

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Departmental Offices—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2528	Donated Cargo Exemption From Harbor Maintenance Fee	1505—AB12
2529	19 CFR 181 North American Free Trade Agreement (NAFTA)—Implementation of Duty—Deferral Program Provisions	1505—AB17
2530	Country—of—Origin Marking	1505—AB21
2531	19 CFR 4 User and Navigation Fees; Other Reimbursable Charges	1505—AB24
2532	19 CFR 10 African Growth and Opportunity Act and Generalized System of Preferences	1505—AB26
2533	Expanded Weekly Entry Procedure for Foreign Trade Zones	1505—AB27
2534	19 CFR 10 United States—Caribbean Basin Trade Partnership Act and Caribbean Basin Initiative	1505—AB28
2535	19 CFR 24 Reimbursable Customs Inspectional Services—Increase in Hourly Rate Charge	1505—AB29
2536	19 CFR 12 Dog and Cat Protection Act	1505—AB31
2537	19 CFR 10 Prototypes Used Solely For Product Development, Testing, Evaluation, or Quality Control Purposes	1505—AB32
2538	19 CFR 10 Preferential Treatment of Brassieres Under the United States—Caribbean Basin Trade Partnership Act	1505—AB33
2539	19 CFR 141 Single Entry for Unassembled or Disassembled Entities Imported on Multiple Conveyances	1505—AB34
2540	19 CFR 10 Implementation of the Andean Trade Promotion and Drug Eradication Act	1505—AB37
2541	Trade Benefits Under the African Growth and Opportunity Act	1505—AB38
2542	19 CFR 24 Fees for Customs Processing at Express Courier Facilities	1505—AB39
2543	Trade Benefits Under the Caribbean Basin Economic Recovery Act	1505—AB40
2544	Tariff Treatment Related to Disassembly Operations Under the North American Free Trade Agreement (NAFTA) ...	1505—AB41
2545	Refund of Duties Paid on Imports of Certain Wool Products	1505—AB43

Departmental Offices—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
2546	31 CFR ch II Possible Regulation of Access to Accounts at Financial Institutions Through Payment Service Providers	1505—AA74
2547	Financial Activities of Financial Subsidiaries	1505—AA80
2548	Financial Subsidiaries	1505—AA81
2549	12 CFR 1501.2 Secretary's Determination of Real Estate Brokerage	1505—AA84
2550	12 CFR 1501.2 Secretary's Determination of Other Activities Financial in Nature	1505—AA85
2551	31 CFR 5 Treasury Debt Collection	1505—AA90
2552	12 CFR 1806 Bank Enterprise Award (BEA) Program	1505—AA91
2553	12 CFR 1805 Community Development Financial Institutions (CDFI) Program	1505—AA92
2554	Terrorism Risk Insurance Program; Recoupments of Federal Share of Compensation for Insured Losses	1505—AB10
2555	19 CFR 142 Reconciliation	1505—AB16
2556	19 CFR 12 Entry of Softwood Lumber Shipments From Canada	1505—AB18
2557	Expanded Methods of Payment of Duties, Taxes, Interest, and Fees	1505—AB22
2558	Entry of Softwood Lumber Shipments From Canada	1505—AB23
2559	19 CFR 142 Requirements for Future Customs Transactions When Payment To Customs on Prior Transactions is Delinquent and/or Dishonored	1505—AB25

Departmental Offices—Completed Actions

Sequence Number	Title	Regulation Identification Number
2560	48 CFR ch 10 Department of the Treasury Acquisition Regulation	1505—AA89
2561	31 CFR 50 Terrorism Risk Insurance Program; Program Scope and Definitions	1505—AA96
2562	31 CFR 50 Terrorism Risk Insurance Program; Disclosures and Mandatory Availability Requirements	1505—AA98
2563	31 CFR 50 Terrorism Risk Insurance Program; State Residual Market Insurance Entities	1505—AA99
2564	Customs Entry Documentation Pursuant to Anticounterfeiting Consumer Protection Act	1505—AB19
2565	19 CFR 24 User Fees	1505—AB30
2566	Civil Fines For Importation of Merchandise Bearing a Counterfeit Mark	1505—AB35
2567	Manufacturing Substitution Drawback—Duty Apportionment	1505—AB36
2568	Preferential Treatment of Brassieres Under the Caribbean Basin Economic Recovery Act	1505—AB42
2569	Import Restrictions Imposed on Archaeological Material from Cambodia	1505—AB45

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Departmental Offices—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2570	Extension of Emergency Import Restrictions Imposed on Ethnological Material from Cyprus	1505—AB46

Financial Crimes Enforcement Network—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2571	Customer Identification Programs for Pawn Brokers	1506—AA39

Financial Crimes Enforcement Network—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2572	31 CFR 103 Amendment to the Bank Secrecy Act Regulations—Delegation of Authority To Assess Civil Money Penalties on Depository Institutions	1506—AA08
2573	31 CFR 103.65 Amendments to the Bank Secrecy Act Regulations—Requirement That Financial Institutions Establish Anti—Money Laundering Programs	1506—AA28
2574	Customer Identification Programs for Travel Agents	1506—AA38
2575	Customer Identification Programs for Loan and Finance Companies	1506—AA40
2576	Customer Identification Programs for Sellers of Vehicles	1506—AA41

Financial Crimes Enforcement Network—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2577	31 CFR 103 Amendment to the Bank Secrecy Act Regulations Regarding Reporting of Cross—Border Transportation of Certain Monetary Instruments	1506—AA15
2578	31 CFR 103 Amendment to the Bank Secrecy Act Regulations—Exemptions From the Requirement To Report Transactions in Currency	1506—AA23
2579	31 CFR 103.30 Amendment to the Bank Secrecy Act Regulations—Requirement that Nonfinancial Trades or Businesses Report Certain Currency Transactions	1506—AA25
2580	31 CFR 103.175-103.178 Due Diligence Requirements for Correspondent Accounts and Private Banking Accounts	1506—AA29
2581	31 CFR 103.121 Customer Identification Programs for Banks, Savings Associations, and Credit Unions	1506—AA31
2582	31 CFR 103.16 Financial Crimes Enforcement Network; Amendment to the Bank Secrecy Act Regulations Requirement That Insurance Companies Report Suspicious Transactions	1506—AA36
2583	31 CFR 103.15 Amendment to the Bank Secrecy Act Regulations—Requirement That Mutual Funds Report Suspicious Transactions	1506—AA37
2584	31 CFR 103.184 Imposition of Special Measures Against the Country of Nauru	1506—AA43
2585	31 CFR 103.56 Financial Crimes Enforcement Network; Delegation of Enforcement Authority Regarding the Foreign Bank Account Report Requirements	1506—AA45
2586	Financial Crimes Enforcement; Amendments to the Bank Secrecy Act Regulations—Nomenclature Changes	1506—AA61

Financial Crimes Enforcement Network—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
2587	31 CFR 103 Amendments to the Bank Secrecy Act Regulations—Special Reporting and Recordkeeping Requirements—Money Services Businesses (MSBs)	1506—AA19

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Sequence Number	Title	Regulation Identification Number
2588	31 CFR 103.122 Customer Identification Program for Broker—Dealers	1506—AA32
2589	31 CFR 103.131 Customer Identification Program for Mutual Funds	1506—AA33
2590	31 CFR 103.11 Requirement That Futures Commission Merchants and Introducing Brokers in Commodities Report Suspicious Transactions	1506—AA44
2591	Financial Crimes Enforcement Network; Freedom of Information Act, Privacy Act of 1974—Implementation	1506—AA62

Financial Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2592	31 CFR 245 Claims on Account of Treasury Checks	1510—AA51
2593	31 CFR 206 Management of Federal Agency Receipts and Disbursements; Operation of the Cash Management Improvement Fund	1510—AA86
2594	31 CFR 215 Withholding of District of Columbia, State, City, and County Income, or Employment Taxes by Federal Agencies	1510—AA90

Financial Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2595	31 CFR 240 Indorsement and Payment of Checks Drawn on the U.S. Treasury	1510—AA45
2596	31 CFR 281 Foreign Exchange Operations	1510—AA48
2597	31 CFR 256 Payments Under Judgment and Private Relief Acts	1510—AA52
2598	31 CFR 285.5 Offset of Federal Payments (Other Than Tax Refund and Federal Benefit Payments) To Collect Past—Due, Legally Enforceable Nontax Debt	1510—AA65
2599	31 CFR 285.7 Salary Offset	1510—AA70
2600	31 CFR 285.8 Offset of Tax Refund Payment To Collect State Income Tax Obligations	1510—AA78
2601	31 CFR 203 Payment of Federal Taxes and the Treasury Tax and Loan Program	1510—AA79
2602	31 CFR 901.9 Federal Claims Collection Standard—Collection by Installments	1510—AA91
2603	Federal Government Participation in the Automated Clearing House (ACH)	1510—AA98

Financial Management Service—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
2604	31 CFR 285.6 Offset of Federal Payments (Other Than Tax Refund and Federal Benefit Payments) To Collect Past—Due Debts Owed to States (Other Than Child Support)	1510—AA66
2605	31 CFR 285.14 Public Dissemination of Identity of Delinquent Debtors	1510—AA72
2606	31 CFR 223 Surety Bond Reimbursement Fund	1510—AA85
2607	Payment of Federal Taxes and the Treasury Tax and Loan Program	1510—AA96
2608	Federal Government Participation in the Automated Clearing House (ACH)	1510—AA97

Financial Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
2609	31 CFR 210 2003 Automated Clearing House (ACH) Rules	1510—AA89

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Alcohol and Tobacco Tax and Trade Bureau—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2610	27 CFR 7 Revision of Brewery Regulations and Issuance of Regulations for Taverns on Brewery Premises (Brewpubs) (Reg Plan Seq No. 99)	1513—AA02
2611	27 CFR 4 Prohibition of Alcohol Beverage Containers and Standard of Fill for Distilled Spirits and Wine	1513—AA07
2612	27 CFR 270 Determination of Tax and Recordkeeping on Large Cigars	1513—AA16
2613	27 CFR 9 Petition To Establish the “Santa Barbara Highlands” Viticultural Area	1513—AA24
2614	27 CFR 44 Regulatory Changes From Customs Service Final Rule	1513—AA26
2615	27 CFR 40 Shipments of Tobacco Products or Cigarette Papers or Tubes Without Payment of Tax	1513—AA27
2616	27 CFR 9 Petition To Establish the “Trinity Lake” Viticultural Area	1513—AA29
2617	27 CFR 9 Petition To Establish “Eola Hills” as a New American Viticultural Area	1513—AA41
2618	27 CFR 4 Proposed Addition of New Grape Variety Names for American Wines	1513—AA42
2619	27 CFR 40 Marks, Labels, Notices and Bonds for, and Removal of, Tobacco Products, and Cigarette Papers and Tubes	1513—AA49
2620	27 CFR 9 Petition To Establish “Santa Maria Bench” as a New American Viticultural Area	1513—AA51
2621	27 CFR 40 In—Transit Stops of Tobacco Products, and Cigarette Papers and Tubes Without Payment of Tax	1513—AA52
2622	27 CFR 9 Petition To Establish “Snake River Valley” as a New Viticultural Area	1513—AA53
2623	27 CFR 9 Petition To Expand the Livermore Valley Viticultural Area	1513—AA54
2624	27 CFR 9 San Francisco Bay and Central Coast Viticultural Areas—Boundary Realignment/Expansion	1513—AA55
2625	27 CFR 9 Petition To Establish “Chehalem Mountains” as a New American Viticultural Area	1513—AA57
2626	27 CFR 9 Petition To Establish “Ribbon Ridge” as a New American Viticultural Area	1513—AA58
2627	27 CFR 9 Petition To Establish “Yamhill—Carlton District” as a New American Viticultural Area	1513—AA59
2628	Petition To Establish the “Fort Ross Seaview” Viticultural Area	1513—AA64
2629	Petition To Establish the “Alexander Mountain” Viticultural Area	1513—AA65
2630	27 CFR 9 Petition To Establish “Grand Lake O’ the Cherokees” as a New American Viticultural Area	1513—AA66
2631	Petition No. 2 To Expand the Russian River Valley Viticultural Area	1513—AA67
2632	Petition To Establish the “Salado Creek” Viticultural Area	1513—AA69
2633	Petition To Establish the “Shawnee Hills” Viticultural Area	1513—AA70
2634	Proposed Amended Boundaries for the Santa Lucia Highlands and the Arroyo Seco Viticultural Area	1513—AA72
2635	Petition To Establish “Southern Oregon” as a Viticultural Area	1513—AA75
2636	Petition To Establish “Texoma” as a Viticultural Area	1513—AA77
2637	Evidence of Exportation for Distilled Spirits; Use of Alternative Documentation	1513—AA78
2638	Petition To Establish the “High Valley” Viticultural Area	1513—AA79

References in boldface appear in the Regulatory Plan in part II of this issue of the **Federal Register**.

Alcohol and Tobacco Tax and Trade Bureau—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2639	Exportation of Liquors: Recodification of Regulations: Administrative Changes Due to the Homeland Security Act of 2002	1513—AA76
2640	27 CFR 275 Implementation of Public Law 105—33, Section 9302, Requiring the Qualification of Tobacco Product Importers and Miscellaneous Technical Amendments	1513—AA10
2641	27 CFR 7 Flavored Malt Beverages and Related Proposals	1513—AA12
2642	27 CFR 275 Tobacco Products and Cigarette Papers and Tubes Shipped from Puerto Rico to the United States ...	1513—AA17
2643	27 CFR 270 Elimination of Statistical Classes for Large Cigars	1513—AA18
2644	27 CFR 41 Importation of Tobacco Products and Cigarette Papers and Tubes; Recodification of Regulations	1513—AA20
2645	27 CFR 24 Production of Dried Fruit and Honey Wines	1513—AA21
2646	27 CFR 9 Proposed “San Bernabe” Viticultural Area	1513—AA28
2647	27 CFR 4 Proposal To Recognize Synonyms for Petite Sirah and Zinfandel Grape Varieties	1513—AA32
2648	27 CFR 9 Petition To Establish “Red Hills Lake County” American Viticultural Area	1513—AA33
2649	27 CFR 9 Petition To Establish “Bennett Valley” as an American Viticultural Area	1513—AA36
2650	27 CFR 9 Petition for the Establishment of “Red Hill” as an American Viticultural Area	1513—AA39
2651	27 CFR 9 Petition To Change the Temecula Viticultural Area’s Name to Temecula Valley	1513—AA40
2652	27 CFR 9 Petition To Establish “Alexandria Lakes” as a New American Viticultural Area	1513—AA45
2653	27 CFR 4 Organic Claims in Labeling and Advertising of Alcohol Beverages	1513—AA46
2654	27 CFR 9 Petition To Establish “Oak Knoll District” as a New American Viticultural Area	1513—AA48
2655	27 CFR 9 Petition To Establish “Dundee Hills” as a New American Viticultural Area	1513—AA50
2656	27 CFR 7 Labeling and Advertising of Malt Beverages	1513—AA60

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Alcohol and Tobacco Tax and Trade Bureau—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2657	Electronic Signatures; Electronic Submission of Forms to TTB	1513—AA61
2658	Petition To Establish "McMinnville" as an American Viticultural Area in Oregon	1513—AA63
2659	Petition No. 1 To Expand the Russian River Valley Viticultural Area	1513—AA68
2660	Administrative Changes to Alcohol, Tobacco, and Firearms Regulations Due to the Homeland Security Act of 2002	1513—AA80

Alcohol and Tobacco Tax and Trade Bureau—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
2661	27 CFR 252 Exportation of Liquors	1513—AA00
2662	27 CFR 7 Alcoholic Content Labeling for Malt Beverages	1513—AA01
2663	27 CFR 24.278 Implementation of Wine Credit Provisions of Public Law 104—188	1513—AA05
2664	27 CFR 24.66 Implementation of Public Law 105—34, Section 1416, Relating to Refund of Tax for Domestic Wine Returned to Bond Regardless of Merchantability (Taxpayer Relief Act of 1997)	1513—AA06
2665	27 CFR 4 Amended Standard of Identity for Sherry	1513—AA08
2666	Sake Regulations	1513—AA11
2667	27 CFR 275 Prohibited Marks on Packages of Tobacco Products and Cigarette Papers and Tubes Imported or Brought into the United States	1513—AA14
2668	27 CFR 4.32(d) Removal of Requirement To Disclose Saccharin in the Labeling of Wine, Distilled Spirits, and Malt Beverages	1513—AA15
2669	27 CFR 31 Liquor Dealers; Recodification of Regulations	1513—AA19
2670	27 CFR 19, subpart W Proposed Revisions to the Distilled Spirits Plant Regulations	1513—AA23
2671	27 CFR 9 Petition To Establish "Seneca Lake" as an American Viticultural Area	1513—AA34
2672	27 CFR 17 Tax—Paid Distilled Spirits Used in Manufacturing Products Unfit for Beverage Use	1513—AA37
2673	27 CFR 9 Petition To Establish "Columbia Gorge" as a New American Viticultural Area	1513—AA43
2674	31 CFR 8 Eliminate Requirement To Enroll To Practice Before the Bureau	1513—AA62

Alcohol and Tobacco Tax and Trade Bureau—Completed Actions

Sequence Number	Title	Regulation Identification Number
2675	27 CFR 4 Amelioration of Fruit and Agricultural Wines; Technical Amendments	1513—AA30
2676	27 CFR 45 Removal of Tobacco Products and Cigarette Papers and Tubes Without Payment of Tax for Use in the United States	1513—AA38
2677	27 CFR 9 Petition To Establish "Upper Arroyo Grande" as a New American Viticultural Area	1513—AA56

Comptroller of the Currency—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2678	Interagency Proposal To Consider Alternative Forms of Privacy Notices Under the Gramm—Leach—Bliley Act	1557—AC80

Comptroller of the Currency—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2679	12 CFR 19 Maintenance of Records	1557—AB99
2680	12 CFR 30 Interagency Guidelines Establishing Standards for Safety and Soundness	1557—AC08
2681	12 CFR 5 Rules, Policies, and Procedures for Corporate Activities	1557—AC11
2682	Risk—Based Capital; Capital Adequacy Guidelines; Capital Maintenance: Asset—Backed Commercial Paper Programs and Early Amortization Provisions	1557—AC77

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Comptroller of the Currency—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2683	Rules, Policies, and Procedures for Corporate Activities; Licensing Procedures	1557—AC79

Comptroller of the Currency—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2684	12 CFR 3 Capital Rules	1557—AB14
2685	12 CFR 5 Rules, Policies, and Procedures for Corporate Activities and Bank Activities and Operations	1557—AB97
2686	12 CFR 28 International Banking Activities	1557—AC04
2687	12 CFR 11 Reporting and Disclosure Requirements for National Banks With Securities Registered Under the Securities Exchange Act of 1934; Securities Offering Disclosure Rules	1557—AC12
2688	12 CFR 5 Rules, Policies, and Procedures for Corporate Activities (Electronic Filings)	1557—AC13
2689	12 CFR 7 Bank Activities and Operations; Real Estate Lending and Appraisals	1557—AC73
2690	Electronic Filing and Disclosure of Beneficial Ownership Reports	1557—AC75
2691	Risk—Based Capital; Capital Adequacy Guidelines; Capital Maintenance: Interim Capital Treatment of Consolidated Asset—Backed Commercial Paper Program Assets	1557—AC76
2692	Bank Activities and Operations	1557—AC78

Comptroller of the Currency—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
2693	Rules and Procedures for Claims Against OCC—Appointed Receiverships for Uninsured Financial Institutions	1557—AB59
2694	Fair Credit Reporting Regulations	1557—AB78
2695	Recordkeeping Requirements for Bank Exceptions From Securities Broker or Dealer Registration	1557—AB93
2696	12 CFR 25 Community Reinvestment Act Regulation	1557—AB98

Comptroller of the Currency—Completed Actions

Sequence Number	Title	Regulation Identification Number
2697	31 CFR 103 Customer Identification Programs for Banks, Savings Associations, and Certain Nonfederally Regulated Banks	1557—AC06
2698	12 CFR 24 Community and Economic Development Entities, Community Development Projects, and Other Public Welfare Investments (12 CFR Part 24)	1557—AC09
2699	12 CFR 19 Removal, Suspension, and Debarment of Independent Accountants From Performing Audit Services ...	1557—AC10

Internal Revenue Service—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2700	Hand Carrying Returns (Temporary)	1545—BB45
2701	Corporate Reorganizations; Continuity—Transfers of Assets or Stock Following a Reorganization (Temporary)	1545—BB81
2702	Guidance Regarding Mark—to—Market Valuation for Certain Securities	1545—BB90
2703	New Markets Tax Credit Amendments (Temporary)	1545—BC02
2704	Guidance Regarding Application of Section 265(a)(2) and 246A in Transactions Involving Related Parties, Pass—Through Entities, or Other Intermediaries	1545—BC24
2705	Substitute for Return (SFR) and Automated Substitute for Return (ASFR) (Temporary)	1545—BC46
2706	Guidance Under Section 1502; Application of Section 108 to Members of a Consolidated Group (Temporary)	1545—BC77

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Internal Revenue Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2707	Foreign Insurance Companies	1545—AL82
2708	Outbound Transfers of Property to Foreign Corporations	1545—AM97
2709	Foreign Insurance Company—Domestic Election	1545—AO25
2710	Fringe Benefit Sourcing Under Section 861	1545—AO72
2711	Taxation of Global Trading	1545—AP01
2712	Information Reporting and Record Maintenance	1545—AP10
2713	Integrated Financial Transaction	1545—AR20
2714	Source Rules for Payments Made Pursuant to Certain Swap Arrangements	1545—AU89
2715	Foreign Tax Credit Anti—Abuse Regulation	1545—AV97
2716	Transportation of Persons and Property by Air	1545—AW19
2717	Capital Gain Guidance Relating to CRTs	1545—AW35
2718	Constructive Sales of Appreciated Financial Positions	1545—AW97
2719	Rules for Sourcing Certain Transportation Income, Space, or Ocean Activity Income, and Related Foreign Base Company Shipping Income	1545—AX02
2720	Definition of Accounting Method	1545—AX21
2721	Awarding of Costs and Certain Fees	1545—AX46
2722	Highly Compensated Employee	1545—AX48
2723	Modification to Section 367(a) Stock Transfer Regulations	1545—AX77
2724	Clarification of Foreign—Based Company Sales Income Rules	1545—AX91
2725	Like—Kind Exchanges	1545—AX95
2726	Guidance on Changes to the Laws for Corporate Estimated Taxes	1545—AY22
2727	Withholding Tax on Foreign Partners' Share of Effectively Connected Income	1545—AY28
2728	Taxable Years of Controlled Foreign Corporations (CFCs) and Foreign Personal Holding Companies (FPHCs)	1545—AY30
2729	Allocation of Income and Deductions from Intangibles	1545—AY38
2730	Dollar—Value LIFO	1545—AY39
2731	Previously Taxed Earnings and Profits Under Subpart F	1545—AY54
2732	Disclosure of Returns and Return Information in Judicial and Administrative Tax Proceedings	1545—AY89
2733	Payments For Interest in Partnership	1545—AY90
2734	Allocation and Apportionment of Interest Expense; Tax Book Value Disparities	1545—BA02
2735	Transactions Involving Obligations of Consolidated Group Members	1545—BA11
2736	Deductibility of Employer Contributions for Deferred Compensation	1545—BA13
2737	Continuation of a Consolidated Group	1545—BA14
2738	Property Exempt from Levy	1545—BA22
2739	Gasoline Tax Claims	1545—BA27
2740	Suspension of Statutes of Limitation in John Doe and Third—Party Summons Disputes, and Expansion of Taxpayers' Rights To Receive Notice and Seek Judicial Review of Third Party Summonses	1545—BA31
2741	Income From Sources Within Specified Possession	1545—BA37
2742	Treatment of Certain Obligation—Shifting Transactions	1545—BA41
2743	Multifamily Housing Bonds	1545—BA45
2744	Modification of Check the Box Regulations (Temporary)	1545—BA58
2745	Modification of Check the Box Regulations	1545—BA59
2746	Abatement of Interest on Large Erroneous Refunds	1545—BA61
2747	Allocation and Apportionment Rules: Guidance on Selected Issues	1545—BA64
2748	Provisions Regarding Cross—Border Transactions	1545—BA65
2749	Circular 230—Tax Shelter Amendments	1545—BA70
2750	Circular 230—Phase 2 Nonshelter Revisions	1545—BA72
2751	Allocation of New Markets Tax Credit	1545—BA84
2752	Transfer of Notes or Stock To Provide for Satisfaction of Contested Liabilities	1545—BA90
2753	Guidance To Facilitate Electronic Tax Administration	1545—BA96
2754	Timely Mailing Treatment	1545—BA99
2755	Hand Carry Returns	1545—BB00
2756	Allocation of Foreign Tax Credits Among Partners	1545—BB11
2757	Distributions of Property	1545—BB12
2758	Cost Sharing	1545—BB26
2759	Application of Separate Limitations to Dividends From Noncontrolled Section 902 Corporation	1545—BB28
2760	Amending the Low—Income Housing Tax Credit Program	1545—BB37
2761	Administrative Simplification of 481(a) Adjustment Periods in Various Regulations	1545—BB47
2762	Election Out Generation—Skipping Transfer Tax (GST) Deemed Allocations	1545—BB54
2763	Substitute Dividend Payments in Securities Lending and Similar Transactions	1545—BB56

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Internal Revenue Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2764	Deemed IRAs in Qualified Retirement Plans	1545—BB58
2765	Deemed IRAs in Qualified Retirement Plans (Temporary)	1545—BB59
2766	Information Reporting Relating to Taxable Stock Transactions	1545—BB60
2767	Loss Limitation Rules—G U Repeal	1545—BB61
2768	Contributions To Purchase Certain Retirement Annuities or Custodial Accounts Under Section 403(b)	1545—BB64
2769	Installment Obligations	1545—BB65
2770	Liquidation of an Interest	1545—BB71
2771	Qualified Interests	1545—BB72
2772	Collected Excise Taxes; Duties of Collector	1545—BB75
2773	Collected Excise Taxes; Duties of Collector (Temporary)	1545—BB76
2774	Application of Nondiscrimination Cross—Testing Rules to Cash Balance Plans	1545—BB79
2775	Corporate Reorganizations; Continuity—Transfers of Assets or Stock Following a Reorganization	1545—BB80
2776	Notional Principal Contracts; Contingent Nonperiodic Payments	1545—BB82
2777	REMIC Residuals—Timing of Income for Foreign Holders	1545—BB84
2778	Transferor or Transferee as a Predecessor or Successor	1545—BB85
2779	Dependent Care Credit	1545—BB86
2780	Partnership Equity for Services	1545—BB92
2781	Determination of Single—Sum Distributions From Cash Balance Plans	1545—BB93
2782	Accrual for Certain REMIC Regular Interests	1545—BB94
2783	New Markets Tax Credit Amendments	1545—BC03
2784	Tax Exempt Bond Partnership Reporting Regulation	1545—BC04
2785	Determination of Basis of a Single Class of Stock or Securities Received in Exchange for a Single Class of Stock or Securities in a Tax—Free Exchanges	1545—BC05
2786	General Allocation and Accounting Regulations	1545—BC07
2787	Entry of Taxable Fuel	1545—BC08
2788	Timing and Modification of the Section 59(e) Election	1545—BC13
2789	Guidance Necessary To Facilitate Business Electronic Filing	1545—BC15
2790	Changes in Computing Depreciation	1545—BC18
2791	Value of Life Insurance When Distributed From a Qualified Retirement Plan	1545—BC20
2792	Utility Allowance Regulation Update	1545—BC22
2793	Special Consolidated Return Rules for Interest Expense Disallowed Under Section 265(a)(2)	1545—BC23
2794	EGTRRA Changes to Protected Retirement Benefits	1545—BC26
2795	Single Determination of Tax for Multiple Pools of Assets of an S Corporation	1545—BC29
2796	Deemed Corporate Election for Electing S Corporations	1545—BC32
2797	Substitute for Return (SFR) and Automated Substitute for Return (ASFR)	1545—BC45
2798	Additional Guidance Regarding Mark—to—Market Accounting for Traders in Securities and/or Commodities, Including Foreign Currency Instruments	1545—BC48
2799	Qualified Severance Regulations	1545—BC50
2800	Stewardship Expenses	1545—BC52
2801	Removal of Section 6152 Regulations	1545—BC53
2802	Guarantee Fees Under Section 143(g)	1545—BC59
2803	Predeceased Parent Rule	1545—BC60
2804	Qualified Zone Academy Bonds	1545—BC61
2805	Guidance Necessary To Facilitate Business Electronic Filing (Temporary)	1545—BC62
2806	Guidance Under Section 707 Regarding Disguised Sales	1545—BC63
2807	Partnership Transactions Involving Partner's Stock	1545—BC64
2808	Partnerships and Deemed Dispositions of Unrealized Receivables and Inventory Items	1545—BC65
2809	LIFO Recapture Under Section 1362(d)	1545—BC66
2810	Qualified Zone Academy Bonds (Temporary)	1545—BC68
2811	Section 179 Elections	1545—BC69
2812	Real Estate Mortgage Investment Conduit (REMIC) Tetra Rules	1545—BC71
2813	Collection after Assessment	1545—BC72
2814	Guidance Under Section 1502; Application of Section 108 to Members of a Consolidated Group	1545—BC74
2815	Confidential Transactions	1545—BC75
2816	Confidential Transactions (Temporary)	1545—BC76

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Internal Revenue Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2817	Foreign Corporations	1545—AK74
2818	Nonrecognition of Corporate Distributions and Reorganizations Under the Foreign Investment in Real Property Tax Act	1545—AK79
2819	Computation of a Branch's Taxable Income; Taxation of Exchange Gain or Loss on Branch Remittances	1545—AM12
2820	Earnings Stripping Payments	1545—AO24
2821	Registration Required Obligations	1545—AP33
2822	Interest—Free Adjustments	1545—AQ61
2823	Definition of "Highly Compensated Employee"	1545—AQ74
2824	Escrow Funds and Other Similar Funds	1545—AR82
2825	Mark—to—Market Upon Disposition	1545—AS85
2826	Straddles—Miscellaneous Issues	1545—AT46
2827	Recomputation of Life Insurance Reserves	1545—AU49
2828	Definition of Private Activity Bond—Refunding Regulations	1545—AU98
2829	Return of Levied Property in Certain Cases	1545—AV01
2830	Electronic Transmission of Withholding Certificates	1545—AV27
2831	Interest on Education Loans	1545—AW01
2832	Mark—to—Market Accounting for Dealers in Commodities and Traders in Securities and Commodities	1545—AW06
2833	Intercompany Obligations	1545—AW30
2834	Reporting of Payments to Attorney	1545—AW72
2835	Qualified Offers	1545—AW99
2836	Delay Rental Payments	1545—AX06
2837	Guidance on Cost Recovery in the Entertainment Industry	1545—AX12
2838	Cash or Deferred Arrangements	1545—AX26
2839	Cash or Deferred Arrangements (Temporary)	1545—AX43
2840	Stock Transfer Rules—Carryover of Earnings and Taxes	1545—AX65
2841	Allocation and Apportionment of Interest Expense and Certain Other Expenses	1545—AX72
2842	HIPAA Portability	1545—AX84
2843	Application of Separate Foreign Tax Credit Limitations	1545—AX88
2844	Capitalization of Interest and Carrying Charges Properly Allocable to Straddles	1545—AX92
2845	Assumption of Partnership Liabilities	1545—AX93
2846	Definition of Income	1545—AX96
2847	Electing Mark—to—Market for Marketable Stock of a PFIC	1545—AY17
2848	Authorized Placement Agency	1545—AY18
2849	Information Reporting on Cancellation of Indebtedness	1545—AY35
2850	Election—Asset Acquisitions of Insurance Companies	1545—AY49
2851	Electronic Furnishing of Payee Statements	1545—AY50
2852	Tax Treatment of Cafeteria Plans	1545—AY67
2853	Low—Income Taxpayer Clinics	1545—AY84
2854	New Market Tax Credit	1545—AY87
2855	Definition of Agent and Safeguard Certifications	1545—AY94
2856	Tax Shelter Penalties	1545—AY97
2857	Expenditures in Connection with the Creation of Intangible Assets	1545—BA00
2858	Mergers Involving Disregarded Entities	1545—BA06
2859	Reductions of Accruals and Allocations Because of Increased Age	1545—BA10
2860	Application of the Federal Insurance Contributions Act, Federal Unemployment Tax Act, and Collection of Income Tax at Source to Statutory Stock Options	1545—BA26
2861	Amendment to the Definition of Refunding	1545—BA46
2862	Loss Limitation Rules	1545—BA52
2863	Noncompensatory Partnership Options	1545—BA53
2864	Required Distributions from Retirement Plans	1545—BA60
2865	Carryback of Consolidated Net Operating Losses to Separate Return Years	1545—BA73
2866	Statutory Options	1545—BA75
2867	Disclosure of Relative Value of Distribution Forms	1545—BA78
2868	Partnership Transactions Involving Long—Term Contracts	1545—BA81
2869	Reporting Requirements for Widely Held Fixed Investment Trusts	1545—BA83
2870	Guidance on Reporting of Deposit Interest Paid to Nonresident Aliens	1545—BA86
2871	Aggregate Computation and Allocation of Research Credit	1545—BA88
2872	Reduced Exclusion of Gain From Sale or Exchange of Principal Residence	1545—BB01
2873	Change in Use; Accelerated Cost Recovery System	1545—BB05

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Internal Revenue Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2874	Capital Account Bookup	1545—BB10
2875	Structured Settlement Factoring Transactions	1545—BB14
2876	Testimony Authorizations and Requests for IRS Information	1545—BB15
2877	Toll Telephone Service—Definition	1545—BB18
2878	Authorization for IRS To Charge Fees For Copying Exempt Organization Returns	1545—BB21
2879	Extension of Time for Filing Returns	1545—BB29
2880	Investment Adjustment Rules and Waiver of Loss Carryovers From SRLY Years—Amended	1545—BB38
2881	Amendment to Section 6724 Relating to Failure To File Correct Information Returns	1545—BB41
2882	Limitation on Use of Nonaccrual Experience Method of Accounting	1545—BB43
2883	Advance Rentals	1545—BB44
2884	Special Depreciation Allowance	1545—BB57
2885	Use of Government Depositories in Connection With Tax Under the Federal Unemployment Tax Act	1545—BB66
2886	Availability of Section 338(h)(10) Election in Multistep Transactions	1545—BB68
2887	Real Estate Mortgage Investment Conduits (REMICs); Application of Section 446 With Respect to Inducement Fees	1545—BB73
2888	Guidance on Life Insurance and Annuity Contracts	1545—BB77
2889	Assumption of Partnership Liabilities (Temporary)	1545—BB83
2890	Distributions of Loss Corporation Stock by Qualified Plans	1545—BC00
2891	Transfers of Nonstatutory Stock Options to Related Persons	1545—BC06
2892	Notarization Requirement for Statements of Purchase	1545—BC11
2893	Contingent at Closing Escrows	1545—BC16
2894	Changes in Computing Depreciation (Temporary)	1545—BC17
2895	Like—Kind Exchanges Under Section 168 (Temporary)	1545—BC27
2896	Preservation of Stock Basis	1545—BC28
2897	Elimination of Forms of Distribution in Defined Contribution Plans	1545—BC35
2898	Depreciation of Vans and Light Trucks	1545—BC36
2899	Guidance Under Section 1502; Application of Section 108 to Members of a Consolidated Group	1545—BC38
2900	Remedial Actions for Tax Exempt Bonds	1545—BC40

Internal Revenue Service—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
2901	Income Tax—Taxpayer's Obligation To File a Notice of Redetermination of Foreign Tax and Civil Penalties for Failure To File	1545—AC09
2902	Income Tax—Definition of Qualified Possession Source Investment Income for Purposes of Puerto Rico and Possession Tax Credit	1545—AC10
2903	FSC Transfer Pricing Rules, Distributions, Dividends Received, Deduction, and Other Special Rules for FSC	1545—AI16
2904	Information From Passport and Immigration Applicants	1545—AJ93
2905	Income of Foreign Governments and International Organizations	1545—AL93
2906	Clarification of Treatment of Separate Limitation Losses	1545—AM11
2907	Earnings and Profits of Controlled Foreign Corporations	1545—AM90
2908	Caribbean Basin Investments	1545—AM91
2909	Consolidated Alternative Minimum Tax	1545—AN73
2910	Conforming Taxable Years of CFCs and FPHCs	1545—AO22
2911	Charitable Contributions	1545—AP30
2912	Guidance in Notice 89—37, Which Treats the Receipt of a Corporate Partner's Stock by the Corporate Partner as a Circumvention of General Utilities Repeal	1545—AP52
2913	Use of GAAP Earnings as E&P of Foreign Corporations	1545—AQ55
2914	The Treatment of Accelerated Death Benefits	1545—AQ70
2915	Foreign Trusts Regulations	1545—AR25
2916	Treatment of Dual Consolidated Losses	1545—AR26
2917	Allocation of Accrued Benefits Between Employer and Employee Contributions	1545—AT82
2918	Foreign Corporations Regulations	1545—AT96
2919	Application of Grantor Trust Rules to Nonexempt Employees' Trust	1545—AU29
2920	Application of Attribution Rules to Foreign Trusts	1545—AU91
2921	Financial Asset Securitization Investment Trust (FASIT) Start—up; Operational and Transitional Rules	1545—AU94

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Internal Revenue Service—Long—Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2922	Agreements for Payment of Tax Liabilities in Installments	1545—AU97
2923	Substantiating Travel Expense Deductions for Members of Congress	1545—AV55
2924	Stocks and Securities Safe Harbor Exception	1545—AW13
2925	Contingent Debt Instrument	1545—AW33
2926	Source of Income From Certain Space and Ocean Activities and for Communications Income	1545—AW50
2927	Highway Vehicle—Definition	1545—AX10
2928	Guaranteed Investment Contracts	1545—AX22
2929	Inspection of Written Determinations	1545—AX40
2930	Definition of Passive Foreign Investment Company Under Section 1297	1545—AX78
2931	Active Conduct of an Insurance Business Under PFIC Rules	1545—AY20
2932	HIPAA General Nondiscrimination	1545—AY32
2933	HIPAA Nondiscrimination Exception for Church Plans	1545—AY33
2934	HIPAA Nondiscrimination Exception for Bona Fide Wellness Programs	1545—AY34
2935	Special Rules Relating to Transfers of Intangibles to Foreign Corporations	1545—AY41
2936	Recognition of Gain on Certain Distributions of Stock or Securities in Connection with an Acquisition	1545—AY42
2937	Special Rules for S Corporations	1545—AY44
2938	Normal Retirement Age for Pension Plans	1545—AY61
2939	Liabilities Assumed in Certain Corporate Transactions	1545—AY74
2940	Normalization	1545—AY75
2941	Research Credit III	1545—AY82
2942	Transitional Relief for Qualified Intermediaries	1545—AY92
2943	Consolidated Returns; Nonapplicability of Section 357(c)	1545—BA09
2944	Procurement/Purchasing Card Reporting	1545—BA17
2945	Interest Other Than That of a Creditor	1545—BA69
2946	Redemptions Treated as Dividends	1545—BA80
2947	Carryover and Stacking Rule Amendment	1545—BA85
2948	Designated IRS Officer or Employee	1545—BA89
2949	Tax Book Value Disparities	1545—BA92
2950	Earnings and Profits Attribution Principles	1545—BA93
2951	Communications Excise Tax; Taxable Communication Services	1545—BB04
2952	Investigative Disclosures	1545—BB16
2953	Mixed Use Output Facilities	1545—BB23
2954	Duplicative Tax Benefits	1545—BB25
2955	Accrual Rules for Creditable Foreign Taxes and Guidance on Change in Taxable Year	1545—BB27
2956	Treatment of Services Under Section 482	1545—BB31
2957	Preparer Penalties—Signature Requirement and Copies of Returns	1545—BB34
2958	Safe Harbor Leasing Second Interest Capitalization	1545—BB62
2959	Safe Harbor Leasing Second Interest Capitalization (Temporary)	1545—BB63
2960	Use of Government Depositories in Connection With Tax Under the Federal Unemployment Tax Act (Temporary)	1545—BB67
2961	Statutory Options (Temporary)	1545—BB69
2962	Miscellaneous Changes to Collection Due Process Procedures Relating to Notice and Opportunity for Hearing Upon Filing of Notice of Lien	1545—BB96
2963	Miscellaneous Changes to Collection Due Process Procedures Relating to Hearings Before Levy	1545—BB97
2964	Computation of Tax Attributes	1545—BB98
2965	Prohibited Allocation of Securities in an S Corporation	1545—BC34
2966	Guidance on PFIC Purging Elections	1545—BC37
2967	Guidance on PFIC Purging Elections (Temporary)	1545—BC49
2968	Coordination of United States and Certain Possessions Income Taxes	1545—BC54
2969	Suspension of Running of Period of Limitation During a Proceeding To Enforce or Quash a Designated or Related Summons	1545—BC55
2970	Guidance Under Section 2053 Regarding Post—Death Events	1545—BC56
2971	Section 1045 Application to Partnerships	1545—BC67

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Internal Revenue Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
2972	Golden Parachute Payments	1545—AH49
2973	Railroad Unemployment Repayment Tax	1545—AN40
2974	Treatment of Obligation—Shifting Transactions	1545—AU19
2975	Guidance Under Subpart F Relating to Certain Hybrid Transactions	1545—AW63
2976	Allocation of Research Credit	1545—AX05
2977	Straddles—One Side Larger Than the Other	1545—AX16
2978	Allocating Basis Adjustments	1545—AX18
2979	Special Rules for Retroactive Payments Under Section 417(a)(7)(A) for Qualified Retirement Plans	1545—AX34
2980	Changes in Entity Classification: Special Rule for Certain Foreign Eligible Entities	1545—AX39
2981	Compensation Deferred Under Eligible Section 457(b) Plans	1545—AX52
2982	Definition of “Private Activity Bonds” Allocation and Accounting Regulations	1545—AX55
2983	Disclosure of Return and Return Information to Designee of Taxpayer	1545—AX85
2984	Investment Type Property (Prepayment)	1545—AY12
2985	Use of Taxpayer Identifying Numbers	1545—AY24
2986	Dual Consolidated Loss Recapture Events	1545—AY27
2987	Modified Guaranteed Contracts	1545—AY48
2988	Qualified S Election for Testamentary Trusts	1545—AY76
2989	Treatment of Community Income for Certain Individuals Not Filing Joint Returns	1545—AY83
2990	Charitable Lead Interest	1545—AY86
2991	Net Gift Treatment	1545—AY91
2992	Receipt of Multiple Notices with Respect to Incorrect Taxpayer Identification Numbers	1545—BA18
2993	Catch—Up Contributions for Individuals Aged 50 or Over	1545—BA24
2994	Amendments to Rules for Allocation of Basis	1545—BA32
2995	Earned Income Credit	1545—BA34
2996	Split—Dollar Life Insurance	1545—BA44
2997	Treatment of Funded Welfare Benefit Plans	1545—BA47
2998	User Fees for Offers To Compromise	1545—BA54
2999	Compensatory Stock Options Under Section 482	1545—BA57
3000	Controlled Foreign Partnership Reporting	1545—BA77
3001	Foreign Corporations—Treatment of Distributions or Liquidations	1545—BA79
3002	Earnings Calculation for Returned or Recharacterized Contributions	1545—BA82
3003	Transfer of Notes or Stock To Provide for Satisfaction of Contested Liabilities (Temporary)	1545—BA91
3004	Generation—Skipping Transfer Tax Relief Provisions	1545—BA94
3005	Employment Taxes—Failure—to—Deposit Penalty	1545—BA97
3006	Depreciation of Vans and Light Trucks (Temporary)	1545—BB06
3007	Disclosure of Reportable Transactions	1545—BB07
3008	Registration of Reportable Transactions	1545—BB08
3009	List Maintenance Requirement for Reportable Transactions	1545—BB09
3010	Investigative Disclosures (Temporary)	1545—BB17
3011	Substantiation of Incidental Expenses	1545—BB20
3012	Authorization for IRS To Charge Fees For Copying Exempt Organization Returns (Temporary)	1545—BB22
3013	Exclusions from Gross Income of Foreign Corporations	1545—BB30
3014	Fractional Parts of a Dollar	1545—BB35
3015	Investment Adjustment Rules and Waiver of Loss Carryovers From SRLY Years—Amended (Temporary)	1545—BB39
3016	Fractional Parts of a Dollar (Temporary)	1545—BB42
3017	Update to Section 6081 Regulations (Temporary)	1545—BB55
3018	Real Estate Mortgage Investment Conduits; Application of Section 446 With Respect to Inducement Fees (Temporary)	1545—BB74
3019	Availability of Section 338(h)(10) Election in Multistep Transactions (Temporary)	1545—BB78
3020	Guidance Under Section 368 Regarding Restricted Stock	1545—BB87
3021	Disclosure of Return Information to the Department of Agriculture (Temporary)	1545—BB91
3022	Distributions of Loss Corporation Stock by Qualified Plans (Temporary)	1545—BB99
3023	Tax Exempt Bond Partnership Reporting Regulation (Temporary)	1545—BC01
3024	Other Assessable Penalties with Respect to the Preparation of Income Tax Returns for Other Persons	1545—BC12
3025	Special Depreciation Allowance (Temporary)	1545—BC19
3026	Transfers of Compensatory Options to Related Persons	1545—BC21
3027	Limitation on Use of the Nonaccrual Experience Method of Accounting	1545—BC31
3028	Prohibited Allocation of Securities in an S Corporation (Temporary)	1545—BC33
3029	Guidance Under Section 1502; Application of Section 108 to Members of a Consolidated Group (Temporary)	1545—BC39

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Internal Revenue Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
3030	Reduction of Tax Attributes Due to Discharge of Indebtedness (Temporary)	1545—BC47

Office of Thrift Supervision—Prerule Stage

Sequence Number	Title	Regulation Identification Number
3031	Risk—Based Capital Guidelines; Implementation of New Basel Capital Accord	1550—AB56

Office of Thrift Supervision—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3032	Risk—Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Asset—Backed Commercial Paper Programs and Early Amortization Provisions	1550—AB81

Office of Thrift Supervision—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3033	Risk—Based Capital Guidelines; Capital Guidelines; Capital Maintenance: Interim Capital Treatment of Consolidated Asset—Backed Commercial Paper Program Assets	1550—AB79

Office of Thrift Supervision—Long—Term Actions

Sequence Number	Title	Regulation Identification Number
3034	12 CFR 571 Fair Credit Reporting	1550—AB33
3035	12 CFR 563e Community Reinvestment Act	1550—AB48

Office of Thrift Supervision—Completed Actions

Sequence Number	Title	Regulation Identification Number
3036	12 CFR 567 Capital Rules	1550—AB11
3037	12 CFR 545 Directors and Officers	1550—AB19
3038	12 CFR 513 Removal, Suspension, and Debarment of Accountants from Performing Audit Services	1550—AB53
3039	12 CFR 545 Federal Savings Associations—Operations, Agency Offices; Fiduciary Powers of Savings Associations	1550—AB80
3040	Customer Identification Programs for Banks, Savings Associations, and Certain Nonfederally Regulated Banks	1550—AB82
3041	12 CFR 506 Savings Associations—Operations; Transactions with Affiliates	1550—AB84
3042	Regulatory Reporting Standards: Qualifications for Independent Public Accounts Performing Audit Services for Voluntary Audit Filers	1550—AB85

Department of the Treasury (TREAS)
Departmental Offices (DO)

Proposed Rule Stage

**2513. COMMUNITY DEVELOPMENT
FINANCIAL INSTITUTIONS (CDFI)
PROGRAM; REPORTING
REQUIREMENTS**

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 4703; 12 USC 4703 note; 12 USC 4717; 31 USC 321

CFR Citation: 12 CFR 1805

Legal Deadline: None

Abstract: We are proposing changes to require entities certified by us as Community Development Financial Institutions (CDFIs) to submit reports that we may from time to time require to enable us to better: 1) evaluate the impact of the CDFI Program; and 2) monitor such entities' continued eligibility as certified CDFIs. We are also proposing to give the Fund the discretion to decertify a certified CDFI that does not timely submit such required reports.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	
NPRM Comment Period End	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1505-AA93

**2514. AMENDMENTS TO THE
GOVERNMENT SECURITIES ACT
REGULATIONS: CUSTOMER
PROTECTION—RESERVES AND
CUSTODY OF SECURITIES**

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 78o—5(b)(1)(A); 15 USC 78o—5(b)(4)

CFR Citation: 17 CFR 403.4

Legal Deadline: None

Abstract: The proposal would allow for the expansion of the categories of collateral registered government securities brokers and dealers may pledge when borrowing fully paid or excess margin securities from customers. This proposal is a

conforming technical amendment to the Government Securities Act regulations. It is based on the Securities and Exchange Commission's revisions to its customer protection requirements for brokers and dealers subject to the requirements of 17 CFR 240.15c3—3(b)(3).

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	
NPRM Comment Period End	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1505-AA94

**2515. • AMENDMENTS TO THE
GOVERNMENT SECURITIES ACT
REGULATIONS: EXEMPTION FOR
HOLDINGS SUBJECT TO FIDUCIARY
STANDARDS**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 78o—5(b)(1)(A); 15 USC 78o—5(b)(4); 15 USC 78o—5(b)(5); 31 USC 3121; 31 USC 9110; ...

CFR Citation: 17 CFR 450.3

Legal Deadline: None

Abstract: The proposed rule would amend the Government Securities Act regulations applicable to custodial holdings of Government securities by depository institutions. Specifically, this proposal would expand the eligibility for the exemption for holdings subject to fiduciary standards at 17 CFR part 450.3 to include savings associations examined by the Office of

Thrift Supervision. The exemption is currently available to depository institutions that meet its conditions regulated by the Federal Deposit Insurance Corporation, the Comptroller of the Currency, and the Board of Governors of the Federal Reserve System.

Timetable:

Action	Date	FR Cite
NPRM	11/00/03	
NPRM Comment Period End	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 1505-AB06

**2516. • TERRORISM RISK
INSURANCE PROGRAM; INITIAL
CLAIMS PROCEDURE
REQUIREMENTS**

Priority: Other Significant

Legal Authority: Terrorism Risk Insurance Act, title 1, PL 107—297, 116 Stat 2322; 15 USC 6701 note; 5 USC 301

CFR Citation: 31 CFR 50

Legal Deadline: None

Abstract: As the statutorily authorized administrator of the Terrorism Risk

TREAS—DO

Proposed Rule Stage

Insurance Program, Treasury is issuing proposed and final regulations to implement the Program. Under the Terrorism Risk Insurance Act, title I, Public Law 107—297, and the Program, the Federal Government shares the risk of insured losses from certified acts of terrorism with commercial property and casualty insurers until the Program sunsets on December 31, 2005. This rule incorporates and clarifies statutory conditions for filing claims for payment of the Federal share of compensation for insured losses under the Program. The rule addresses requirements for loss certification, specifies information needed in conjunction with insurer submissions for Federal compensation, offers guidance on the statutory definition of what is payable as the federal share of insured losses, and sets forth requirements for investigating and auditing claims under the Program. The rule generally builds upon previous interim guidances and final rules issued by Treasury, particularly in areas involving definitions and disclosure requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	
NPRM Comment Period End	01/00/04	
Final Rule	02/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Howard Leikin, Senior Insurance Advisor, Department of the Treasury, Office of Financial Institutions, Terrorism Risk Insurance Program, 1500 Pennsylvania Avenue NW., Washington, DC 20220
Phone: 202 622—6770

RIN: 1505—AB07**2517. • TERRORISM RISK INSURANCE PROGRAM; LITIGATION MANAGEMENT****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: Terrorism Risk Insurance Act, title 1, PL 107—297, 116 Stat 2322; 15 USC 6701 note; 5 USC 301

CFR Citation: 31 CFR 50**Legal Deadline:** None**Abstract:** As the statutorily authorized administrator of the Terrorism Risk

Insurance Program, Treasury is issuing proposed and final regulations to implement the Program. Under the Terrorism Risk Insurance Act, title I, Public Law 107—297, and the Program, the Federal Government shares the risk of insured losses from certified acts of terrorism with commercial property and casualty insurers until the Program sunsets on December 31, 2005. This rule implements the litigation management provisions of section 107 of the Act as well as other litigation relating to the Program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	
NPRM Comment Period End	01/00/04	
Final Rule	02/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Howard Leikin, Senior Insurance Advisor, Department of the Treasury, Office of Financial Institutions, Terrorism Risk Insurance Program, 1500 Pennsylvania Avenue NW., Washington, DC 20220
Phone: 202 622—6770

RIN: 1505—AB08**2518. • TERRORISM RISK INSURANCE PROGRAM; ADDITIONAL CLAIMS ISSUES****Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: Terrorism Risk Insurance Act, title 1, PL 107—297, 116 Stat 2322; 15 USC 6701 note; 5 USC 301

CFR Citation: 31 CFR 50**Legal Deadline:** None

Abstract: As the statutorily authorized administrator of the Terrorism Risk Insurance Program, Treasury is issuing proposed and final regulations to implement the Program. Under the Terrorism Risk Insurance Act, title I, Public Law 107—297, and the Program, the Federal Government shares the risk of insured losses from certified acts of terrorism with commercial property and casualty insurers until the Program sunsets on December 31, 2005. This rule provides requirements for claims procedures related to the later stages of claims administration and final netting of losses as well as secondary

issues such as procedures in case of insurer insolvency.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	
NPRM Comment Period End	02/00/04	
Final Rule	04/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Howard Leikin, Senior Insurance Advisor, Department of the Treasury, Office of Financial Institutions, Terrorism Risk Insurance Program, 1500 Pennsylvania Avenue NW., Washington, DC 20220
Phone: 202 622—6770

RIN: 1505—AB09**2519. TEXTILES AND TEXTILE PRODUCTS SUBJECT TO TEXTILE TRADE AGREEMENTS****Priority:** Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 7 USC 1854

CFR Citation: 19 CFR 12**Legal Deadline:** None

Abstract: Amendment to the country of origin standards and documentary requirements applicable to textiles and textile products subject to section 204 of the Agricultural Act of 1956. Amendment involves simplification of regulatory text, has no substantive effect on the U.S. textile import program as administered by the Bureau of Customs and Border Protection, and is intended to ensure that the wording of the Customs Regulations is consistent with the product coverage of section 204.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Additional Information: Transferred from RIN 1515—AB54

Agency Contact: Dick Crichton, Operations Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229

TREAS—DO

Proposed Rule Stage

Phone: 202 927—0162

RIN: 1505—AB13

2520. LIQUIDATION; EXTENSION; SUSPENSION

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1500; 19 USC 1504; 19 USC 1624

CFR Citation: 19 CFR 159

Legal Deadline: None

Abstract: Document would amend the Customs Regulations to implement amendments to section 504 of the Tariff Act of 1930, as amended, which pertains to limitations on the liquidation of entries that were contained in the Customs Modernization provisions of the North American Free Trade Agreement Implementation Act. Amendments would allow the reconciliation of entries to be treated as if they were entry summaries, subject to normal liquidation requirements; authorize the electronic transmittal of notices of extension and suspension of liquidation; extend the time period in which the Bureau of Customs and Border Protection must liquidate a suspended entry after the suspension is removed; remove the application of the four—year limitation to suspended entries; and provide that the agency must also inform sureties when an entry is suspended or extended.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AB66

Agency Contact: William G. Rosoff, Chief, Duty Refund and Determination Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8807

RIN: 1505—AB14

2521. DETENTION, SEIZURE, AND FORFEITURE OF “BOOTLEG” SOUND RECORDING AND MUSIC VIDEOS OF LIVE MUSICAL PERFORMANCES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 17 USC 602; 17 USC 603; 31 USC 9701; 19 USC 66; 19 USC 1202; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 17 USC 101; 17 USC 601

CFR Citation: 19 CFR 12; 19 CFR 24; 19 CFR 133

Legal Deadline: None

Abstract: Amendment to provide for the detention, seizure, and forfeiture of unauthorized (bootleg) copies of sound recordings and music videos of live musical performances recorded outside of and imported into the United States, as provided by section 513(a) of the Uruguay Round Agreements Act.

Timetable:

Action	Date	FR Cite
NPRM	05/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AB74

Agency Contact: George F. McCray, Chief, Intellectual Property Rights Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8709

RIN: 1505—AB15

2522. REMOTE LOCATION FILING

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1484; 19 USC 1624; 19 USC 1641

CFR Citation: 19 CFR 111; 19 CFR 113; 19 CFR 141; 19 CFR 143

Legal Deadline: None

Abstract: Amendment to allow entry filers to electronically file entries of merchandise with the Bureau of Customs and Border Protection from locations within the United States other than at the port of arrival of the merchandise or the location of examination of the merchandise.

Timetable:

Action	Date	FR Cite
NPRM	04/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AC23

Agency Contact: Lisa Santana, Import Specialist, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—4342

RIN: 1505—AB20

2523. ● MERCHANDISE PROCESSING FEES ELIGIBLE TO BE CLAIMED AS CERTAIN TYPES OF DRAWBACK BASED ON SUBSTITUTION OF FINISHED PETROLEUM DERIVATIVES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1313; 19 USC 1624

CFR Citation: 19 CFR 191

Legal Deadline: None

Abstract: Amendment to provide that merchandise processing fees are eligible to be claimed, in limited circumstances, as drawback based on substitution of finished petroleum derivatives. Amendment is consistent with a court decision in which merchandise processing fees were found to be eligible to be claimed as unused merchandise drawback. As drawback based on substitution of finished petroleum derivatives is, in limited circumstances, treated in the same manner as unused merchandise drawback, the amendment reflects that merchandise processing fees are also eligible to be claimed as drawback in these circumstances.

Timetable:

Action	Date	FR Cite
NPRM	10/02/03	68 FR 56804
NPRM Comment Period End	12/01/03	
Final Action	04/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AD32

Agency Contact: William G. Rosoff, Chief, Duty Refund and Determination

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Branch, Department of the Treasury,
Office of Regulations and Rulings, 1300

Pennsylvania Avenue NW.,
Washington, DC 20229

Phone: 202 572—8807

RIN: 1505—AB44

Department of the Treasury (TREAS)

Final Rule Stage

Departmental Offices (DO)

2524. COMMON RULE SUSPENSION AND DEBARMENT

Priority: Substantive, Nonsignificant

Legal Authority: 41 USC 701

CFR Citation: 31 CFR 19; 31 CFR 20

Legal Deadline: None

Abstract: The common rule provides uniform requirements for debarment and suspension by executive branch agencies to protect assistance, loans, benefits and other nonprocurement activities from waste, fraud, abuse and poor performance, similar to the system used for Federal procurement activities under subpart 9.4 of the Federal Acquisition Regulation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/26/03	68 FR 66605
Interim Final Rule Comment Period End	01/26/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Brian Lee,
Department of the Treasury,
Metropolitan Square Room 6212, 1500
Pennsylvania Avenue NW.,
Washington, DC 20220
Phone: 202 622—0808
Fax: 202 622—2318

RIN: 1505—AA86

2525. REPORTING AND PROCEDURES REGULATIONS; CUBAN ASSETS CONTROL REGULATIONS; PUBLICATION OF ECONOMIC SANCTIONS ENFORCEMENT GUIDELINES

Priority: Substantive, Nonsignificant

Legal Authority: 21 USC 1901 to 1908;
22 USC 287c; 31 USC 321(b); 50 USC
1701 to 1706; 50 USC app 1—44

CFR Citation: 31 CFR 501; 31 CFR 515

Legal Deadline: None

Abstract: The Office of Foreign Assets Control (OFAC) of the U.S. Department of the Treasury is publishing for public

comment an updated version of its internal Economic Sanctions Enforcement Guidelines. These Guidelines are being published as separate appendices to two parts of the Code of Federal Regulations: 1) general provisions are being published as an appendix to the Reporting and Procedures Regulations, 31 CFR part 501; and 2) specific provisions focusing on Cuba are being published as an appendix to the Cuban Assets Control Regulations, 31 CFR part 515.

Timetable:

Action	Date	FR Cite
NPRM	01/29/03	68 FR 4422
NPRM Comment Period End	03/31/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Chief of Records,
Department of the Treasury, Annex—
2nd Floor, Office of Foreign Assets
Control, 1500 Pennsylvania Avenue
NW., Washington, DC 20220
Phone: 202 622—2530
Fax: 202 622—1657

RIN: 1505—AA95

2526. DISCLOSURE OF RECORDS IN LITIGATION

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 31 USC
321

CFR Citation: 31 CFR 1.8 to 1.12

Legal Deadline: None

Abstract: This interim final rule amends Treasury's regulations that govern access to information and records in connection with legal proceedings, including litigation in which neither the United States nor the Department of the Treasury is a party. The amendments elaborate on the procedures used when determining whether employees in the Departmental Offices will be permitted to testify or provide records relating to their official duties when they are directly

subpoenaed or otherwise requested to testify. The amendments also specify and clarify the criteria that Treasury officials use when deciding whether to allow an employee to testify or provide records.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/17/03	68 FR 12584
Interim Final Rule Effective	03/17/03	
Interim Final Rule Comment Period End	04/16/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Thomas M.
McGivern, Assistant General Counsel,
Department of the Treasury, Room
3010, 1500 Pennsylvania Avenue NW.,
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Fax: 202 622—2961
Email: tom.mcgivern@do.treas.gov

RIN: 1505—AA97

2527. HARBOR MAINTENANCE FEE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; PL 99—
662; 19 USC 66; 19 USC 81a to 81u;
19 USC 623; 19 USC 1202; 19 USC
1624; 31 USC 9701; PL 99—272; PL
99—509

CFR Citation: 19 CFR 4; 19 CFR 24;
19 CFR 146; 19 CFR 178

Legal Deadline: Final, Statutory, April
1, 1987, Final.

Abstract: Amendments to the Customs Regulations to implement provisions of the Water Resources Development Act of 1986, which authorizes the Bureau of Customs and Border Protection to assess a harbor maintenance fee of 0.125 percent (.00125) on the value of commercial cargo loaded on or unloaded from a commercial vessel at a port unless specifically exempted from the fee. Proceeds of the fee are deposited in a trust fund for the U.S. Army Corps of Engineers to use for the

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improvement and maintenance of U.S. ports and harbors.

Timetable:

Action	Date	FR Cite
Final Action	04/00/04	
Interim Final Rule Effective	03/01/87	
Interim Final Rule	03/30/87	52 FR 10198
Interim Final Rule Comment Period End	05/29/87	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AA57

Agency Contact: Deborah Thompson, Accountant, Department of the Treasury, Accounts Receivable Branch, Office of Finance, Indianapolis, IN 46278

Phone: 317 298—1200

RIN: 1505—AB11

2528. DONATED CARGO EXEMPTION FROM HARBOR MAINTENANCE FEE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a; 19 USC 66; 19 USC 1202; 19 USC 1624; 31 USC 9701; 19 USC 58b; 19 USC 58c

CFR Citation: 19 CFR 24

Legal Deadline: None

Abstract: Amends interim Customs Regulations relating to harbor maintenance fees. The interim regulations established a shipping fee for transporting cargo on specified U.S. waterways. The Act was amended to include an exemption for nonprofit organizations or cooperatives, which own or finance cargo determined by the Bureau of Customs and Border Protection to be intended for use in humanitarian or development assistance overseas. This amendment sets forth the applicability and terms of this exemption.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/08/92	57 FR 607
Interim Final Rule Effective	01/08/92	
Interim Final Rule Comment Period End	03/09/92	
Final Action	04/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AA87

Agency Contact: Deborah Thompson, Accountant, Department of the Treasury, Accounts Receivable Branch, Office of Finance, Indianapolis, IN 46278

Phone: 317 298—1200

RIN: 1505—AB12

2529. NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)—IMPLEMENTATION OF DUTY—DEFERRAL PROGRAM PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1481; 19 USC 1484; 19 USC 1202; 19 USC 1315; 19 USC 1624; 19 USC 3314

CFR Citation: 19 CFR 181; 19 CFR 113; 19 CFR 141; 19 CFR 144; 19 CFR 10

Legal Deadline: Final, Statutory, January 1, 1996, Final.

Abstract: Document amends regulations to establish procedural and other requirements that apply to the collection, waiver, and reduction of duties under the duty—deferral program provisions of the North American Free Trade Agreement (NAFTA). The document prescribes the documentary and other requirements that must be followed when merchandise is withdrawn from a U.S. duty—deferral program, either for exportation to another NAFTA country or for entry into a duty—deferral program of another NAFTA country, the procedures that must be followed in filing a claim for a waiver or reduction of duties collected on such merchandise, and the procedures for finalization of duty collections and duty waiver or reduction claims.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	01/01/96	
Interim Final Rule	01/30/96	61 FR 2908
Interim Final Rule Comment Period End	04/01/96	
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AB87

Agency Contact: Shawn Filion, Commercial Program Specialist, Department of the Treasury, Office of Field Operations, North Star Commercial, P.O. Box 400, Buffalo, NY 14225

Phone: 716 551—3053

RIN: 1505—AB17

2530. COUNTRY—OF—ORIGIN MARKING

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1304; 19 USC 1624

CFR Citation: 19 CFR 134

Legal Deadline: None

Abstract: Amendments clarify the country—of—origin marking rules set forth in part 134 of the Customs Regulations. Amendments promote the concept of informed compliance by the trade and proper field administration of the statutory requirement.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4193
NPRM Comment Period End	04/26/00	65 FR 17473
Final Action	05/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AC32

Agency Contact: Monika Rice Brenner, Chief, Special Classification and Marking Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229

Phone: 202 572—8810

Kristen VerSteege, Attorney—Advisor, Special Classification and Marking Branch, Department of the Treasury, 1300 Pennsylvania Avenue NW., Washington, DC 20229

Phone: 202 572—8832

RIN: 1505—AB21

2531. USER AND NAVIGATION FEES; OTHER REIMBURSABLE CHARGES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a to 58c; 19 USC 66; 19 USC 1202;

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19 USC 1431; 19 USC 1433; 19 USC 1434; 19 USC 1505; 19 USC 1624; 31 USC 9701; 46 USC 2110 to 2112

CFR Citation: 19 CFR 4; 19 CFR 24; 19 CFR 101

Legal Deadline: None

Abstract: Amendment regarding the proper assessment of user and navigation fees, as well as other reimbursement charges for customs services performed in connection with, among other things, the processing of vehicles, vessels, aircraft, and merchandise arriving in the United States. The purpose of the amendment is to conform the regulations with the intent of the customs user fee statute and to reflect existing operational policy and administrative practice in this area.

Timetable:

Action	Date	FR Cite
NPRM	05/01/01	66 FR 21705
NPRM Comment Period End	07/02/01	
Final Action	01/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AC63

Agency Contact: Kimberly Nott, Operations Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—0042

RIN: 1505—AB24

2532. AFRICAN GROWTH AND OPPORTUNITY ACT AND GENERALIZED SYSTEM OF PREFERENCES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2461; 19 USC 3314; 19 USC 3721

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, October 1, 2000, Final.

Abstract: Amendments to implement the trade benefit provisions for sub-Saharan Africa contained in title I of the Trade and Development Act of 2000. The trade benefits under title I, also referred to as the African Growth

and Opportunity Act, apply to sub-Saharan African countries designated by the President and involve the extension of duty-free treatment under the Generalized System of Preferences (GSP) to nonimport-sensitive, nontextile articles normally excluded from GSP duty-free treatment, and the entry of specific textile and apparel articles free of duty and free of any quantitative limits.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	10/01/00	
Interim Final Rule	10/05/00	65 FR 59668
Interim Final Rule Comment Period End	12/04/00	
Final Action	03/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AC72

Agency Contact: Leon Hayward, Operations Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—3271

Cynthia Reese, Senior Attorney, Department of the Treasury, Room 503, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8790

RIN: 1505—AB26

2533. EXPANDED WEEKLY ENTRY PROCEDURE FOR FOREIGN TRADE ZONES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 81a to 81u; 19 USC 1202; 19 USC 1484i; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 146

Legal Deadline: None

Abstract: Amendment in conformance with the Trade and Development Act of 2000 to expand the weekly entry procedure for foreign trade zones to include merchandise involved in activities other than exclusively assembly—line production operations. Under the expanded weekly procedure, weekly entries covering estimated removals of merchandise from a foreign

trade zone for any seven-day period and the associated entry summaries will have to be filed exclusively through the Automated Broker Interface, with duties, fees, and taxes being scheduled for payment through the Automated Clearinghouse.

Timetable:

Action	Date	FR Cite
NPRM	07/25/02	67 FR 48594
NPRM Comment Period End	09/23/02	
Final Action	03/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AC74

Agency Contact: Debbie Scott, Chief, Entry and Drawback Management, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—1962

RIN: 1505—AB27

2534. UNITED STATES—CARIBBEAN BASIN TRADE PARTNERSHIP ACT AND CARIBBEAN BASIN INITIATIVE

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2701; 19 USC 3314

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, October 1, 2000, Final.

Abstract: Amendments to implement the trade benefit provisions for Caribbean Basin countries contained in title II of the Trade and Development Act of 2000. The trade benefits under title II, also referred to as the United States—Caribbean Basin Trade Partnership Act (the CBTPA), apply to Caribbean Basin countries designated by the President and involve the entry of specific textile and apparel articles free of duty and free of any quantitative restrictions, limitations, or consultation levels and the extension of NAFTA duty treatment standards to nontextile articles that are excluded from duty-free treatment under the Caribbean Basin Initiative program.

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Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	10/01/00	65 FR 59650
Interim Final Rule	10/05/00	65 FR 59650
Interim Final Rule Comment Period End	12/04/00	
Final Action	03/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1515—AC76

Agency Contact: Craig Walker, Senior Attorney—Advisor, Department of the Treasury, Special Classification and Marking Branch, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8810

Leon Hayward, Operations Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—3271

Cynthia Reese, Senior Attorney, Department of the Treasury, Room 503, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8790

RIN: 1505—AB28**2535. REIMBURSABLE CUSTOMS INSPECTIONAL SERVICES—INCREASE IN HOURLY RATE CHARGE****Priority:** Substantive, Nonsignificant

Legal Authority: 5 USC 301; 5 USC 6103; 19 USC 58a to 58c; 19 USC 66; 19 USC 261; 19 USC 267; 19 USC 1202; 19 USC 1450 to 1452; 19 USC 1456; 19 USC 1505; 19 USC 1557; 19 USC 1562; 19 USC 1624; 26 USC 4461; 26 USC 4462; 31 USC 9701; 46 USC 2110 to 2112

CFR Citation: 19 CFR 24; 19 CFR 101**Legal Deadline:** None

Abstract: Amendment to increase the rate of charge for reimbursable customs inspectional services.

Timetable:

Action	Date	FR Cite
NPRM	02/01/01	66 FR 8554
NPRM Comment Period End	04/02/01	
Second NPRM	10/09/02	67 FR 62920

Action	Date	FR Cite
Second NPRM Comment Period End	12/09/02	
Final Action	01/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1515—AC77

Agency Contact: Dennis Lomax, Accountant, Department of the Treasury, Accounting Services Division, Office of Finance, Indianapolis, IN 46278
Phone: 317 298—1200

RIN: 1505—AB29**2536. DOG AND CAT PROTECTION ACT****Priority:** Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1308; 19 USC 1592; 19 USC 1593a; 19 USC 1624

CFR Citation: 19 CFR 12; 19 CFR 113; 19 CFR 151; 19 CFR 162

Legal Deadline: Final, Statutory, August 9, 2001, Final.

Abstract: Amendment to implement certain provisions of the Dog and Cat Protection Act of 2000. The Dog and Cat Protection Act of 2000 prohibits the importation of any products containing dog or cat fur, and provides for civil and criminal penalties for violations of the Act. Amendment sets forth the prohibitions on dog and cat fur importations and the penalties for violations. Amendment also implements the provision of the Act pertaining to customs certification process of commercial laboratories, both domestic and foreign, that can determine if articles intended to be imported into the United States contain dog or cat fur.

Timetable:

Action	Date	FR Cite
NPRM	08/10/01	66 FR 42163
NPRM Comment Period End	10/09/01	
Final Action	05/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1515—AC87

Agency Contact: Jeremy Baskin, Attorney—Advisor, Penalties Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8753

Luan Cotter, Operations Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—1249

Renee Stevens, Science Officer, Department of the Treasury, Office of Laboratories and Scientific Services, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—0941

RIN: 1505—AB31**2537. PROTOTYPES USED SOLELY FOR PRODUCT DEVELOPMENT, TESTING, EVALUATION, OR QUALITY CONTROL PURPOSES****Priority:** Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; PL 106—476

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, September 9, 2001, Final.

Abstract: Amendment to establish rules and procedures under the Product Development and Testing Act of 2000 (PDTA). The purpose of the PDTA is to promote product development and testing in the United States by allowing the duty-free entry of articles, commonly referred to as prototypes, that are to be used exclusively in product development, testing, evaluation, and quality control. Amendments set forth the procedures for both the identification of those prototypes properly entitled to duty-free entry, as well as the permissible sale of such prototypes, following use in the United States, as scrap, waste, or for recycling.

Timetable:

Action	Date	FR Cite
NPRM	03/08/02	67 FR 10636
NPRM Comment Period End	04/08/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

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Final Rule Stage

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AC88

Agency Contact: Lisa Santana, Import Specialist, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—4342

RIN: 1505—AB32

2538. PREFERENTIAL TREATMENT OF BRASSIERES UNDER THE UNITED STATES—CARIBBEAN BASIN TRADE PARTNERSHIP ACT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2701; 19 USC 3314

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, October 1, 2001, Final.

Abstract: Amendment to implement those provisions within the United States—Caribbean Basin Trade Partnership Act (the CBTPA) that establish standards for preferential treatment for brassieres imported from CBTPA beneficiary countries. The amendments involve specifically the methods, procedures, and related standards that will apply for purposes of determining compliance with the 75 percent aggregate U.S. fabric components content requirement under the CBTPA brassieres provision.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/04/01	66 FR 50534
Interim Final Rule Effective	10/04/01	
Correction	10/11/01	66 FR 51864
Interim Final Rule Comment Period End	12/03/01	
Final Action	07/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AC89

Agency Contact: Dick Crichton, Operations Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229

Phone: 202 927—0162

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Phone: 202 572—8790

RIN: 1505—AB33

2539. SINGLE ENTRY FOR UNASSEMBLED OR DISASSEMBLED ENTITIES IMPORTED ON MULTIPLE CONVEYANCES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 141; 19 CFR 142

Legal Deadline: Final, Statutory, May 9, 2001, Final.

Abstract: Amendment to allow an importer of record, under certain conditions, to submit a single entry to cover multiple portions of a single entity which, due to its size or nature, arrives in the United States on separate conveyances. Amendment implements statutory changes made to the merchandise entry laws by the Tariff Suspension and Trade Act of 2000.

Timetable:

Action	Date	FR Cite
NPRM	04/08/02	67 FR 16664
NPRM Comment Period End	06/07/02	
Final Action	04/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AC94

Agency Contact: Gina Grier, Attorney, Entry Procedures and Carriers Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
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Robert E. Watt, Program Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—0279

RIN: 1505—AB34

2540. IMPLEMENTATION OF THE ANDEAN TRADE PROMOTION AND DRUG ERADICATION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 3203; 19 USC 3314

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: None

Abstract: Amendment to implement the trade benefit provisions for Andean countries contained in title XXXI of the Trade Act of 2002. The trade benefits under title XXXI, also referred to as the Andean Trade Promotion and Drug Eradication Act (the ATPDEA), apply to Andean countries specifically designated by the President for ATPDEA purposes. The ATPDEA trade benefits involve the entry of specific apparel and other textile articles free of duty and free of any quantitative restrictions, limitations, or consultation levels, the extension of duty—free treatment to specified nontextile articles normally excluded from duty—free treatment under the Andean Trade Preference Act (ATPA) program if the President finds those articles to be not import—sensitive in the context of the ATPDEA, and the entry of certain imports of tuna free of duty and free of any quantitative restrictions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/25/03	68 FR 14478
Interim Final Rule Effective	03/25/03	
Interim Final Rule Comment Period End	05/27/03	
Final Action	03/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AD19

Agency Contact: Craig Walker, Senior Attorney—Advisor, Department of the Treasury, Special Classification and Marking Branch, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8810

Leon Hayward, Operations Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229

TREAS—DO

Final Rule Stage

Phone: 202 927—3271

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Department of the Treasury, Office of
Field Operations, 1300 Pennsylvania
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Phone: 202 927—1959

RIN: 1505—AB37

2541. TRADE BENEFITS UNDER THE AFRICAN GROWTH AND OPPORTUNITY ACT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC
1202; 19 USC 1321; 19 USC 1481; 19
USC 1484; 19 USC 1498; 19 USC 1508;
19 USC 1623; 19 USC 1624; 19 USC
3721; 19 USC 3314

CFR Citation: 19 CFR 10

Legal Deadline: None

Abstract: Amendment to those provisions of the Customs Regulations that implement the trade benefit provisions for sub-Saharan African countries contained in the African Growth and Opportunity Act (the AGOA). Amendments involve the textile and apparel provisions of the AGOA and in part reflect changes to those statutory provisions by section 3108 of the Trade Act of 2002. The specific statutory changes involve the amendment of several provisions to clarify the status of apparel articles assembled from knit-to-shape components, the inclusion of a specific reference to apparel articles formed on seamless knitting machines, a change of the wool fiber diameter specified in one provision, and the addition of a new provision to cover additional production scenarios involving the United States and AGOA beneficiary countries.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/21/03	68 FR 13820
Interim Final Rule Effective	03/21/03	
Interim Final Rule Comment Period End	05/20/03	
Final Action	03/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AD20

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Phone: 202 572—8790

RIN: 1505—AB38

2542. FEES FOR CUSTOMS PROCESSING AT EXPRESS COURIER FACILITIES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC
58a to 58c; 19 USC 66; 19 USC 1202;
19 USC 1505; 19 USC 261; 19 USC 267;
19 USC 1450 to 1452; 19 USC 1456;
19 USC 1524; 19 USC 1557; 19 USC
1562; 19 USC 1624; 26 USC 4461; 26
USC 4462; 19 USC 3332; 46 USC 2110
to 2112

CFR Citation: 19 CFR 24; 19 CFR 113;
19 CFR 128

Legal Deadline: None

Abstract: Amendment to implement amendments to the customs user fee statute made by section 337 of the Trade Act of 2002. Statutory amendments concern the fees payable for customs services provided in connection with the informal entry or release of shipments at express consignment carrier facilities and centralized hub facilities. The effect of the statutory amendments is to replace the annual lump sum payment procedure with a quarterly payment procedure based on a specific fee for each individual airway bill or bill of lading.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AD21

Agency Contact: Joseph Lanzante,
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Treasury, Office of Field Operations,
1300 Pennsylvania Avenue NW.,
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Phone: 202 927—5246

RIN: 1505—AB39

2543. TRADE BENEFITS UNDER THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC
1202; 19 USC 1321; 19 USC 1481; 19
USC 1484; 19 USC 1498; 19 USC 1508;
19 USC 1623; 19 USC 1624; 19 USC
2701; 19 USC 3314

CFR Citation: 19 CFR 10

Legal Deadline: None

Abstract: Amendment to implement the trade benefits for Caribbean Basin countries contained in section 213(b) of the Caribbean Basin Economic Recovery Act (the CBERA). Amendments involve the textile and apparel provisions of section 213(b) and in part reflect changes made to those statutory provisions by section 3107 of the Trade Act of 2002. The specific statutory changes involve the amendment of several provisions to clarify the status of apparel articles assembled from knit-to-shape components, the addition of language requiring any dyeing, printing, and finishing of certain fabrics to be done in the United States, the inclusion of exception language in the brassieres provision regarding articles entered under other CBERA apparel provisions, the addition of a provision permitting the dyeing, printing, and finishing of thread in the Caribbean region, and the addition of a new provision to cover additional production scenarios involving the United States and the Caribbean region.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/21/03	68 FR 13827
Interim Final Rule Effective	03/21/03	
Interim Final Rule Comment Period End	05/20/03	
Final Action	03/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

TREAS—DO

Final Rule Stage

Additional Information: Transferred from RIN 1515—AD22

Agency Contact: Robert Abels, Operations Officer, Department of the Treasury, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927—1959

Cynthia Reese, Senior Attorney, Department of the Treasury, Room 503, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8790

RIN: 1505—AB40

2544. TARIFF TREATMENT RELATED TO DISASSEMBLY OPERATIONS UNDER THE NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 3314

CFR Citation: 19 CFR 181

Legal Deadline: None

Abstract: Amendment to amend the Customs Regulations concerning the North American Free Trade Agreement (NAFTA) to allow components that are recovered from the disassembly of used goods in a NAFTA country to be entitled to NAFTA originating status when imported into the United States, provided that: the recovered

components satisfy the applicable NAFTA rules of origin requirements; and where the applicable rule of origin does not include a regional value content requirement, the components are subject to further processing in the NAFTA country beyond certain minor operations.

Timetable:

Action	Date	FR Cite
NPRM	03/13/03	68 FR 12011
NPRM Comment Period End	05/12/03	
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AD23

Agency Contact: Edward M. Leigh, Attorney, Special Classification and Marking Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8827

RIN: 1505—AB41

2545. REFUND OF DUTIES PAID ON IMPORTS OF CERTAIN WOOL PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19

USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 10

Legal Deadline: None

Abstract: Amendment to remove the regulation originally promulgated to provide procedures for the issuance of refunds of duties paid on certain wool imports pursuant to section 505 of title V of the Trade and Development Act of 2000. As section 5101 of the Trade Act of 2002 significantly amended section 505 and provides self—effectuating procedures for the issuance of the refunds, the regulation implementing section 505 is no longer necessary and is obsolete.

Timetable:

Action	Date	FR Cite
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AD27

Agency Contact: Suzanne Kingsbury, Attorney, Regulations Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8763

RIN: 1505—AB43

Department of the Treasury (TREAS) Departmental Offices (DO)

Long-Term Actions

2546. POSSIBLE REGULATION OF ACCESS TO ACCOUNTS AT FINANCIAL INSTITUTIONS THROUGH PAYMENT SERVICE PROVIDERS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 31 CFR ch II

Timetable:

Action	Date	FR Cite
ANPRM	01/08/99	64 FR 1149
ANPRM Comment Period End	04/08/99	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Roger Bezdek
Phone: 202 622—1807

RIN: 1505—AA74

2547. FINANCIAL ACTIVITIES OF FINANCIAL SUBSIDIARIES

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/20/00	65 FR 14819
Interim Final Rule Effective	03/14/00	
Interim Final Rule Comment Period End	05/15/00	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton
Phone: 202 622—1976
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Email: gary.sutton@do.treas.gov

RIN: 1505—AA80

2548. FINANCIAL SUBSIDIARIES

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton

TREAS—DO

Long-Term Actions

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 Email: gary.sutton@do.treas.gov
 RIN: 1505—AA81

2549. SECRETARY'S DETERMINATION OF REAL ESTATE BROKERAGE

Priority: Substantive, Nonsignificant
CFR Citation: 12 CFR 1501.2

Timetable:

Action	Date	FR Cite
NPRM	01/03/01	66 FR 307
NPRM Comment Period End	03/02/01	
NPRM Comment Period Extended	05/01/01	66 FR 12440
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton

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Email: gary.sutton@do.treas.gov

RIN: 1505—AA84

2550. SECRETARY'S DETERMINATION OF OTHER ACTIVITIES FINANCIAL IN NATURE

Priority: Substantive, Nonsignificant
CFR Citation: 12 CFR 1501.2

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/02/01	66 FR 257
Interim Final Rule Effective	01/02/01	
Interim Final Rule Comment Period End	02/02/01	
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton

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Email: gary.sutton@do.treas.gov

RIN: 1505—AA85

2551. TREASURY DEBT COLLECTION

Priority: Substantive, Nonsignificant
CFR Citation: 31 CFR 5

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/28/02	67 FR 65843

Action	Date	FR Cite
Interim Final Rule Comment Period End	11/27/02	
Next Action	To Be Determined	
Undetermined		

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Brian Lee

Phone: 202 622—0808

Fax: 202 622—2318

RIN: 1505—AA90

2552. BANK ENTERPRISE AWARD (BEA) PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 1806

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/04/03	68 FR 5717
Interim Final Rule Comment Period End	04/07/03	
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jeffrey C. Berg

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RIN: 1505—AA91

2553. COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS (CDFI) PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 1805

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/04/03	68 FR 5704
Interim Final Rule Comment Period End	04/07/03	
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jeffrey C. Berg

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RIN: 1505—AA92

2554. • TERRORISM RISK INSURANCE PROGRAM; RECOUPMENTS OF FEDERAL SHARE OF COMPENSATION FOR INSURED LOSSES

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: Terrorism Risk Insurance Act, title 1, PL 107—297, 116 Stat 2322; 15 USC 6701 note; 5 USC 301

CFR Citation: 31 CFR 50

Legal Deadline: None

Abstract: As the statutorily authorized administrator of the Terrorism Risk Insurance Program, Treasury is issuing proposed and final regulations to implement the Program. Under the Terrorism Risk Insurance Act, title I, Public Law 107—297, and the Program, the Federal Government shares the risk of insured losses from certified acts of terrorism with commercial property and casualty insurers until the Program sunsets on December 31, 2005. This rule incorporates and clarifies statutory requirements for the recoupment of the Federal share of compensation for insured losses. The rule establishes requirements for determining amounts to be recouped and for procedures insurers are to use for collecting terrorism loss risk—spreading premiums and remitting them to the Treasury.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Howard Leikin, Senior Insurance Advisor, Department of the Treasury, Office of Financial Institutions, Terrorism Risk Insurance Program, 1500 Pennsylvania Avenue NW., Washington, DC 20220
 Phone: 202 622—6770

RIN: 1505—AB10

2555. RECONCILIATION

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 142; 19 CFR 159

Timetable:

Action	Date	FR Cite
NPRM	10/00/04	

Regulatory Flexibility Analysis

Required: No

TREAS—DO

Long-Term Actions

Government Levels Affected: None**Agency Contact:** John Leonard
Phone: 202 927—0915**RIN:** 1505—AB16**2556. ENTRY OF SOFTWOOD LUMBER SHIPMENTS FROM CANADA****Priority:** Substantive, Nonsignificant**CFR Citation:** 19 CFR 12; 19 CFR 113**Timetable:**

Action	Date	FR Cite
Interim Final Rule	02/26/97	62 FR 8620
Interim Final Rule Effective	02/26/97	
Interim Final Rule Comment Period End	04/28/97	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Leon Hayward

Phone: 202 927—3271

RIN: 1505—AB18**2557. EXPANDED METHODS OF PAYMENT OF DUTIES, TAXES, INTEREST, AND FEES****Priority:** Substantive, Nonsignificant**CFR Citation:** 19 CFR 24**Timetable:**

Action	Date	FR Cite
NPRM	03/17/99	64 FR 13141
NPRM Comment Period End	05/17/99	
Final Action	10/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Linda Lloyd

Phone: 202 927—0119

RIN: 1505—AB22**2558. ENTRY OF SOFTWOOD LUMBER SHIPMENTS FROM CANADA****Priority:** Substantive, Nonsignificant**CFR Citation:** 19 CFR 12**Timetable:**

Action	Date	FR Cite
Interim Final Rule	05/23/00	65 FR 33251
Interim Final Rule Effective	05/23/00	
Interim Final Rule Comment Period End	07/24/00	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Leon Hayward

Phone: 202 927—3271

RIN: 1505—AB23**2559. REQUIREMENTS FOR FUTURE CUSTOMS TRANSACTIONS WHEN PAYMENT TO CUSTOMS ON PRIOR TRANSACTIONS IS DELINQUENT AND/OR DISHONORED****Priority:** Substantive, Nonsignificant**CFR Citation:** 19 CFR 142; 19 CFR 24**Timetable:**

Action	Date	FR Cite
Next Action Undetermined	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Robert Reiley

Phone: 202 927—1504

RIN: 1505—AB25**Department of the Treasury (TREAS)
Departmental Offices (DO)****Completed Actions****2560. DEPARTMENT OF THE TREASURY ACQUISITION REGULATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 48 CFR ch 10**Completed:**

Reason	Date	FR Cite
Final Rule	07/03/03	68 FR 39854
Final Rule Effective	08/04/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Angelie Jackson

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RIN: 1505—AA89**2561. TERRORISM RISK INSURANCE PROGRAM; PROGRAM SCOPE AND DEFINITIONS****Priority:** Other Significant**CFR Citation:** 31 CFR 50**Completed:**

Reason	Date	FR Cite
Final Rule	07/11/03	68 FR 41250
Final Rule Effective	07/11/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Mario Ugoletti

Phone: 202 622—2730

RIN: 1505—AA96**2562. TERRORISM RISK INSURANCE PROGRAM; DISCLOSURES AND MANDATORY AVAILABILITY REQUIREMENTS****Priority:** Other Significant**CFR Citation:** 31 CFR 50**Completed:**

Reason	Date	FR Cite
NPRM	04/18/03	68 FR 19309
Interim Final Rule	04/18/03	68 FR 19302
Interim Final Rule Effective	04/18/03	
Interim Final Rule Comment Period End	05/19/03	
Final Rule	10/17/03	68 FR 59720
Final Rule Effective	10/17/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Mario Ugoletti

TREAS—DO

Completed Actions

Phone: 202 622—2730

RIN: 1505—AA98

2563. TERRORISM RISK INSURANCE PROGRAM; STATE RESIDUAL MARKET INSURANCE ENTITIES

Priority: Other Significant

CFR Citation: 31 CFR 50

Completed:

Reason	Date	FR Cite
NPRM	04/18/03	68 FR 19309
Final Rule	10/17/03	68 FR 59715
Final Rule Effective	10/17/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Agency Contact: Mario Ugoletti

Phone: 202 622—2730

RIN: 1505—AA99

2564. CUSTOMS ENTRY DOCUMENTATION PURSUANT TO ANTICOUNTERFEITING CONSUMER PROTECTION ACT

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 141

Completed:

Reason	Date	FR Cite
NPRM	09/13/99	64 FR 49423
Withdrawn	08/22/03	68 FR 50733

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: George F. McCray

Phone: 202 572—8709

RIN: 1505—AB19

2565. USER FEES

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 24; 19 CFR 111

Completed:

Reason	Date	FR Cite
Final Action	07/24/03	68 FR 43624
Final Action Effective	08/25/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert Reiley

Phone: 202 927—1504

RIN: 1505—AB30

2566. CIVIL FINES FOR IMPORTATION OF MERCHANDISE BEARING A COUNTERFEIT MARK

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 133

Completed:

Reason	Date	FR Cite
Final Action	07/24/03	68 FR 43635
Final Action Effective	08/25/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Lynne O. Robinson

Phone: 202 572—8743

RIN: 1505—AB35

2567. MANUFACTURING SUBSTITUTION DRAWBACK—DUTY APPORTIONMENT

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 191

Completed:

Reason	Date	FR Cite
Final Action	08/22/03	68 FR 50700
Final Action Effective	08/22/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: William G. Rosoff

Phone: 202 572—8807

RIN: 1505—AB36

2568. PREFERENTIAL TREATMENT OF BRASSIERES UNDER THE CARIBBEAN BASIN ECONOMIC RECOVERY ACT

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 10

Completed:

Reason	Date	FR Cite
Interim Final Rule	09/30/03	68 FR 56166
Interim Final Rule Effective	09/30/03	
Interim Final Rule Comment Period End	12/01/03	
Final Action	07/24/03	68 FR 43624
Final Action Effective	07/24/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert Abels

Phone: 202 927—1959

Cynthia Reese

Phone: 202 572—8790

RIN: 1505—AB42

2569. • IMPORT RESTRICTIONS IMPOSED ON ARCHAEOLOGICAL MATERIAL FROM CAMBODIA

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 2612

CFR Citation: 19 CFR 12

Legal Deadline: None

Abstract: Amendment reflects the imposition of import restrictions on certain archaeological materials originating in Cambodia. The restrictions are imposed pursuant to an agreement between the United States and the Government of the Kingdom of Cambodia that was entered into under the authority of the Convention on Cultural Property Implementation Act in accordance with the 1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Timetable:

Action	Date	FR Cite
Final Action	09/22/03	68 FR 55000
Final Action Effective	09/22/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AD34

Agency Contact: Joseph Howard, Attorney, Intellectual Property Rights Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8701

RIN: 1505—AB45

TREAS—DO

Completed Actions

2570. • EXTENSION OF EMERGENCY IMPORT RESTRICTIONS IMPOSED ON ETHNOLOGICAL MATERIAL FROM CYPRUS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 2612

CFR Citation: 19 CFR 12

Legal Deadline: None

Abstract: Amendment to reflect that the emergency import restrictions currently in place on certain ethnological material from Cyprus continue, without interruption, for an additional three years.

Timetable:

Action	Date	FR Cite
Final Action	08/29/03	68 FR 51903
Final Action Effective	09/04/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1515—AD38

Agency Contact: Joseph Howard, Attorney, Intellectual Property Rights Branch, Department of the Treasury, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 572—8701

RIN: 1505—AB46

BILLING CODE 4820—02—S

Department of the Treasury (TREAS)

Prerule Stage

Financial Crimes Enforcement Network (FINCEN)

2571. CUSTOMER IDENTIFICATION PROGRAMS FOR PAWN BROKERS

Priority: Substantive, Nonsignificant

Legal Authority: PL 107—56, sec 326

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This regulation will require pawn brokers to adopt and implement reasonable procedures to verify the identity of any person seeking to open

an account, to the extent reasonable and practicable; maintain records of the information used to verify the person's identity; and determine whether the person appears on any lists of known or suspected terrorists or terrorist organizations provided to them by any Government agency.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA39

Department of the Treasury (TREAS)

Proposed Rule Stage

Financial Crimes Enforcement Network (FINCEN)

2572. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—DELEGATION OF AUTHORITY TO ASSESS CIVIL MONEY PENALTIES ON DEPOSITORY INSTITUTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5321(e), Bank Secrecy Act

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This notice of proposed rulemaking proposes to delegate to the appropriate Federal banking regulatory agencies, the authority to assess civil money penalties on depository institutions for violations of the Bank Secrecy Act. The regulation would prescribe the parameters of the delegated authority.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA08

2573. AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—REQUIREMENT THAT FINANCIAL INSTITUTIONS ESTABLISH ANTI—MONEY LAUNDERING PROGRAMS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5316(h)

CFR Citation: 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67

Legal Deadline: Final, Statutory, April 24, 2002, Final.

Abstract: FinCEN will issue a series of regulations regarding anti—money laundering program requirements for various financial institutions, as defined in the Bank Secrecy Act.

Timetable:

Anti—Money Laundering Programs for Businesses Engaged in Vehicle Sales, Including Automobile, Airplane & Boat Sales (1506—AA60)

ANPRM 02/24/03 (68 FR 8568)

ANPRM Comment Period End 04/10/03

NPRM 06/00/04

Anti—Money Laundering Programs for Commodity Trading Advisors (1506—AA55)

NPRM 05/05/03 (68 FR 23640)

NPRM Comment Period End 07/07/03

Final Rule 06/00/04

Anti—Money Laundering Programs for Dealers in Precious Metals, Stones or Jewels (1506—AA58)

NPRM 02/21/03 (68 FR 8480)

NPRM Comment Period End 04/22/03

Final Action 06/00/04

TREAS—FINCEN

Proposed Rule Stage

Anti—Money Laundering Programs for Financial Institutions (1506—AA52)
Interim Final Rule 04/29/02 (67 FR 21110)
Interim Final Rule Comment Period End 05/29/02
Final Action 06/00/04

Anti—Money Laundering Programs for Insurance Companies (1506—AA50)
NPRM 09/26/02 (67 FR 60625)
NPRM Comment Period End 11/25/02
Final Rule 06/00/04

Anti—Money Laundering Programs for Investment Advisors (1506—AA51)
NPRM 05/05/03 (68 FR 23646)
NPRM Comment Period End 07/07/03
Final Rule 06/00/04

Anti—Money Laundering Programs for Loan & Finance Companies (1506—AA53)
NPRM 06/00/04

Anti—Money Laundering Programs for Money Services Businesses (1506—AA54)
Interim Final Rule 04/29/02 (67 FR 21114)
Interim Final Rule Comment Period End 05/29/02
Final Action 06/00/04

Anti—Money Laundering Programs for Mutual Funds (1506—AA48)
Interim Final Rule 04/29/02 (67 FR 21117)
Interim Final Rule Comment Period End 05/29/02
Final Action 06/00/04

Anti—Money Laundering Programs for Operators of a Credit Card System (1506—AA56)
Interim Final Rule 04/29/02 (67 FR 21121)
Interim Final Rule Comment Period End 05/29/02
Final Action 06/00/04

Anti—Money Laundering Programs for Persons Involved in Real Estate Closings and Settlements (1506—AA59)
ANPRM 04/10/03 (68 FR 17569)
ANPRM Comment Period End 06/09/03
NPRM 06/00/04

Anti—Money Laundering Programs for Travel Agencies (1506—AA49)
ANPRM 02/24/03 (68 FR 8571)
ANPRM Comment Period End 04/10/03
NPRM 06/00/04

Anti—Money Laundering Programs for Unregistered Investment Companies (1506—AA57)
NPRM 09/26/02 (67 FR 60617)
NPRM Comment Period End 11/25/02
Final Rule 06/00/04

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA28

2574. CUSTOMER IDENTIFICATION PROGRAMS FOR TRAVEL AGENTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 107—56, sec 326

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This regulation will require travel agents to adopt and implement reasonable procedures to verify the identity of any person seeking to open an account, to the extent reasonable and practicable; maintain records of the information used to verify the person's identity; and determine whether the person appears on any lists of known or suspected terrorists or terrorist organizations provided to them by any Government agency.

Timetable:

Action	Date	FR Cite
ANPRM	02/24/03	68 FR 8571
ANPRM Comment Period End	04/10/03	
NPRM	06/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA38

2575. CUSTOMER IDENTIFICATION PROGRAMS FOR LOAN AND FINANCE COMPANIES

Priority: Substantive, Nonsignificant

Legal Authority: PL 107—56, sec 326

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This regulation will require loan and finance companies to adopt and implement reasonable procedures to verify the identity of any person seeking to open an account, to the extent reasonable and practicable; maintain records of the information used to verify the person's identity; and determine whether the person appears on any lists of known or suspected terrorists or terrorist organizations provided to them by any Government agency.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA40

2576. CUSTOMER IDENTIFICATION PROGRAMS FOR SELLERS OF VEHICLES

Priority: Substantive, Nonsignificant

Legal Authority: PL 107—56, sec 326

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This regulation will require sellers of vehicles to adopt and implement reasonable procedures to verify the identity of any person seeking to open an account, to the extent reasonable and practicable; maintain records of the information used to verify the person's identity; and determine whether the person appears on any lists of known or suspected terrorists or terrorist organizations provided to them by any Government agency.

Timetable:

Action	Date	FR Cite
ANPRM	02/24/03	68 FR 8568
ANPRM Comment Period End	04/10/03	
NPRM	06/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA41

Department of the Treasury (TREAS)
Financial Crimes Enforcement Network (FINCEN)

Final Rule Stage

2577. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS REGARDING REPORTING OF CROSS—BORDER TRANSPORTATION OF CERTAIN MONETARY INSTRUMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5312(a)(3), Bank Secrecy Act

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This rule will require reporting of cross—border transportation of certain negotiable instruments.

Timetable:

Action	Date	FR Cite
NPRM	01/22/97	62 FR 3249
NPRM Comment Period End	04/22/97	
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183

Phone: 703 905—3590

Fax: 703 905—3735

RIN: 1506—AA15

2578. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—EXEMPTIONS FROM THE REQUIREMENT TO REPORT TRANSACTIONS IN CURRENCY

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5330

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This document contains an interim final rule that further reforms and simplifies the process by which depository institutions may exempt transactions of retail and other businesses from the requirement to report transactions in currency in excess of \$10,000. The interim final rule is part of a continuing program to reduce unnecessary burdens upon financial institutions complying with the Bank Secrecy Act and increase the cost—effectiveness of the counter—money laundering policies of the Department of the Treasury.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/28/00	65 FR 46356
Interim Final Rule Effective	07/31/00	
Interim Final Rule Comment Period End	09/26/00	
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183

Phone: 703 905—3590

Fax: 703 905—3735

RIN: 1506—AA23

2579. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—REQUIREMENT THAT NONFINANCIAL TRADES OR BUSINESSES REPORT CERTAIN CURRENCY TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 et seq; PL 107—56

CFR Citation: 31 CFR 103.30

Legal Deadline: Final, Statutory, April 26, 2002, Final.

Abstract: This document contains an interim final rule amending the Bank Secrecy Act regulations to require certain persons to report currency received in the course of their trade or business.

Timetable:

Action	Date	FR Cite
NPRM	12/31/01	66 FR 67685
Interim Final Rule	12/31/01	66 FR 67680
NPRM Comment Period End	03/01/02	
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183

Phone: 703 905—3590

Fax: 703 905—3735

RIN: 1506—AA25

2580. DUE DILIGENCE REQUIREMENTS FOR CORRESPONDENT ACCOUNTS AND PRIVATE BANKING ACCOUNTS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5318(i)

CFR Citation: 31 CFR 103.175 to 103.178

Legal Deadline: Final, Statutory, July 23, 2002, Final.

Abstract: Section 5318(i) of 31 U.S.C., added by section 312 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act) of 2001, requires U.S. financial institutions to establish due diligence policies, procedures, and controls reasonably designed to detect and report money laundering through correspondent accounts and private banking accounts that U.S. financial institutions establish or maintain for non—U.S. persons. Section 312 takes effect on July 23, 2002, whether or not Treasury has issued a final rule implementing that provision.

Timetable:

Action	Date	FR Cite
NPRM	05/30/02	67 FR 37736
NPRM Comment Period End	07/01/02	
Interim Final Rule	07/23/02	67 FR 48347
Interim Final Rule Effective	07/23/02	
Interim Final Rule Comment Period End	08/22/02	
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183

Phone: 703 905—3590

Fax: 703 905—3735

RIN: 1506—AA29

2581. CUSTOMER IDENTIFICATION PROGRAMS FOR BANKS, SAVINGS ASSOCIATIONS, AND CREDIT UNIONS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5318(l)

CFR Citation: 31 CFR 103.121

TREAS—FINCEN

Final Rule Stage

Legal Deadline: Final, Statutory, October 25, 2002, Final.

Abstract: This notice of proposed rulemaking proposes to require banks, savings associations, and credit unions to establish written customer identification programs.

Timetable:

Action	Date	FR Cite
NPRM	07/23/02	67 FR 48290
NPRM Comment Period End	09/06/02	
NPRM	05/09/03	68 FR 25163
Final Action	05/09/03	68 FR 25090
NPRM Comment Period End	06/23/03	
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA31

2582. FINANCIAL CRIMES ENFORCEMENT NETWORK; AMENDMENT TO THE BANK SECRECY ACT REGULATIONS REQUIREMENT THAT INSURANCE COMPANIES REPORT SUSPICIOUS TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5332

CFR Citation: 31 CFR 103.16

Legal Deadline: None

Abstract: This document will require insurance companies to report suspicious transactions to the Department of the Treasury. The amendments constitute a further step in the creation of a comprehensive system for the reporting of suspicious transactions by the major categories of financial institutions operating in the United States as a part of the counter—money laundering program of the Department of the Treasury.

Timetable:

Action	Date	FR Cite
NPRM	10/17/02	67 FR 64067
NPRM Comment Period End	12/16/02	
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA36

2583. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS— REQUIREMENT THAT MUTUAL FUNDS REPORT SUSPICIOUS TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5331; PL 107—56

CFR Citation: 31 CFR 103.15

Legal Deadline: None

Abstract: This document contains an amendment to the regulations implementing the statute generally known as the Bank Secrecy Act. The amendment would require mutual funds to report suspicious transactions to the Department of the Treasury. The amendment constitutes a further step in the creation of a comprehensive system for the reporting of suspicious transactions by the major categories of financial institutions operating in the United States, as part of the counter—money laundering program of the Department of the Treasury.

Timetable:

Action	Date	FR Cite
NPRM	01/21/03	68 FR 2716
NPRM Comment Period End	03/24/03	
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA37

2584. IMPOSITION OF SPECIAL MEASURES AGAINST THE COUNTRY OF NAURU

Priority: Substantive, Nonsignificant

Legal Authority: PL 107—56, sec 311; 31 USC 5318A

CFR Citation: 31 CFR 103.184

Legal Deadline: None

Abstract: This rule will impose “special measures” against Nauru. Nauru was previously designated as a country of primary money laundering concern pursuant to section 311 of the USA Patriot Act on December 20, 2002, a prerequisite for the imposition of special measures.

Timetable:

Action	Date	FR Cite
NPRM	04/17/03	68 FR 18914
NPRM Comment Period End	05/19/03	
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA43

2585. FINANCIAL CRIMES ENFORCEMENT NETWORK; DELEGATION OF ENFORCEMENT AUTHORITY REGARDING THE FOREIGN BANK ACCOUNT REPORT REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5332; PL 107—56, sec 312; PL 107—56, sec 314; PL 107—56, sec 352

CFR Citation: 31 CFR 103.56

Legal Deadline: None

Abstract: FinCEN is amending the regulations implementing the Bank Secrecy Act to reflect that enforcement authority with respect to the foreign bank account report requirements of 31 CFR part 103 has been delegated from FinCEN to the Commissioner of the Internal Revenue Service.

Timetable:

Action	Date	FR Cite
Final Action	06/00/04	

TREAS—FINCEN

Final Rule Stage

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506-AA45**2586. • FINANCIAL CRIMES ENFORCEMENT; AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—NOMENCLATURE CHANGES****Priority:** Info./Admin./Other. Major status under 5 USC 801 is undetermined.**Legal Authority:** 31 USC 5318 et seq**CFR Citation:** 31 CFR 103**Legal Deadline:** None**Abstract:** This document amends 31 CFR part 103 to reflect changes to the structure of the Department of the Treasury.**Timetable:**

Action	Date	FR Cite
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506-AA61
**Department of the Treasury (TREAS)
Financial Crimes Enforcement Network (FINCEN)**

Long-Term Actions

2587. AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—SPECIAL REPORTING AND RECORDKEEPING REQUIREMENTS—MONEY SERVICES BUSINESSES (MSBS)**Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 103**Timetable:**

Action	Date	FR Cite
NPRM	05/21/97	62 FR 27909
NPRM Comment Period End	09/30/97	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

Agency Contact: Office of the Chief Counsel
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506-AA19
**Department of the Treasury (TREAS)
Financial Crimes Enforcement Network (FINCEN)**

Completed Actions

2588. CUSTOMER IDENTIFICATION PROGRAM FOR BROKER—DEALERS**Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 103.122**Completed:**

Reason	Date	FR Cite
Final Action	05/09/03	68 FR 25113

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Office of the Chief Counsel
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506-AA32**Completed:**

Reason	Date	FR Cite
Final Action	05/09/03	68 FR 25131

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Office of the Chief Counsel
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506-AA33**Completed:**

Reason	Date	FR Cite
NPRM	05/05/03	68 FR 23653
Final Rule	11/20/03	68 FR 65392

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Office of the Chief Counsel
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506-AA44**2589. CUSTOMER IDENTIFICATION PROGRAM FOR MUTUAL FUNDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 103.131**2590. REQUIREMENT THAT FUTURES COMMISSION MERCHANTS AND INTRODUCING BROKERS IN COMMODITIES REPORT SUSPICIOUS TRANSACTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 103.11; 31 CFR 103.17; 31 CFR 103.33; 31 CFR 103.56**2591. • FINANCIAL CRIMES ENFORCEMENT NETWORK; FREEDOM OF INFORMATION ACT, PRIVACY ACT OF 1974—IMPLEMENTATION****Priority:** Info./Admin./Other. Major status under 5 USC 801 is undetermined.**Legal Authority:** 5 USC 301; 5 USC 552, subpart A, as amended; 5 USC 552a, subpart C; 31 USC 321

TREAS—FINCEN

Completed Actions

CFR Citation: 31 CFR 0

Legal Deadline: None

Abstract: Given FinCEN's new status as a bureau, FinCEN is issuing Freedom of Information Act and Privacy Act regulations of its own.

Timetable:

Action	Date	FR Cite
Final Action	09/25/03	68 FR 55309

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Office of the Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, P.O. Box 39, Vienna, VA 22183
Phone: 703 905—3590
Fax: 703 905—3735

RIN: 1506—AA62

BILLING CODE 4810—35—S

**Department of the Treasury (TREAS)
Financial Management Service (FMS)**

Proposed Rule Stage

**2592. CLAIMS ON ACCOUNT OF
TREASURY CHECKS**

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 321; 31 USC 3328; 31 USC 3331; 31 USC 3343; 31 USC 3702; 31 USC 3712

CFR Citation: 31 CFR 245

Legal Deadline: None

Abstract: Title 31 CFR part 245 governs the issuance of replacement checks for checks drawn on the United States Treasury when: 1) the original check has been lost, stolen, destroyed or mutilated or defaced to such an extent that it is rendered non—negotiable; 2) the original check has been negotiated and paid on a forged or unauthorized indorsement; and 3) the original check has been cancelled pursuant to 31 CFR part 240. This regulation is being revised to update the regulation's definitions to make them consistent with the language of the proposed revisions to the definitions in 31 CFR part 240. Other revisions will govern the use of the Check Forgery Insurance Fund (Fund). The Fund is a revolving fund established to settle payee claims of nonreceipt where the original check has been fraudulently negotiated. The Fund ensures that innocent payees, whose Treasury checks have been fraudulently cashed, receive replacement checks in a timely manner.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Ella White, Program Analyst, Department of the Treasury, Financial Management Service, Room 8D25, 3700 East—West Highway, Hyattsville, MD 20782
Phone: 202 874—8445

Email: ella.white@fms.treas.gov

RIN: 1510—AA51

**2593. MANAGEMENT OF FEDERAL
AGENCY RECEIPTS AND
DISBURSEMENTS; OPERATION OF
THE CASH MANAGEMENT
IMPROVEMENT FUND**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 5 USC 301; 31 USC 321; 31 USC 3301; 31 USC 3302; 31 USC 3321; 31 USC 3327; 31 USC 3332; 31 USC 3335; 31 USC 3720; 31 USC 6503

CFR Citation: 31 CFR 206

Legal Deadline: None

Abstract: This regulation governs collection and deposit regulations requiring timely methods, principally Electronic Funds Transfer (EFT), for the collection and deposit of funds as authorized by section 2652 of the Deficit Reduction Act of 1984. This regulation also incorporates revisions authorized by the Cash Management Act of 1990 and the Cash Management Improvement Act Amendments of 1992. These revisions require executive agencies to use effective, efficient disbursement mechanisms, principally EFT, in the delivery of payments. An agency's failure to comply with this regulation may result in a charge equal to the cost of such noncompliance to the Treasury's General Fund.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Stephen Kenneally, Financial Program Specialist, Cash Management Policy and Planning Division, Department of the Treasury, Financial Management Service, Room 408D, 401 14th Street SW., Washington, DC 20227
Phone: 202 874—6799
Email: stephen.kenneally@fms.treas.gov

RIN: 1510—AA86

**2594. WITHHOLDING OF DISTRICT OF
COLUMBIA, STATE, CITY, AND
COUNTY INCOME, OR EMPLOYMENT
TAXES BY FEDERAL AGENCIES**

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5516; 5 USC 5517; 5 USC 5520; EO 1197, sec 4

CFR Citation: 31 CFR 215

Legal Deadline: None

Abstract: This regulation governs the agreements entered into by the Department of the Treasury and State and local governments for the withholding of State and local income taxes from the compensation of Federal employees.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal, State, Local

Agency Contact: Stephen Kenneally, Financial Program Specialist, Cash Management Policy and Planning Division, Department of the Treasury, Financial Management Service, Room 408D, 401 14th Street SW., Washington, DC 20227
Phone: 202 874—6799
Email: stephen.kenneally@fms.treas.gov

RIN: 1510—AA90

Department of the Treasury (TREAS)
Financial Management Service (FMS)

Final Rule Stage

2595. INDORSEMENT AND PAYMENT OF CHECKS DRAWN ON THE U.S. TREASURY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 12 USC 391; 31 USC 321; 31 USC 3327; 31 USC 3328; 31 USC 3331; 31 USC 3334; 31 USC 3343; 31 USC 3702; 31 USC 3702 note; 31 USC 3711; 31 USC 3712; 31 USC 3716; 31 USC 3717; 318 US 363 (1943); 332 US 234 (1947)

CFR Citation: 31 CFR 240

Legal Deadline: None

Abstract: Notice of proposed rulemaking II (NPRM II) was a reissuance of NPRM I published on September 21, 1995, which proposed to fix the time by which Treasury can decline payment on Treasury checks, provide financial institutions with a date certain for final payments, and provide greater clarity by defining previously undefined terms. NPRM I also proposed that the Department of the Treasury may instruct Federal Reserve Banks to intercept benefit payment checks to deceased payees and to return, unpaid, those checks. In addition to the revisions proposed in NPRM I, NPRM II announced the Department of the Treasury's intent that this regulation supersede Federal common law regarding the risk of loss on checks containing forged disbursing officer signatures, such as counterfeits. The Interim Final Rule will amend this regulation to implement provisions of the Debt Collection Improvement Act of 1996 authorizing the collection of debts owed by presenting banks through Treasury Check Offset. NPRM III is a reissuance of NPRM II and will address, at a minimum, the issues in NPRMs I and II.

Timetable:

Action	Date	FR Cite
NPRM I	09/21/95	60 FR 48940
NPRM Comment Period End	11/06/95	
NPRM II	05/30/97	62 FR 29314
NPRM	04/23/03	68 FR 20046
Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Ronald E. Brooks, Senior Program and Policy Analyst, Financial Operations, Department of the Treasury, Financial Management Service, Room 725—D, 3700 East—West Highway, Hyattsville, MD 20782
 Phone: 202 874—7573
 Email: ronald.brooks@fms.treas.gov

RIN: 1510-AA45

2596. FOREIGN EXCHANGE OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 22 USC 2363; 31 USC 3513; EO 10488; EO 10900

CFR Citation: 31 CFR 281

Legal Deadline: None

Abstract: This regulation governs the administration of the purchase, custody, deposit, transfer, sale, and reporting of foreign exchange (including credits and currencies) by executive departments and agencies. Currently, this regulation allows the purchase of foreign currency to an amount which, together with the balance on hand in the bank, may not exceed estimated requirements for a 30—day period. The revised rule allows the purchase of foreign currency to a balance “commensurate with immediate disbursing requirements.”

Timetable:

Action	Date	FR Cite
NPRM	01/29/96	61 FR 2750
NPRM Comment Period End	02/28/96	
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Stephen Kenneally, Financial Program Specialist, Cash Management Policy and Planning Division, Department of the Treasury, Financial Management Service, Room 408D, 401 14th Street SW., Washington, DC 20227
 Phone: 202 874—6799
 Email: stephen.kenneally@fms.treas.gov

Walt Henderson, Senior Financial Program Specialist, Cash Management Policy and Planning Directorate, Department of the Treasury, Financial Management Service, 401 14th Street SW., Washington, DC 20227

Phone: 202 874—6705
 Email: walt.henderson@fms.treas.gov

RIN: 1510-AA48

2597. PAYMENTS UNDER JUDGMENT AND PRIVATE RELIEF ACTS

Priority: Substantive, Nonsignificant

Legal Authority: PL 104—53; PL 104—316; 28 USC 2414; 28 USC 2517; 31 USC 1304

CFR Citation: 31 CFR 256

Legal Deadline: None

Abstract: This regulation governs the procedures for securing payment for money judgments against the United States. The proposed revision will update these procedures. This revision will benefit claimants and others in understanding the judgment payment process. This regulation currently describes a process that involves the General Accounting Office (GAO) and the Treasury Department. The revision will remove the GAO from this description to reflect legislative amendments that effect this change. Also, the regulation currently identifies monetary thresholds that no longer exist. The change will reflect the removal of these monetary limitations. These revisions will make the regulation consistent with current procedures for securing payment of money judgments against the United States.

Timetable:

Action	Date	FR Cite
NPRM	01/08/96	61 FR 552
NPRM Comment Period End	02/07/96	
Final Action	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Wanda Rogers, Director, Financial Accounting and Services Division, Department of the Treasury, Financial Management Service, Room 620D, 3700 East—West Highway, Hyattsville, MD 20782
 Phone: 202 874—8380
 Email: wanda.rogers@fms.treas.gov

RIN: 1510-AA52

TREAS—FMS

Final Rule Stage

2598. OFFSET OF FEDERAL PAYMENTS (OTHER THAN TAX REFUND AND FEDERAL BENEFIT PAYMENTS) TO COLLECT PAST—DUE, LEGALLY ENFORCEABLE NONTAX DEBT**Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 321; 31 USC 3716**CFR Citation:** 31 CFR 285.5**Legal Deadline:** None**Abstract:** This rule governs the administrative offset of Federal payments by disbursing officials of the United States.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/26/02	67 FR 78936
Final Rule	04/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal

Agency Contact: Gerry Isenberg, Financial Program Specialist, Debt Management Service, Department of the Treasury, Financial Management Service, Room 44AB, 401 14th Street SW., Washington, DC 20227
Phone: 202 874—7131
Fax: 202 874—7494
Email: gerald.isenberg@fms.treas.gov

RIN: 1510—AA65**2599. SALARY OFFSET****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5514**CFR Citation:** 31 CFR 285.7**Legal Deadline:** None**Abstract:** This rule governs the centralized computer matching of Federal employee records for purposes of salary offset to collect nontax delinquent debt owed the Federal Government.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/28/98	63 FR 23353
Final Action	04/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal

Agency Contact: Gerry Isenberg, Financial Program Specialist, Debt Management Service, Department of the Treasury, Financial Management

Service, Room 44AB, 401 14th Street SW., Washington, DC 20227
Phone: 202 874—7131

Fax: 202 874—7494

Email: gerald.isenberg@fms.treas.gov

RIN: 1510—AA70**2600. OFFSET OF TAX REFUND PAYMENT TO COLLECT STATE INCOME TAX OBLIGATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6402(e)**CFR Citation:** 31 CFR 285.8**Legal Deadline:** None**Abstract:** This rule governs the offset of Federal tax refund payments to collect delinquent State income taxes.**Timetable:**

Action	Date	FR Cite
NPRM	12/20/99	64 FR 71233
Interim Final Rule	12/20/99	64 FR 71227
Final Action	04/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Federal**Federalism:** Undetermined

Agency Contact: Dean Balamaci, Director, Business and Agency Liaison Division, Department of the Treasury, Financial Management Service, 401 14th Street SW., Washington, DC 20227
Phone: 202 874—6804
Email: dean.balamaci@fms.treas.gov

RIN: 1510—AA78**2601. PAYMENT OF FEDERAL TAXES AND THE TREASURY TAX AND LOAN PROGRAM****Priority:** Other Significant**Unfunded Mandates:** Undetermined

Legal Authority: 12 USC 90; 12 USC 265; 12 USC 266; 12 USC 321; 12 USC 323; 12 USC 332; 12 USC 391; 12 USC 1452(d); 12 USC 1464(k); 12 USC 1767; 12 USC 1789(a); 12 USC 2013; 12 USC 2122; 12 USC 3102; 12 USC 6302; 31 USC 3301 to 3304

CFR Citation: 31 CFR 203**Legal Deadline:** None**Abstract:** This first rule includes general revisions that will provide needed updates to support operational changes to the system used for the collection of corporate withholding

taxes and the investment of the Government's excess operating funds, and incorporate other needed updates. The second rule amended the regulation to provide the Secretary greater flexibility to adjust the rate of interest charged on funds loaned through the Treasury Tax and Loan (TT&L) program. It also allows for a new TT&L investment option for financial institutions.

Timetable:**General Revisions (1510—AA92)**

NPRM 11/00/03

Treasury Tax and Loan Rate of Interest (1510—AA93)

NPRM 07/30/99 (64 FR 41747)

NPRM Comment Period End 09/28/99

Final Action 03/15/02 (67 FR 11573)

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Catherine McHugh, Senior Financial Program Specialist, Department of the Treasury, Financial Management Service, Room 415B, Federal Finance, Asset Management Directorate, Risk Management Division, 401 14th Street SW., Washington, DC 20227

Phone: 202 874—7497

Email: catherine.mchugh@fms.treas.gov

RIN: 1510—AA79**2602. FEDERAL CLAIMS COLLECTION STANDARD—COLLECTION BY INSTALLMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 3711; 31 USC 3717**CFR Citation:** 31 CFR 901.9**Legal Deadline:** None**Abstract:** Section 901.9, paragraph(f) is being modified to state that when an administrative charge is being paid out of amounts collected from the debtor, a partial or installment payment on a debt should be applied to that charge first, then to penalties, other administrative charges, interest, and principal.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local, Tribal, Federal

TREAS—FMS

Final Rule Stage

Agency Contact: Gerry Isenberg, Financial Program Specialist, Debt Management Service, Department of the Treasury, Financial Management Service, Room 44AB, 401 14th Street SW., Washington, DC 20227
Phone: 202 874—7131
Fax: 202 874—7494
Email: gerald.isenberg@fms.treas.gov

RIN: 1510-AA91

2603. ● FEDERAL GOVERNMENT PARTICIPATION IN THE AUTOMATED CLEARING HOUSE (ACH)

Priority: Other Significant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 5525; 12 USC 391; 31 USC 321; 31 USC 3301; 31 USC 3302; 31 USC 3321; 31 USC 3332; 31 USC 3335; 31 USC 3720

CFR Citation: 31 CFR 210

Legal Deadline: None

Abstract: The Department of the Treasury, Financial Management Service (FMS), is amending its rule governing the use of the Automated Clearing House (ACH) system by Federal agencies. This proposed rule would amend 31 CFR part 210 to provide that, as of an effective date to be specified, any check received by a Federal agency may be converted to an ACH debit entry. The proposed rule would request comment on a plan whereby FMS would provide notice of check conversion to the general public through agency and financial institution web sites, the Federal Register, on agency forms, and in radio, television, and media announcements.

Timetable:

Action	Date	FR Cite
NPRM	08/21/03	68 FR 50671
NPRM Comment Period End	10/20/03	
Final Action	02/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

URL For More Information:

www.fms.treas.gov/ach

URL For Public Comments:

(do not use http://)

210comments@fms.treas.gov

Agency Contact: Donald Skiles, Senior Financial Program Specialist, Department of the Treasury, Financial Management Service, Federal Finance, Asset Management Directorate, Risk Management Division, 401 14th Street SW., Washington, DC 20227
Phone: 202 874—6994
Email: donald.skiles@fms.treas.gov

RIN: 1510-AA98

Department of the Treasury (TREAS)

Financial Management Service (FMS)

Long-Term Actions

2604. OFFSET OF FEDERAL PAYMENTS (OTHER THAN TAX REFUND AND FEDERAL BENEFIT PAYMENTS) TO COLLECT PAST—DUE DEBTS OWED TO STATES (OTHER THAN CHILD SUPPORT)

Priority: Substantive, Nonsignificant

CFR Citation: 31 CFR 285.6

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Federalism: Undetermined

Agency Contact: Gerry Isenberg
Phone: 202 874—7131
Fax: 202 874—7494
Email: gerald.isenberg@fms.treas.gov

RIN: 1510-AA66

2605. PUBLIC DISSEMINATION OF IDENTITY OF DELINQUENT DEBTORS

Priority: Substantive, Nonsignificant

CFR Citation: 31 CFR 285.14

Timetable:

Action	Date	FR Cite
Next Action Undetermined	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Gerry Isenberg
Phone: 202 874—7131
Fax: 202 874—7494
Email: gerald.isenberg@fms.treas.gov

RIN: 1510-AA72

2606. SURETY BOND REIMBURSEMENT FUND

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 31 CFR 223

Timetable:

Action	Date	FR Cite
Next Action Undetermined	To Be	Determined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Wanda Rogers
Phone: 202 874—8380
Email: wanda.rogers@fms.treas.gov

RIN: 1510-AA85

2607. ● PAYMENT OF FEDERAL TAXES AND THE TREASURY TAX AND LOAN PROGRAM

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 90, ; 12 USC 265—266; 12 USC 332; 12 USC 391; 12 USC 1452(d); 12 USC 1464(k); 12 USC 1767; 12 USC 1789a; 12 USC 2013; 12 USC 2122; 12 USC 3102; 26 USC 6302; 31 USC 321; 31 USC 323; 31 USC 3301 to 3304

CFR Citation: 31 CFR 203

Legal Deadline: None

Abstract: The Department of the Treasury, Financial Management Service, is proposing to revise its regulation governing the Treasury Tax and Loan (TT&L) program at 31 CFR Part 203. The proposed changes would update the rule to reflect the reorganization and enhancement of the TT&L program, including changes in terminology, and simplify the rule by deleting procedures and provisions that appear in other regulations or in the Treasury Financial Manual.

TREAS—FMS

Long-Term Actions

Timetable:

Action	Date	FR Cite
Next Action		
Undetermined		

Next Action
Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

www.fms.treas.gov/eftps/eftpsregs.html

URL For Public Comments:

(do not use

http://)203.comments@fms.treas.gov

Agency Contact: Catherine McHugh, Senior Financial Program Specialist, Department of the Treasury, Financial Management Service, Room 415B, Federal Finance, Asset Management Directorate, Risk Management Division, 401 14th Street SW., Washington, DC 20227

Phone: 202 874—7497

Email: catherine.mchugh@fms.treas.gov

RIN: 1510—AA96

2608. • FEDERAL GOVERNMENT PARTICIPATION IN THE AUTOMATED CLEARING HOUSE (ACH)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 5525; 12 USC 391; 31 USC 321; 31 USC 3301; 31 USC 3302; 31 USC 3321; 31 USC 3332; 31 USC 3335; 31 USC 3720

CFR Citation: 31 CFR 210**Legal Deadline:** None

Abstract: The Department of the Treasury, Financial Management Service, is amending its rule governing the use of the Automated Clearing House (ACH) system by Federal agencies. This proposed rule would amend 31 CFR part 210 to expand the circumstances in which checks presented or delivered to agencies may be converted to ACH debit entries. The proposed rule also addresses issues relating to the reclamation of Federal benefit payments and the receipt of misdirected Federal payments.

Timetable:

Action	Date	FR Cite
Next Action		
Undetermined		

Next Action
Undetermined

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**URL For More Information:**

www.fms.treas.gov/ach

URL For Public Comments:

(do not use

http://)210comments@fms.treas.gov

Agency Contact: Catherine McHugh, Senior Financial Program Specialist, Department of the Treasury, Financial Management Service, Room 415B, Federal Finance, Asset Management Directorate, Risk Management Division, 401 14th Street SW., Washington, DC 20227

Phone: 202 874—7497

Email: catherine.mchugh@fms.treas.gov

RIN: 1510—AA97

Department of the Treasury (TREAS)

Financial Management Service (FMS)

Completed Actions

2609. 2003 AUTOMATED CLEARING HOUSE (ACH) RULES**Priority:** Other Significant**CFR Citation:** 31 CFR 210**Completed:**

Reason	Date	FR Cite
Interim Final Rule	06/05/03	68 FR 33825

Interim Final Rule 06/05/03 68 FR 33825

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Donald Skiles

Phone: 202 874—6994

Email: donald.skiles@fms.treas.gov

RIN: 1510—AA89

BILLING CODE 4810—25—S

Department of the Treasury (TREAS)

Alcohol and Tobacco Tax and Trade Bureau (TTB)

Proposed Rule Stage

2610. REVISION OF BREWERY REGULATIONS AND ISSUANCE OF REGULATIONS FOR TAVERNS ON BREWERY PREMISES (BREWPUBS)

Regulatory Plan: This entry is Seq. No. 99 in part II of this issue of the **Federal Register**.

RIN: 1513—AA02

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7**Legal Deadline:** None

Abstract: TTB proposes to amend regulations to clarify the standards of fill for distilled spirits and wine. TTB also proposes to amend regulations to prohibit certain alcohol beverage containers that are likely to mislead consumers as to the identity or character of the distilled spirits, wine, or malt beverage products or to be confused with other (nonalcohol) food products.

Timetable:

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6486
NPRM Comment	04/12/99	
Period End		
Revised NPRM—	04/00/04	
Aggregate		
Packaging		
Revised NPRM—	04/00/04	
Deceptive		
Packaging		

NPRM 02/09/99 64 FR 6486

NPRM Comment 04/12/99

Period End

Revised NPRM— 04/00/04

Aggregate

Packaging

Revised NPRM— 04/00/04

Deceptive

Packaging

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AB89**2611. PROHIBITION OF ALCOHOL BEVERAGE CONTAINERS AND STANDARD OF FILL FOR DISTILLED SPIRITS AND WINE****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205

TREAS—TTB

Proposed Rule Stage

Agency Contact: Lisa M. Gesser, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 128, Morganza, MD 20660
Phone: 301 290—1460
Fax: 301 290—1463
Email: lisa.gesser@ttb.treas.gov

RIN: 1513-AA07

2612. DETERMINATION OF TAX AND RECORDKEEPING ON LARGE CIGARS

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 5701; 27 USC 5702

CFR Citation: 27 CFR 40; 27 CFR 275

Legal Deadline: None

Abstract: This notice incorporates most of the parts of Industry Circular 91—3, dated March 19, 1991, entitled “Large Cigar Taxes On and After January, 1991” that have not been placed in the regulations. Industry Circular 91—3 addressed questions about determining the amount of tax for large cigars based on their sale price. In addition, this notice proposes: 1) to give guidance on tax adjustments for large cigars provided at no cost in connection with a sale, and 2) recordkeeping requirements for persons in Puerto Rico, who bring large cigars upon prepayment or deferred payment of tax into the United States from Puerto Rico.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC22

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927—8181
Fax: 202 927—8525
Email: wade—chapman.linda@ttb.gov

RIN: 1513-AA16

2613. PETITION TO ESTABLISH THE “SANTA BARBARA HIGHLANDS” VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB has received a petition proposing the establishment of the “Santa Barbara Highlands” as an American viticultural area. The proposed Santa Barbara Highlands area is located in Santa Barbara and Ventura Counties in California. The petition was submitted by Nebil Zarif, President, Barnwood Vineyards.

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC53

Agency Contact: Timothy P. DeVanney, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927—8196
Fax: 202 927—8525
Email: timothy.devanney@ttb.gov

RIN: 1513-AA24

2614. REGULATORY CHANGES FROM CUSTOMS SERVICE FINAL RULE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 44

Legal Deadline: None

Abstract: The temporary rule prescribes TTB regulations relating to a final rule (T.D. 92—181, 57 FR 37692), published by the former U.S. Customs Service (USCS). The USCS published this final rule to create a separate class of customs bonded warehouse duty—free store (class 9). A class 9 customs bonded warehouse may receive tobacco products or cigarette papers or tubes without payment of Federal excise tax. The temporary rule prescribes the regulations that allow a manufacturer of tobacco products or cigarette papers and tubes and an

export warehouse proprietor to send such articles to a class 9 customs bonded warehouse. In addition, the temporary rule prescribes regulations that allow a proprietor of a customs bonded manufacturing warehouse to send such cigars to a class 9 customs bonded warehouse. This notice of proposed rulemaking invites comments on the temporary rule.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	
Interim Final Rule	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC56

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927—8181
Fax: 202 927—8525
Email: wade—chapman.linda@ttb.gov

RIN: 1513-AA26

2615. SHIPMENTS OF TOBACCO PRODUCTS OR CIGARETTE PAPERS OR TUBES WITHOUT PAYMENT OF TAX

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 40; 27 CFR 275

Legal Deadline: None

Abstract: The proposed rule clarifies regulations and establishes procedures governing tobacco products or cigarette papers or tubes brought in bond from Puerto Rico to the United States. In addition, the proposed rule would allow a manufacturer of tobacco products to receive in bond, cigarette papers and tubes for placement in packages of roll—your—own tobacco, and would eliminate filing bond extensions for tobacco products and cigarette papers or tubes from the U.S. Virgin Islands.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

TREAS—TTB

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC57

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927—8181
Fax: 202 927—8525
Email: wade—chapman.linda@ttb.gov
RIN: 1513—AA27

2616. PETITION TO ESTABLISH THE “TRINITY LAKE” VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB has received a petition from Keith Groves of Alpen Cellars proposing the establishment of a viticultural area located in Trinity County, California. The proposed Trinity Lake viticultural area consists of approximately 96,000 acres.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC62

Agency Contact: Timothy P. DeVanny, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927—8196
Fax: 202 927—8525
Email: timothy.devanny@ttb.gov

RIN: 1513—AA29

2617. PETITION TO ESTABLISH “EOLA HILLS” AS A NEW AMERICAN VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB has received a petition proposing the establishment of “Eola Hills” as a new American viticultural area in Oregon.

Timetable:

Action	Date	FR Cite
NPRM	09/08/03	68 FR 52875
NPRM Comment Period End	11/07/03	
Comment Period Extended	11/07/03	68 FR 63042
Extended Comment Period End	01/06/04	
Final Action	07/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC78

Agency Contact: Jennifer Berry, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 18152, Roanoke, VA 24014
Phone: 540 344—9333
Fax: 540 344—5855
Email: jennifer.berry@ttb.gov

RIN: 1513—AA41

2618. PROPOSED ADDITION OF NEW GRAPE VARIETY NAMES FOR AMERICAN WINES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: TTB has received petitions proposing to add several names to the list of grape variety names used to designate American wines.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC79

Agency Contact: Jennifer Berry, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 18152, Roanoke, VA 24014
Phone: 540 344—9333
Fax: 540 344—5855

Email: jennifer.berry@ttb.gov

RIN: 1513—AA42

2619. MARKS, LABELS, NOTICES AND BONDS FOR, AND REMOVAL OF, TOBACCO PRODUCTS, AND CIGARETTE PAPERS AND TUBES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5704; 26 USC 7805

CFR Citation: 27 CFR 40; 27 CFR 275

Legal Deadline: None

Abstract: This notice of proposed rulemaking requires labels, notices and marks for removals, in bond, of tobacco products or cigarette papers and tubes that are not in packages. This notice proposes new sections that prohibit the removal of tobacco products or cigarette papers or tubes that are not in packages for domestic uses. Packages are the immediate containers in which a manufacturer or importer places the tobacco products or cigarette papers or tubes for sale or delivery to the consumer. Also, this notice broadens the language for extending bonds so that manufacturers may receive tobacco products, cigarette papers and tubes, without payment of tax, from Puerto Rico. This notice may affect the operations conducted by manufacturers of tobacco products or cigarette papers and tubes and importers of tobacco products.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC90

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927—8181
Fax: 202 927—8525
Email: wade—chapman.linda@ttb.gov

RIN: 1513—AA49

TREAS—TTB

Proposed Rule Stage

2620. PETITION TO ESTABLISH "SANTA MARIA BENCH" AS A NEW AMERICAN VITICULTURAL AREA**Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB received a petition from Cambria Winery and Vineyard proposing to establish the "Santa Maria Bench" viticultural area in Santa Barbara County, California. The petitioned viticultural area has 3,200 acres, with 1,500 acres planted to wine grapes, and is within the established Santa Maria and the Central Coast viticultural areas.

Timetable:

Action	Date	FR Cite
NPRM	03/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC93

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927—8181
Fax: 202 927—8525
Email: wade—chapman.linda@ttb.gov

RIN: 1513—AA51**2621. IN—TRANSIT STOPS OF TOBACCO PRODUCTS, AND CIGARETTE PAPERS AND TUBES WITHOUT PAYMENT OF TAX****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 5704**CFR Citation:** 27 CFR 40; 27 CFR 44**Legal Deadline:** None

Abstract: This notice is the result of a petition from the Cigar Association of America and the Pipe Tobacco Council. The petition requests that TTB change its position regarding in—transit stops of tobacco products and cigarette papers and tubes after removal without payment of tax from a factory. TTB has taken the position that the law provides that manufacturers may remove the tobacco products and cigarette papers and tubes by paying the excise tax and

subsequently filing a claim for drawback. This notice proposes to clarify the regulations to recognize such in—transit stops and specifies records that manufacturers and export warehouse proprietors maintain relating to the removals without payment of tax.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC95

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927—8181
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RIN: 1513—AA52**2622. PETITION TO ESTABLISH "SNAKE RIVER VALLEY" AS A NEW VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB received a petition proposing "Snake River Valley" as a new American viticultural area located in the States of Idaho and Washington.

Timetable:

Action	Date	FR Cite
NPRM	02/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC98

Agency Contact: Timothy P. DeVaney, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA53**2623. PETITION TO EXPAND THE LIVERMORE VALLEY VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB received a petition proposing to expand the boundaries of approved American viticultural area Livermore Valley located in the State of California. The proposed expanded boundaries encompass approximately 259,000 acres, of which 4,355 acres are devoted to vineyards. The expansion would add approximately 163,000 acres, 120 acres of vineyards and four wineries to the area.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC99

Agency Contact: Timothy P. DeVaney, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA54**2624. SAN FRANCISCO BAY AND CENTRAL COAST VITICULTURAL AREAS—BOUNDARY REALIGNMENT/EXPANSION****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB received a petition proposing an expansion/realignment of the boundaries of approved American viticultural areas San Francisco Bay and Central Coast located in the State of California. In total, the proposed expanded boundaries encompass approximately 20,000 acres.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

TREAS—TTB

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AD00

Agency Contact: Timothy P. DeVanney, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA55**2625. PETITION TO ESTABLISH “CHEHALEM MOUNTAINS” AS A NEW AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB has received a petition proposing the establishment of the “Chehalem Mountains” viticultural area located in Yamhill, Washington, and Clackamas Counties, Oregon.

Timetable:

Action	Date	FR Cite
NPRM	10/07/03	68 FR 57840
NPRM Comment Period End	12/08/03	
Final Action	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AD02

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA57**2626. PETITION TO ESTABLISH “RIBBON RIDGE” AS A NEW AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB has received a petition proposing the establishment of the “Ribbon Ridge” viticultural area located in the northern part of Yamhill County, Oregon between Newberg and Gaston.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AD03

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA58**2627. PETITION TO ESTABLISH “YAMHILL—CARLTON DISTRICT” AS A NEW AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB has received a petition proposing the establishment of the “Yamhill—Carlton District” viticultural area. The proposed area falls within the approved boundaries of the Willamette Valley viticultural area in northwest Oregon.

Timetable:

Action	Date	FR Cite
NPRM	10/07/03	68 FR 57845
NPRM Comment Period End	12/08/03	
Final Action	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AD04

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA59**2628. PETITION TO ESTABLISH THE “FORT ROSS SEAVIEW” VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The proposed 27,500—acre Fort Ross—Seaview viticultural area is in the North Coast and Sonoma Coast viticultural areas. It is approximately 65 miles north—northwest from San Francisco, close to the Pacific coastline. A significant distinguishing factor of the viticultural area, based on its 920 feet and 1,800 feet elevations, is the sunny and warm growing season that contrasts to the surrounding foggy and cooler lower elevations. The draft notice of proposed rulemaking is in review.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA64**2629. PETITION TO ESTABLISH THE “ALEXANDER MOUNTAIN” VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

TREAS—TTB

Proposed Rule Stage

Abstract: The proposed Alexander Mountain 5,990-acre viticultural area, with 720 acres of winegrape cultivation, is approximately 65 miles north of San Francisco, California. It is totally within the Alexander Valley, North Sonoma and North Coast viticultural areas. It has elevations above the Alexander Valley floor, a mountain climate, and varying terrain orientations for multiple solar exposures. The draft notice of proposed rulemaking is being prepared for review.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513-AA65

2630. PETITION TO ESTABLISH "GRAND LAKE O' THE CHEROKEES" AS A NEW AMERICAN VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB received a petition proposing "Grand Lake O' the Cherokees" as a new American viticultural area in Oklahoma. The proposed area is located in the northeastern region of the State. The proposed viticultural area encompasses Craig and portions of Ottawa, Delaware, and Hayes Counties.

Timetable:

Action	Date	FR Cite
NPRM	03/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC97

Agency Contact: Timothy P. DeVanney, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513-AA66

2631. PETITION NO. 2 TO EXPAND THE RUSSIAN RIVER VALLEY VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: The proposed Russian River Valley viticultural area expansion increases the original boundaries by 30,200 acres to the east and south sides. The notice of proposed rulemaking is in review.

Earlier TTB received a separate Russian River Valley viticultural area expansion petition (RIN 1513—AA68) for a 767-acre expansion. This area is incorporated in the larger 30,200-acre expansion noted above. The final rule for the smaller expansion is being reviewed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513-AA67

2632. PETITION TO ESTABLISH THE "SALADO CREEK" VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB received a petition to establish the Salado Creek viticultural area in Stanislaus County, California. The proposed 2,940-acre viticultural area is about 75 miles east-southeast of San Francisco and 18 miles southwest of Modesto. The notice of proposed rulemaking is in review.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 415 271—1254
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Email: nancy.sutton@ttb.gov

RIN: 1513-AA69

2633. PETITION TO ESTABLISH THE "SHAWNEE HILLS" VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205(e)

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB requests comments concerning the proposed establishment of the "Shawnee Hills" viticultural area in southern Illinois. The proposed Shawnee Hills viticultural area is approximately 80 miles long from the Ohio River on the east to the Mississippi River on the west, and approximately 20 miles wide from north to south. Approximately 160 acres are planted with wine varieties.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kristy Colon, TTB Specialist, Department of the Treasury,

TREAS—TTB

Proposed Rule Stage

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RIN: 1513—AA70

2634. PROPOSED AMENDED BOUNDARIES FOR THE SANTA LUCIA HIGHLANDS AND THE ARROYO SECO VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205(e)

CFR Citation: 27 CFR 9.139; 27 CFR 9.59

Legal Deadline: None

Abstract: TTB requests comments concerning the proposed changes to the boundaries of the Santa Lucia Highlands and Arroyo Seco viticultural areas located in Monterey County, California. The proposed boundary change extends portions of the Santa Luca Highlands viticultural area and curtails the Arroyo Seco viticultural area.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Kristy Colon, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA72

2635. • PETITION TO ESTABLISH "SOUTHERN OREGON" AS A VITICULTURAL AREA

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB proposes to establish the Southern Oregon viticultural area in portions of Douglas, Jackson, and

Josephine Counties in southwestern Oregon.

Timetable:

Action	Date	FR Cite
NPRM	09/18/03	68 FR 54696
NPRM Comment Period End	11/17/03	
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA75

2636. • PETITION TO ESTABLISH "TEXOMA" AS A VITICULTURAL AREA

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: We have received a petition for the establishment of a viticultural area in north central Texas to be called "Texoma."

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 18152, Roanoke, VA 24014
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RIN: 1513—AA77

2637. • EVIDENCE OF EXPORTATION FOR DISTILLED SPIRITS; USE OF ALTERNATIVE DOCUMENTATION

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 252

Legal Deadline: None

Abstract: TTB intends to amend the regulations in part 252 to clarify the documents that provide adequate export evidence for shipments of distilled spirits and to provide a timeframe for submission of these documents. These amended regulations would also inform the public that TTB would consider approval of alternative types of documentation as adequate export evidence.

Timetable:

Action	Date	FR Cite
NPRM	09/24/03	68 FR 55281
NPRM Comment Period End	11/24/03	
Final Action	07/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Joanne Brady, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 45797, Philadelphia, PA 19149
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RIN: 1513—AA78

2638. • PETITION TO ESTABLISH THE "HIGH VALLEY" VITICULTURAL AREA

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB has received a petition to establish the "High Valley" viticultural area, which is located about 85 miles north of San Francisco, California, on the eastern shore of Clear Lake.

Timetable:

Action	Date	FR Cite
NPRM	01/00/04	

TREAS—TTB

Proposed Rule Stage

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226

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RIN: 1513—AA79

Department of the Treasury (TREAS)

Final Rule Stage

Alcohol and Tobacco Tax and Trade Bureau (TTB)

ALCOHOL

2639. ● EXPORTATION OF LIQUORS: RECODIFICATION OF REGULATIONS: ADMINISTRATIVE CHANGES DUE TO THE HOMELAND SECURITY ACT OF 2002

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: 5 USC 552(a); 19 USC 81c; 27 USC 203; 44 USC 3504(h); 26 USC 5001; ...

CFR Citation: 27 CFR 28; 27 CFR 252

Legal Deadline: None

Abstract: The Alcohol and Tobacco Tax and Trade Bureau is recodifying its regulations pertaining to exportation of liquors. Due to the Homeland Security Act, we are also making administrative changes to these regulations to reflect the Bureau's new name and organizational structure. This document does not include any substantive regulatory changes.

Timetable:

Action	Date	FR Cite
Final Action	12/00/03	
Final Action Effective	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa M. Gesser, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 128, Morganza, MD 20660
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RIN: 1513—AA76

2640. IMPLEMENTATION OF PUBLIC LAW 105—33, SECTION 9302, REQUIRING THE QUALIFICATION OF TOBACCO PRODUCT IMPORTERS AND MISCELLANEOUS TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5712; 26 USC 5713

CFR Citation: 27 CFR 275

Legal Deadline: Other, Statutory, January 1, 2000, Other.

Abstract: These regulations will implement section 9302 provisions of Public Law 105—33, requiring permits for businesses engaged in importing tobacco products. Also, minor technical amendments have been included in this rule.

Timetable:

Action	Date	FR Cite
NPRM	12/22/99	64 FR 71955
Interim Final Rule	12/22/99	64 FR 71947
Interim Final Rule Effective	01/01/00	
Interim Final Rule Comment Period End	05/03/00	65 FR 17477
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC07

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA10

2641. FLAVORED MALT BEVERAGES AND RELATED PROPOSALS

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 211, 205; 26 USC 5052

CFR Citation: 27 CFR 7; 27 CFR 25

Legal Deadline: None

Abstract: TTB issued ATF Rulings 96—1 and 2002—2 to address production and labeling of flavored malt beverages that derive their alcohol content from flavoring materials. TTB has studied the issue of flavored malt beverages and is proposing rules to limit the contribution of distilled spirits derived from flavoring materials in flavored malt beverages. These proposals address production, identity, labeling, formulation, and tax issues related to flavored malt beverages.

Timetable:

Action	Date	FR Cite
NPRM	03/24/03	68 FR 14292
NPRM Comment Period End	06/23/03	
NPRM Comment Period End Extended	06/02/03	68 FR 32698
Extended Comment Period End	10/21/03	
Final Action	01/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC11

URL For Public Comments:
http://www.ttb.gov/foia/nprm_comments/ttbnotice04_comments.htm

Agency Contact: Charles N. Bacon, Program Manager, Department of the Treasury, Tax and Trade Bureau, Room 701, 10 Causeway Street, Boston, MA 02222
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TREAS—TTB

Final Rule Stage

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RIN: 1513-AA12

2642. TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES SHIPPED FROM PUERTO RICO TO THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 5701; 27 USC 7652

CFR Citation: 27 CFR 275

Legal Deadline: None

Abstract: This temporary rule eliminates TTB onsite supervision of tobacco products and cigarette papers and tubes of Puerto Rican manufacture that are shipped from Puerto Rico to the United States. It also eliminates related forms. This rule requires that persons who ship such articles maintain records so that the amount of tax is calculated and recorded for TTB audit and examination. Also, this temporary rule simplifies and clarifies certain sections.

Timetable:

Action	Date	FR Cite
NPRM	03/08/01	66 FR 13864
Interim Final Rule	03/08/01	66 FR 13849
NPRM Comment Period End	05/07/01	66 FR 13864
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512-AC24

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513-AA17

2643. ELIMINATION OF STATISTICAL CLASSES FOR LARGE CIGARS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 5722

CFR Citation: 27 CFR 40; 27 CFR 275

Legal Deadline: None

Abstract: This notice proposes to eliminate reporting categories in regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/05/02	67 FR 67340
NPRM Comment Period End	12/05/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512-AC33

Agency Contact: Linda Wade—Chapman, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513-AA18

2644. IMPORTATION OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES; RECODIFICATION OF REGULATIONS

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 41; 27 CFR 275

Legal Deadline: None

Abstract: TTB is recodifying the regulations in part 275, Importation of Tobacco Products and Cigarette Papers and Tubes. The purpose of this recodification is to reissue the regulations in part 275 of title 27 of the Code of Federal Regulations (CFR) as 27 CFR part 41. In addition, we are making the necessary nomenclature changes to this part due to the reorganization of ATF into two separate bureaus.

Timetable:

Action	Date	FR Cite
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512-AC46

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury,

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RIN: 1513-AA20

2645. PRODUCTION OF DRIED FRUIT AND HONEY WINES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5381; 26 USC 5382; 26 USC 5385; 26 USC 5386; 26 USC 5387

CFR Citation: 27 CFR 24

Legal Deadline: None

Abstract: TTB has received two petitions relating to the production of agricultural wines. One petition proposes that the wine regulations be amended to allow for the production of dried fruit wines with an alcohol by volume content of more than 14 percent. The second petition proposes that the regulations be amended to allow for the production of honey wines with a starting Brix of less than 22 degrees.

Timetable:

Action	Date	FR Cite
NPRM	07/02/03	68 FR 39500
NPRM Comment Period End	09/02/03	
Final Action	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512-AC48

Agency Contact: Jennifer Berry, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 18152, Roanoke, VA 24014
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RIN: 1513-AA21

2646. PROPOSED "SAN BERNABE" VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

TREAS—TTB

Final Rule Stage

Abstract: TTB has received petitions proposing the establishment of the "San Bernabe" viticultural area and the realignment of the San Lucas American Viticultural Area (AVA). Both areas are situated within the Central Coast AVA and the Monterey AVA and are located in central Monterey County, California. The San Lucas realignment will transfer 1,100 northwest acres to the San Bernabe southern area in an effort to conform with the geography of the new area. No comments were received in response to the notice of proposed rulemaking and the draft final rule is being prepared for review.

Timetable:

Action	Date	FR Cite
NPRM	05/14/03	68 FR 25851
NPRM Comment Period End	07/14/03	
Final Action	02/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC60

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA28**2647. PROPOSAL TO RECOGNIZE SYNONYMS FOR PETITE SIRAH AND ZINFANDEL GRAPE VARIETIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4**Legal Deadline:** None

Abstract: TTB is proposing to amend the list of prime grape names for American wines to recognize the name "Durif" as a synonym for the Petite Sirah grape and to recognize the name "Primitivo" as a synonym for the Zinfandel grape. This is in response to the result of recent DNA research into the identity of these grape varieties.

Timetable:

Action	Date	FR Cite
NPRM	04/10/02	67 FR 17312

Action	Date	FR Cite
NPRM Comment Period Extended	06/06/02	67 FR 38915
NPRM Comment Period End	10/08/02	
Final Action	01/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC65

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RIN: 1513—AA32**2648. PETITION TO ESTABLISH "RED HILLS LAKE COUNTY" AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The comment period for the Red Hills (California) 31,250-acre proposed viticultural area closed in March 2003. Based on the 14 public comments and requests by the petitioning group, the name will be finalized as Red Hills Lake County, to better identify the location of the viticultural area. The originally petitioned boundaries will be expanded to the northwest to include Benson Ridge. A draft final rule is in review.

Timetable:

Action	Date	FR Cite
NPRM	10/30/02	67 FR 66083
NPRM Comment Period End	12/30/02	
NPRM Comment Period Reopened	01/16/03	68 FR 2262
Second NPRM Comment Period End	03/17/03	
Final Action	02/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC66

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 415 271—1254
Fax: 541 757—0044
Email: nancy.sutton@ttb.gov

RIN: 1513—AA33**2649. PETITION TO ESTABLISH "BENNETT VALLEY" AS AN AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The proposed 8,100-acre viticultural area is located entirely within the North Coast viticultural area of northern California, Sonoma County, and predominantly within the Sonoma Valley viticultural area. There are small overlaps into the Sonoma Coast and Sonoma Mountain viticultural areas. The petitioned area is approximately 40 miles northeast of San Francisco and is bordered by mountains, foothills, and the City of Santa Rosa. Currently, there are 650 acres of vineyards. The notice of proposed rulemaking comment period closed January 21, 2003, with no comments received. The final rule is being reviewed.

Timetable:

Action	Date	FR Cite
NPRM	11/22/02	67 FR 70352
NPRM Comment Period End	01/21/03	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC72

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 415 271—1254
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Email: nancy.sutton@ttb.gov

RIN: 1513—AA36

TREAS—TTB

Final Rule Stage

2650. PETITION FOR THE ESTABLISHMENT OF "RED HILL" AS AN AMERICAN VITICULTURAL AREA**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 205(e)**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB received a petition proposing the establishment of "Red Hill" as an American viticultural area located within the State of Oregon. The proposed viticultural area consists of approximately 1,668 acres or 8.6 square miles.

Timetable:

Action	Date	FR Cite
NPRM	10/30/02	67 FR 66079
NPRM Comment Period End	12/30/02	
NPRM Comment Period Reopened	01/16/03	68 FR 2262
Second NPRM Comment Period End	03/17/03	
Final Action	01/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC76

Agency Contact: Timothy P. DeVanney, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA39**2651. PETITION TO CHANGE THE TEMECULA VITICULTURAL AREA'S NAME TO TEMECULA VALLEY****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: The proposed name change from Temecula to Temecula Valley is intended to provide a more accurate portrayal of the viticultural area, geographically and politically, and to provide clarity to wine consumers. The boundaries will not change. The notice of proposed rulemaking comment period closed December 20, 2002, with

favorable comments received. The final rule is being reviewed.

Timetable:

Action	Date	FR Cite
NPRM	10/21/02	67 FR 64573
NPRM Comment Period End	12/20/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC77

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 415 271—1254
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RIN: 1513—AA40**2652. PETITION TO ESTABLISH "ALEXANDRIA LAKES" AS A NEW AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB proposes to establish "Alexandria Lakes" as a new American viticultural area. The proposed area is located in Douglas County, Minnesota. This proposal is a result of a petition filed by Robert G. Johnson on behalf of Carlos Creek Winery.

Timetable:

Action	Date	FR Cite
NPRM	01/23/03	68 FR 3199
NPRM Comment Period End	03/24/03	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC85

Agency Contact: Lisa M. Gesser, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 128, Morganza, MD 20660

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Email: lisa.gesser@ttb.treas.gov

RIN: 1513—AA45**2653. ORGANIC CLAIMS IN LABELING AND ADVERTISING OF ALCOHOL BEVERAGES****Priority:** Info./Admin./Other**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4; 27 CFR 5; 27 CFR 7; 27 CFR 13**Legal Deadline:** None

Abstract: TTB amended its alcohol beverage labeling rules to cross—reference the United States Department of Agriculture's National Organic Program (NOP) rules. The mandatory compliance date for the NOP rules was October 21, 2002. TTB requested comments on the temporary rule in an associated notice of proposed rulemaking. Comments were due March 27, 2003.

Timetable:

Action	Date	FR Cite
NPRM	10/08/02	67 FR 62860
Temporary Rule	10/08/02	67 FR 62856
NPRM Comment Period Reopened	12/27/02	67 FR 79011
NPRM Comment Period Reopened	05/09/03	68 FR 24903
Final Action	01/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** Transferred from RIN 1512—AC87

Agency Contact: Marjorie D. Ruhf, Program Manager, Department of the Treasury, Tax and Trade Bureau, 650 Massachusetts Avenue NW., Washington, DC 20226
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RIN: 1513—AA46**2654. PETITION TO ESTABLISH "OAK KNOLL DISTRICT" AS A NEW AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

TREAS—TTB

Final Rule Stage

Abstract: TTB is proposing the establishment of the “Oak Knoll District—Napa Valley” viticultural area in Napa County, California. This action is in response to a petition by the Oak Knoll District Committee.

Timetable:

Action	Date	FR Cite
NPRM	07/09/02	67 FR 45437
NPRM Comment Period End	09/09/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC89

Agency Contact: Joanne Brady, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 45797, Philadelphia, PA 19149
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RIN: 1513—AA48

2655. PETITION TO ESTABLISH “DUNDEE HILLS” AS A NEW AMERICAN VITICULTURAL AREA

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB has received a petition from the North Willamette Valley AVA Group proposing to establish the “Dundee Hills” American viticultural area in Yamhill County, Oregon. This petitioned viticultural area has 6,490 acres, with 1,264 acres planted to wine grapes, and is on the north side of the Willamette Valley viticultural area in northwest Oregon. In November 2002, the petitioning group amended their viticultural area petition from the Red Hills of Dundee to the Dundee Hills to avoid confusion with any other Red Hills viticultural area. Substantiating name evidence for the “Dundee Hills” name has been provided. The notice of proposed rulemaking published August 15, 2003.

Timetable:

Action	Date	FR Cite
NPRM	08/15/03	68 FR 48839

Action	Date	FR Cite
NPRM Comment Period End	10/14/03	
Final Action	05/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC91

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 415 271—1254
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RIN: 1513—AA50

2656. LABELING AND ADVERTISING OF MALT BEVERAGES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 7

Legal Deadline: None

Abstract: This project revises malt beverage advertising and labeling regulations in plain language. This revision will make no substantive changes to the current 27 CFR part 7.

Timetable:

Action	Date	FR Cite
NPRM	06/27/02	67 FR 43496
NPRM Comment Period End	08/26/02	
NPRM Comment Period Extended	08/27/02	67 FR 54388
NPRM Comment Period End	09/25/02	
Final Action	11/00/03	
Final Action Effective	01/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC10

URL For Public Comments:

www.ttb.gov/foia/nprm_comments/notice946_comments.htm

Agency Contact: Charles N. Bacon, Program Manager, Department of the Treasury, Tax and Trade Bureau, Room 701, 10 Causeway Street, Boston, MA 02222

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RIN: 1513—AA60

2657. ELECTRONIC SIGNATURES; ELECTRONIC SUBMISSION OF FORMS TO TTB

Priority: Other Significant

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: TTB proposes to amend the regulations to permit industry members to use electronic technology to reduce the need for and storage of paper documents. In order to accomplish our goals, we are proposing to allow industry members to use electronic signatures to sign certain forms instead of using traditional handwritten signatures, and submit certain forms to TTB electronically through an electronic document receiving system that we approve.

Timetable:

Action	Date	FR Cite
NPRM	04/11/03	68 FR 17760
NPRM Comment Period End	05/12/03	
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: Transferred from RIN 1512—AC84

Agency Contact: Lisa M. Gesser, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 128, Morganza, MD 20660
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RIN: 1513—AA61

2658. PETITION TO ESTABLISH “MCMINNVILLE” AS AN AMERICAN VITICULTURAL AREA IN OREGON

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: TTB has received a petition proposing “McMinnville” as a new American viticultural area in Oregon.

TREAS—TTB

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/27/03	68 FR 38248
NPRM Comment Period End	08/26/03	
Final Action	01/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Jennifer Berry, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 18152, Roanoke, VA 24014
Phone: 540 344—9333
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Email: jennifer.berry@ttb.gov

RIN: 1513-AA63**2659. PETITION NO. 1 TO EXPAND THE RUSSIAN RIVER VALLEY VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 9**Legal Deadline:** None

Abstract: TTB received a petition in August 2002, from Mr. Donald Carano to expand the Russian River Valley viticultural area's east boundary area by 767 acres in Sonoma County, California. The public comments indicated a general acceptance, without significant opposition, to the expansion area. The final rule is in review.

More recently TTB received a separate petition (RIN 1513-AA67) from the

Russian River Valley Winegrowers group proposing a larger expansion to the east and south of the original Russian River Valley viticultural boundaries, which includes this smaller expansion. The second expansion petition will be addressed in a separate notice of proposed rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	01/08/03	68 FR 1020
NPRM Comment Period End	03/10/03	
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Nancy Sutton, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, Room 5000, Regulations and Procedures Division, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 415 271—1254
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RIN: 1513-AA68

2660. • ADMINISTRATIVE CHANGES TO ALCOHOL, TOBACCO, AND FIREARMS REGULATIONS DUE TO THE HOMELAND SECURITY ACT OF 2002

Priority: Info./Admin./Other. Major status under 5 USC 801 is undetermined.

Legal Authority: PL 107—296; ...**CFR Citation:** 27 CFR 1; 27 CFR 4; 27 CFR 5; 27 CFR 6; 27 CFR 8; ...**Legal Deadline:** None

Abstract: The Homeland Security Act of 2002 divided the Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, into two separate agencies, the Bureau of Alcohol, Tobacco, Firearms and Explosives in the Department of Justice, and the Alcohol and Tobacco Tax and Trade Bureau in the Department of the Treasury. Due to these changes, this final rule amends the Alcohol and Tobacco Tax and Trade Bureau's regulations to reflect the Bureau's new name and organizational structure.

Timetable:

Action	Date	FR Cite
Final Action	12/00/03	
Final Action Effective	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Lisa M. Gesser, TTB Specialist, Department of the Treasury, Tax and Trade Bureau, P.O. Box 128, Morganza, MD 20660
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RIN: 1513-AA80

Department of the Treasury (TREAS)

Long-Term Actions

Alcohol and Tobacco Tax and Trade Bureau (TTB)

2661. EXPORTATION OF LIQUORS**Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 252**Timetable:**

Action	Date	FR Cite
ANPRM	09/08/92	57 FR 40887
ANPRM Comment Period End	10/08/92	
ANPRM Comment Period Extended	10/15/92	57 FR 47320
ANPRM Comment Period Extended End	12/07/92	
ANPRM	08/09/96	61 FR 41500

Action	Date	FR Cite
ANPRM Comment Period End	12/10/96	
NPRM	06/00/05	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Joanne Brady
Phone: 215 333—7050
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Email: joanne.brady@ttb.treas.gov

RIN: 1513-AA00**2662. ALCOHOLIC CONTENT LABELING FOR MALT BEVERAGES****Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 7**Timetable:**

Action	Date	FR Cite
NPRM	04/19/93	58 FR 21233
Interim Final Rule	04/19/93	58 FR 21228
NPRM Comment Period Extended	07/19/93	58 FR 38543
NPRM Comment Period End	07/19/93	

TREAS—TTB

Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period Extended End	09/17/93	

Second NPRM To Be Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Bernard J. Kipp

Phone: 503 356—1341

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Email: bernard.kipp@ttb.gov

RIN: 1513-AA01

2663. IMPLEMENTATION OF WINE CREDIT PROVISIONS OF PUBLIC LAW 104—188

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 24.278; 27 CFR 24.279

Timetable:

Action	Date	FR Cite
NPRM	06/02/97	62 FR 29681
Interim Final Rule	06/02/97	62 FR 29663
NPRM Comment Period End	08/01/97	

Final Action To Be Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf

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Email: marjorie.ruhf@ttb.gov

RIN: 1513-AA05

2664. IMPLEMENTATION OF PUBLIC LAW 105—34, SECTION 1416, RELATING TO REFUND OF TAX FOR DOMESTIC WINE RETURNED TO BOND REGARDLESS OF MERCHANTABILITY (TAXPAYER RELIEF ACT OF 1997)

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 24.66; 27 CFR 24.295; 27 CFR 24.312

Timetable:

Action	Date	FR Cite
Interim Final Rule	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf

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RIN: 1513-AA06

2665. AMENDED STANDARD OF IDENTITY FOR SHERRY

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 4

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf

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RIN: 1513-AA08

2666. SAKE REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
End Review	08/21/03	
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Bernard J. Kipp

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RIN: 1513-AA11

2667. PROHIBITED MARKS ON PACKAGES OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES IMPORTED OR BROUGHT INTO THE UNITED STATES

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 275

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Linda Wade—

Chapman

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RIN: 1513-AA14

2668. REMOVAL OF REQUIREMENT TO DISCLOSE SACCHARIN IN THE LABELING OF WINE, DISTILLED SPIRITS, AND MALT BEVERAGES

Priority: Info./Admin./Other

CFR Citation: 27 CFR 4.32(d); 27 CFR 5.32(b)(6); 27 CFR 7.22(b)(5)

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf

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RIN: 1513-AA15

2669. LIQUOR DEALERS; RECODIFICATION OF REGULATIONS

Priority: Info./Admin./Other

CFR Citation: 27 CFR 31; 27 CFR 194;

...

Timetable:

Action	Date	FR Cite
Final Action	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Karl Joedicke

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Email: karl.joedicke@ttb.gov

RIN: 1513-AA19

2670. PROPOSED REVISIONS TO THE DISTILLED SPIRITS PLANT REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 19

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Daniel J. Hiland

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RIN: 1513-AA23

TREAS—TTB

Long-Term Actions

2671. PETITION TO ESTABLISH "SENECA LAKE" AS AN AMERICAN VITICULTURAL AREA**Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 9**Timetable:**

Action	Date	FR Cite
NPRM	10/21/02	67 FR 64575
NPRM Comment Period End	12/20/02	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Kristy Colon

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RIN: 1513-AA34**2672. TAX—PAID DISTILLED SPIRITS USED IN MANUFACTURING PRODUCTS UNFIT FOR BEVERAGE USE****Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 17**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Linda Wade—

Chapman

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RIN: 1513-AA37**2673. PETITION TO ESTABLISH "COLUMBIA GORGE" AS A NEW AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 9**Timetable:**

Action	Date	FR Cite
NPRM	06/27/03	68 FR 38251
NPRM Comment Period End	08/26/03	
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Nancy Sutton

Phone: 415 271—1254

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Email: nancy.sutton@ttb.gov

RIN: 1513-AA43**2674. ELIMINATE REQUIREMENT TO ENROLL TO PRACTICE BEFORE THE BUREAU****Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 8**Timetable:**

Action	Date	FR Cite
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Timothy P. DeVanney

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RIN: 1513-AA62

Department of the Treasury (TREAS)

Completed Actions

Alcohol and Tobacco Tax and Trade Bureau (TTB)

2675. AMELIORATION OF FRUIT AND AGRICULTURAL WINES; TECHNICAL AMENDMENTS**Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 4**Completed:**

Reason	Date	FR Cite
Final Action	07/02/03	68 FR 39454

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Jennifer Berry

Phone: 540 344—9333

Fax: 540 344—5855

Email: jennifer.berry@ttb.gov

RIN: 1513-AA30**2676. REMOVAL OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES WITHOUT PAYMENT OF TAX FOR USE IN THE UNITED STATES****Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 45**Completed:**

Reason	Date	FR Cite
Withdrawn	08/18/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Linda Wade—

Chapman

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Email: wade—chapman.linda@ttb.gov

RIN: 1513-AA38**2677. PETITION TO ESTABLISH "UPPER ARROYO GRANDE" AS A NEW AMERICAN VITICULTURAL AREA****Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 9**Completed:**

Reason	Date	FR Cite
Withdrawn	07/18/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Timothy P. DeVanney

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Email: timothy.devannay@ttb.gov

RIN: 1513-AA56

BILLING CODE 4810—33—S

Department of the Treasury (TREAS)
Comptroller of the Currency (OCC)

Prerule Stage

2678. • INTERAGENCY PROPOSAL TO CONSIDER ALTERNATIVE FORMS OF PRIVACY NOTICES UNDER THE GRAMM—LEACH—BLILEY ACT

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 15 USC 6801 et seq

CFR Citation: 12 CFR 40

Legal Deadline: None

Abstract: The OCC, Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, Office of Thrift Supervision, National Credit Union Administration, Federal Trade Commission, Commodities Futures Trading Commission, and Securities and Exchange Commission

(collectively, the Agencies) are requesting comment on whether the Agencies should consider amending the regulations that implement sections 502 and 503 of the Gramm—Leach—Bliley Act to allow or require financial institutions to provide alternative types of privacy notices, such as a short privacy notice, that would be easier for consumers to understand.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Federalism: Undetermined

Agency Contact: Amy S. Friend, Assistant Chief Counsel, Department of the Treasury, Comptroller of the Currency, Office of the Chief Counsel, 250 E Street SW., Washington, DC 20219
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Heidi M. Thomas, Special Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW., Washington, DC 20219
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RIN: 1557—AC80

Department of the Treasury (TREAS)
Comptroller of the Currency (OCC)

Proposed Rule Stage

2679. MAINTENANCE OF RECORDS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq; 12 USC 92; 12 USC 92a; 12 USC 93; 12 USC 93a; 12 USC 481; 12 USC 484; 12 USC 1818

CFR Citation: 12 CFR 7

Legal Deadline: None

Abstract: The notice of proposed rulemaking would invite comment on a revision to part 7 that would require entities subject to the jurisdiction of the OCC to establish and maintain accurate and complete documentation and records, and allow the OCC timely access to such records. The proposed revision in part 7 would also provide that when a bank discloses documents and records to the OCC during the supervisory process, such a disclosure is not voluntary and is not made to an adversary. The OCC anticipates that this proposed rule would not have a significant impact on national banks.

Timetable:

Action	Date	FR Cite
NPRM	03/00/04	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1557—AB99

2680. INTERAGENCY GUIDELINES ESTABLISHING STANDARDS FOR SAFETY AND SOUNDNESS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 12 USC 93a; 12 USC 1818; 12 USC 1831—p; 12 USC 3102(b); 15 USC 6801; 15 USC 6805(b)(6)

CFR Citation: 12 CFR 30

Legal Deadline: None

Abstract: The OCC and the other Federal banking agencies plan to issue a notice of proposed rulemaking to amend their Interagency Guidelines Establishing Standards for Safety and Soundness. The amendment would add a new subsection, pursuant to which a depository institution should establish and maintain new policies and standards designed to ensure an effective system of corporate governance. This amendment is intended to address potential weaknesses in management and corporate governance practices.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1557—AC08

2681. RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq; 12 USC 24a; 12 USC 24 (Seventh); 12 USC 93a; 12 USC 3101 et seq

CFR Citation: 12 CFR 5

Legal Deadline: None

Abstract: The OCC plans to issue a notice of proposed rulemaking that will require national banks to receive OCC approval before selling or otherwise disposing of all or substantially all of its assets. This proposed rule also provides that the OCC will apply the same standards as it applies to the establishment of a de novo bank to notices to acquire control of such a bank.

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Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1557—AC11

2682. ● RISK—BASED CAPITAL; CAPITAL ADEQUACY GUIDELINES; CAPITAL MAINTENANCE: ASSET—BACKED COMMERCIAL PAPER PROGRAMS AND EARLY AMORTIZATION PROVISIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 93a**CFR Citation:** 12 CFR 3**Legal Deadline:** None

Abstract: The OCC, Federal Reserve Board, Federal Deposit Insurance Corporation, and the Office of Thrift Supervision are proposing to amend their risk—based capital standards by removing the April 1, 2004, sunset provision in order to permanently adopt the interim rule, issued concurrently, that permits sponsoring banks, bank holding companies, and thrifts to exclude from risk—weighted

assets those assets in asset—backed commercial paper (ABCP) programs consolidated onto sponsoring banking organizations' balance sheets as a result of a recently issued accounting interpretation, Financial Accounting Standards Board Interpretation No. 46, Consolidation of Variable Interest Entities (FIN 46). In addition, the proposed rule would increase the risk—based capital requirement for liquidity facilities with an original maturity of one year or less that banking organizations provide to ABCP Programs. Finally, the proposed rule would require a risk—based capital charge for early amortization risk associated with certain types of revolving securitizations by generally requiring banks to hold a marginal increase in capital for revolving securitizations as their level of excess spread decreases.

Timetable:

Action	Date	FR Cite
NPRM	10/01/03	68 FR 56568
NPRM Comment	11/17/03	
Period End		
Final Action	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1557—AC77

2683. ● RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES; LICENSING PROCEDURES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 1 et seq; 12 USC 24a; 12 USC 24(seventh); 12 USC 93a; 12 USC 3101 et seq.

CFR Citation: 12 CFR 5**Legal Deadline:** None

Abstract: The OCC plans to issue a notice of proposed rulemaking to revise certain rules regarding corporate activities. The amendments would update and streamline part 5 licensing procedures, which would increase efficiencies and reduce process costs for national banks and the OCC.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

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RIN: 1557—AC79

**Department of the Treasury (TREAS)
Comptroller of the Currency (OCC)**

Final Rule Stage

2684. CAPITAL RULES**Priority:** Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 161; 12 USC 1828 note; 12 USC 1828(n); 12 USC 1831n note; 12 USC 1835; 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 3**Legal Deadline:** None

Abstract: As part of the OCC's ongoing efforts to develop and refine capital standards to ensure the safety and soundness of the national banking

system and to implement statutory requirements, the OCC is amending various provisions of the capital rules for national banks. Specifically, these changes include: 1) new Basel capital accord (Basel II) (formerly referred to as domestic capital framework); and 2) securities borrowing transactions. The OCC is conducting both of these rulemakings jointly with the other Federal banking agencies.

Timetable:

Implementation of a Revised Basel Capital Accord (formerly Domestic Capital Framework) (1557—AC48)

ANPRM 11/03/00 (65 FR 66193)
ANPRM Comment Period End 02/01/01
ANPRM 08/04/03 (68 FR 45900)
ANPRM Comment Period End 11/03/03

Securities Borrowing Transactions (1557—AC39)

Interim Final Rule 12/05/00 (65 FR 75856)
Interim Final Rule Comment Period End 01/19/01
Final Rule 12/00/03

TREAS—OCC

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 1557—AB14

2685. RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES AND BANK ACTIVITIES AND OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq; 12 USC 24 (Seventh); 12 USC 92a; 12 USC 93a; 12 USC 161; 12 USC 602; 12 USC 1818; 12 USC 1828(n); 12 USC 1828 note; 12 USC 1831n note; 12 USC 1831o; 12 USC 1835; 12 USC 3101 et seq; 12 USC 3901 et seq; 12 USC 3907; 12 USC 3909; 12 USC 24a, sec 5136A of the Revised Statutes; 15 USC 78q; 15 USC 78q—1; 15 USC 78w; 12 USC 29; 12 USC 371; 12 USC 215a—2; 12 USC 215a—3; 12 USC 92; 12 USC 93; 12 USC 481; 12 USC 484; 12 USC 1701j—3; 12 USC 3331 et seq; 12 USC 1828(o)

CFR Citation: 12 CFR 3; 12 CFR 5 to 7; 12 CFR 9; 12 CFR 28; 12 CFR 34

Legal Deadline: None

Abstract: The OCC issued a notice of proposed rulemaking to amend part 5 to implement the authority for national banks to merge with one or more of their nonbank affiliates contained in section 1206 of the American Homeownership and Economic Opportunity Act of 2000 (AHEOA). The OCC also plans to amend part 5 to implement the authority in section 1204 of AHEOA by adding a new section setting forth the application and prior approval requirements for national banks contemplating reorganization as a subsidiary of a bank

holding company. In addition, the OCC also plans to implement section 1205 of AHEOA by amending part 7 to permit national banks to adopt bylaws providing for staggered boards of directors and to permit national banks to apply to expand the size of their boards of directors over 25 members. The OCC also plans to make other amendments to parts 5, 7, 9, and 34, as well as certain technical amendments to parts 3, 6, and 28.

Timetable:

Action	Date	FR Cite
NPRM	02/07/03	68 FR 6363
NPRM Comment Period End	04/08/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 1557—AB97

2686. INTERNATIONAL BANKING ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq; 12 USC 24 (Seventh); 12 USC 93a; 12 USC 161; 12 USC 602; 12 USC 1818; 12 USC 3101 et seq; 12 USC 3901 et seq

CFR Citation: 12 CFR 28; 12 CFR 5

Legal Deadline: None

Abstract: The OCC plans to issue a final rule that will clarify or revise a number of application or notice procedures, including the standards for approval that would apply. It permits Federal branches and agencies to operate with one license in the United States, with a license issued only for the initial Federal branch or agency, rather than requiring each office of a foreign bank to have a separate license. It also permits a Federal branch to operate a loan production office as part of its branch license. In addition, the OCC proposes to implement through its regulation a number of OCC interpretations regarding the capital equivalency deposit required of Federal branches and agencies. Finally, the

OCC proposes to revise several definitions.

Timetable:

Action	Date	FR Cite
NPRM	04/23/03	68 FR 19949
NPRM Comment Period End	06/23/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 1557—AC04

2687. REPORTING AND DISCLOSURE REQUIREMENTS FOR NATIONAL BANKS WITH SECURITIES REGISTERED UNDER THE SECURITIES EXCHANGE ACT OF 1934; SECURITIES OFFERING DISCLOSURE RULES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78p; 15 USC 78w

CFR Citation: 12 CFR 11; 12 CFR 16

Legal Deadline: None

Abstract: The Sarbanes—Oxley Act of 2002 made amendments to section 12(i) of the Securities Exchange Act of 1934. These amendments vested the OCC with authority to administer and enforce several of the enhanced reporting, disclosure, and corporate governance obligations imposed by the Sarbanes—Oxley Act with respect to national banks that have a class of securities registered under the Securities Exchange Act of 1934. The final rule would amend the Securities Exchange Act disclosure rules applicable to national banks to reflect the amendments to section 12(i) of the Securities Exchange Act of 1934.

Timetable:

Action	Date	FR Cite
NPRM	05/21/03	68 FR 27753
NPRM Comment Period End	06/20/03	
Final Rule	12/00/03	

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Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 1557—AC12**2688. RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES (ELECTRONIC FILINGS)****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC et seq; 12 USC 24a; 12 USC 24 (Seventh); 12 USC 93a; 12 USC 3101 et seq**CFR Citation:** 12 CFR 5**Legal Deadline:** None

Abstract: The interim final rule made revisions to part 5 filing requirements to facilitate electronic filings for certain applications. The purpose of these changes is to permit national banks to file certain classes of applications electronically and to inform national banks where they may find detailed procedural information on electronic filings. The rule also amended part 5 to clarify the circumstances under which the OCC may adopt filing procedures different from those otherwise required by part 5.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/14/03	68 FR 17890
Interim Final Rule Effective	04/14/03	
Interim Final Rule Comment Period End	06/13/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 1557—AC13**2689. • BANK ACTIVITIES AND OPERATIONS; REAL ESTATE LENDING AND APPRAISALS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 12 USC 1 et seq; 12 USC 71; 12 USC 71a; 12 USC 93a; 12 USC 29; 12 USC 371; 12 USC 1701j—3; 12 USC 1828(o); 12 USC 3331 et seq**CFR Citation:** 12 CFR 7; 12 CFR 34**Legal Deadline:** None

Abstract: The OCC issued a notice of proposed rulemaking to amend parts 7 and 34 of its regulations to add provisions clarifying the applicability of State law to national banks. These provisions would identify types of State laws that are preempted, as well as types of State laws that generally are not preempted, in the context of national bank lending, deposit-taking, and other activities.

Timetable:

Action	Date	FR Cite
NPRM	08/05/03	68 FR 46119
NPRM Comment Period End	10/06/03	
Final Rule	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State**Federalism:** This action may have federalism implications as defined in EO 13132.

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RIN: 1557—AC73**2690. • ELECTRONIC FILING AND DISCLOSURE OF BENEFICIAL OWNERSHIP REPORTS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 12 USC 93a; 15 USC 78l; 15 USC 78p**CFR Citation:** 12 CFR 11**Legal Deadline:** None**Abstract:** The Sarbanes—Oxley Act of 2002 made amendments to section

16(a) of the Securities Exchange Act of 1934, which requires the filing of beneficial ownership reports by officers, directors, and principal shareholders of issuers of securities. The OCC is issuing an interim rule with request for comment to require that beneficial ownership reports be filed electronically by officers, directors, and principal shareholders of national banks, pursuant to the amendments of the Sarbanes—Oxley Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/22/03	68 FR 54981
Interim Final Rule Comment Period End	11/21/03	
Interim Final Rule Effective	01/01/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 1557—AC75**2691. • RISK—BASED CAPITAL; CAPITAL ADEQUACY GUIDELINES; CAPITAL MAINTENANCE: INTERIM CAPITAL TREATMENT OF CONSOLIDATED ASSET—BACKED COMMERCIAL PAPER PROGRAM ASSETS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 12 USC 93a**CFR Citation:** 12 CFR 3**Legal Deadline:** None

Abstract: The OCC, together with the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision, plan to amend their risk—based capital standards by providing an interim treatment for assets in asset—backed commercial paper (ABCP) programs that are consolidated onto the balance sheets of sponsoring banks, bank holding companies, and thrifts as a

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result of a recently issued accounting interpretation, Financial Accounting Standards Board Interpretation No. 46, Consolidation of Variable Interest Entities (FIN 46). Specifically, the interim capital treatment allows sponsoring banking organizations to remove consolidated ABCP program assets from their risk—weighted asset base for the purpose of calculating their risk—based capital ratios.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/03	68 FR 56530
Interim Final Rule Effective	10/01/03	
Interim Final Rule Comment Period End	11/17/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1557—AC76

2692. • BANK ACTIVITIES AND OPERATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 1 et seq; 12 USC 71; 12 USC 71a; 12 USC 92; 12 USC 92a; 12 USC 93; 12 USC 93a; 12 USC 481; 12 USC 484; 12 USC 1818

CFR Citation: 12 CFR 7

Legal Deadline: None

Abstract: The OCC plans to issue a final rule amending 12 CFR part 7 by amending the rules regarding visitorial powers. The amendments clarify the

extent of the OCC's visitorial authority and the application of exceptions to that authority.

Timetable:

Action	Date	FR Cite
NPRM	02/07/03	68 FR 6363
Final Rule	12/00/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

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RIN: 1557—AC78

**Department of the Treasury (TREAS)
Comptroller of the Currency (OCC)**

Long-Term Actions

2693. RULES AND PROCEDURES FOR CLAIMS AGAINST OCC—APPOINTED RECEIVERSHIPS FOR UNINSURED FINANCIAL INSTITUTIONS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1557—AB59

2694. FAIR CREDIT REPORTING REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
NPRM	10/20/00	65 FR 63120
NPRM Comment Period End	12/04/00	

Action	Date	FR Cite
NPRM Update	03/27/01	66 FR 16624
Second NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1557—AB78

2695. RECORDKEEPING REQUIREMENTS FOR BANK EXCEPTIONS FROM SECURITIES BROKER OR DEALER REGISTRATION

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1557—AB93

2696. COMMUNITY REINVESTMENT ACT REGULATION

Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 25

Timetable:

Action	Date	FR Cite
ANPRM	07/19/01	66 FR 37602
ANPRM Comment Period End	10/17/01	
NPRM	To Be Determined	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1557—AB98

Department of the Treasury (TREAS)
Comptroller of the Currency (OCC)
Completed Actions
2697. CUSTOMER IDENTIFICATION PROGRAMS FOR BANKS, SAVINGS ASSOCIATIONS, AND CERTAIN NONFEDERALLY REGULATED BANKS
Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 21; 31 CFR 103

Completed:

Reason	Date	FR Cite
Final Rule	05/09/03	68 FR 25090
Final Action Effective	06/09/03	
Compliance Date	10/01/03	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

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RIN: 1557—AC06

2698. COMMUNITY AND ECONOMIC DEVELOPMENT ENTITIES, COMMUNITY DEVELOPMENT PROJECTS, AND OTHER PUBLIC WELFARE INVESTMENTS (12 CFR PART 24)
Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 24

Completed:

Reason	Date	FR Cite
Final Rule	08/15/03	68 FR 48771
Final Rule Effective	09/15/03	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

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RIN: 1557—AC09

2699. REMOVAL, SUSPENSION, AND DEBARMENT OF INDEPENDENT ACCOUNTANTS FROM PERFORMING AUDIT SERVICES
Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 19

Completed:

Reason	Date	FR Cite
Final Rule	08/13/03	68 FR 48256
Final Rule Effective	10/01/03	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

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RIN: 1557—AC10

BILLING CODE 4830—01—S

Department of the Treasury (TREAS)
Internal Revenue Service (IRS)
Prerule Stage
2700. HAND CARRYING RETURNS (TEMPORARY)
Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6091

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This temporary regulation provides guidance to taxpayers under section 6091 of the Code regarding the place of filing for hand-carried returns. The regulations reflect the changes in organizational structure of the IRS that may affect where taxpayers may file hand-carried returns.

Timetable:

Action	Date	FR Cite
Temporary Regulation	06/00/04	

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—138173—02

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RIN: 1545—BB45

2701. CORPORATE REORGANIZATIONS; CONTINUITY—TRANSFERS OF ASSETS OR STOCK FOLLOWING A REORGANIZATION (TEMPORARY)
Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides amendments to regulation section 1.368—2(k) of the income tax regulations, which sets forth rules providing that for certain reorganizations, transfers by the acquiring corporation of target assets or stock to certain controlled corporations will not disqualify the transaction from

nonrecognition treatment. The temporary regulations will clarify the reorganizations subject to these rules.

Timetable:

Action	Date	FR Cite
Temporary Regulations	12/00/03	

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—165579—02

Drafting attorney: Rebecca O. Burch (202) 622—7550

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TREAS—IRS

Prerule Stage

Phone: 202 622—7550

RIN: 1545—BB81

2702. GUIDANCE REGARDING MARK—TO—MARKET VALUATION FOR CERTAIN SECURITIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 475; 26 USC 446**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: Section 475(a) requires that dealers in securities must mark their securities to market. If the security is inventory, the dealer must include that security at fair market value. Taxpayers must treat any securities that are not inventory as if they were sold for its fair market value on the last business day of the year. While the legal definition of the term “fair market value” has long been settled, the statute is silent as to what valuation methodology should be used to determine fair market value of any particular security. Many of the securities subject to section 475 raise difficult valuation issues. An advanced notice of proposed rulemaking asked for comments on rules and standards that the IRS is considering using a financial statement—tax conformity approach for valuing certain securities under section 475 for which the determination of actual fair market value is administratively difficult. The rules will include: (1) the securities to which this approach applies; (2) the taxpayers who may elect this approach; (3) the election into the approach; (4) the applicable financial statements to be used; (5) the record—keeping, retention, and availability requirements for verification of financial statement—tax conformity; and (6) what approach will apply if the election for financial statement—tax conformity is not made. A notice of proposed rulemaking will be published after the IRS and the Treasury consider comments received on the advance notice of rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—100420—03

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RIN: 1545—BB90

2703. NEW MARKETS TAX CREDIT AMENDMENTS (TEMPORARY)**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 45D; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The temporary regulations will amend regulations section 1.45D—1T involving the new markets tax credit under section 45D. The amendments will address certain issues involving qualified low—income community investments under section 45D(d)(1).

Timetable:

Action	Date	FR Cite
Temporary Regulations	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** REG—115471—03

Drafting attorney: Paul F. Handleman (202) 622—3040

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RIN: 1545—BC02

2704. • GUIDANCE REGARDING APPLICATION OF SECTION 265(A)(2) AND 246A IN TRANSACTIONS INVOLVING RELATED PARTIES, PASS—THROUGH ENTITIES, OR OTHER INTERMEDIARIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7701(f); 26 USC 265(a); 26 USC 246A**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: Section 7701(f) of the Code provides that the Secretary shall prescribe such regulations as may be necessary or appropriate to prevent the avoidance of the provisions of the Code that deal with (1) the linking of borrowing to investment, or (2) diminishing the risk through the use of related persons, pass—through entities, or other intermediaries. Section 7701(f) was enacted to authorize the issuance of regulations to prevent the avoidance of the purposes of sections 265(a)(2) (which disallows interest on indebtedness incurred or continued to purchase or carry tax—exempt obligations) and 246A (which reduces the dividends received deduction under sections 243, 244, or 245(a)) in proportion to the extent that the portfolio stock with respect to which the dividends are received is debt—financed) through transactions involving related parties, pass—through entities, or other intermediaries.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—128572—03

TREAS—IRS

Prerule Stage

Drafting attorney: Avital Grunhaus
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622—3930

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RIN: 1545—BC24

2705. ● SUBSTITUTE FOR RETURN (SFR) AND AUTOMATED SUBSTITUTE FOR RETURN (ASFR) (TEMPORARY)

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 7805; 26 USC
6020

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The temporary regulation
serves to be the Service's expression of
intent that certain documents generated
in the substitute for return (SFR) and
Automated Substitute for Return
(ASFR) process constitute section
6020(b) returns for purposes of
assessing the section 6651(a)(2)
addition to tax.

Timetable:

Action	Date	FR Cite
Temporary Regulations	12/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Additional Information: REG—
131739—03

Drafting attorney: Tracey B. Leibowitz
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RIN: 1545—BC46

2706. ● GUIDANCE UNDER SECTION 1502; APPLICATION OF SECTION 108 TO MEMBERS OF A CONSOLIDATED GROUP (TEMPORARY)

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These temporary regulations
amend REG—132760—03 published in
the Federal Register on September 4,
2003 (68 FR 52542), and TD 9089 also
published in the Federal Register on
September 4, 2003 (68 FR 52487).
Those regulations provided guidance
concerning the application of section
108 to members of a consolidated
group.

Timetable:

Action	Date	FR Cite
Temporary Regulations	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—
153319—03

Drafting attorney: Amber R. Cook (202)
622—7530

CC:CORP

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RIN: 1545—BC77

Department of the Treasury (TREAS) Internal Revenue Service (IRS)

Proposed Rule Stage

2707. FOREIGN INSURANCE COMPANIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
842; 26 USC 864

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will prescribe
rules for determining investment
income effectively connected with the
conduct of an insurance business in the
United States by a foreign company.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—
209066—88 (INTL—024—88)

Drafting attorney: Sheila Ramaswamy
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Reviewing attorney: Steven Jensen (202)
622—3870

CC:INTL

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RIN: 1545—AL82

2708. OUTBOUND TRANSFERS OF PROPERTY TO FOREIGN CORPORATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
367

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The income tax regulations
under section 367(a) will be amended

TREAS—IRS

Proposed Rule Stage

to reflect the changes made to that section by the Technical and Miscellaneous Corrections Act of 1988. Section 367(a)(5) now provides that a transfer of assets to a foreign corporation in an exchange described in section 361 is subject to section 367(a)(1), unless certain ownership requirements and other conditions are met. The regulations will provide guidance regarding the application of this section. The change in the statute was necessitated by the repeal of "General Utilities."

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—209006—89 (INTL—089—89)

Drafting attorney: Tasheaya Warren Ellison (202) 622—3860

Reviewing attorney: Charlie Besecky (202) 622—3860

CC:INTL

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RIN: 1545—AM97

2709. FOREIGN INSURANCE COMPANY—DOMESTIC ELECTION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 953

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide substantive and procedural rules regarding the election under section 953(d) to treat certain controlled foreign corporations engaged in the insurance business as domestic corporations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—208980—89 (INTL—765—89)

Drafting attorney: Valerie A. Mark—Lippe (202) 622—3840

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CC:INTL

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RIN: 1545—AO25

2710. FRINGE BENEFIT SOURCING UNDER SECTION 861

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 861

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will address the circumstances in which an allocation of income of an individual for the performance of services, both within and outside the United States, is appropriately made only on the time basis.

Timetable:

Action	Date	FR Cite
NPRM	01/21/00	65 FR 3402
Public Hearing	07/18/00	
Second NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—208254—90 (INTL—107—90)

Drafting attorney: David F. Bergkuist (202) 622—3850

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CC:INTL

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RIN: 1545—AO72

2711. TAXATION OF GLOBAL TRADING

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 864; 26 USC 482; 26 USC 863

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations will improve the taxation of global trading.

Timetable:

Action	Date	FR Cite
ANPRM	08/28/90	55 FR 35152
NPRM	03/06/98	63 FR 11177
NPRM Comment Period End	06/04/98	
Hearing	07/14/98	
Second NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—208299—90 (INTL—70—90)

Drafting attorney: Kenneth P. Christman (202) 622—3870

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Treasury attorney: Patricia Brown (202) 622—1781

CC:INTL

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RIN: 1545—AP01

2712. INFORMATION REPORTING AND RECORD MAINTENANCE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 7801; 26 USC 6038C

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will implement the directives of section 6038C. This will be accomplished by requiring foreign corporations engaged in a U.S. business to provide specific information regarding related party transactions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

TREAS—IRS

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—208265—90 (INTL—102—90)

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Treasury attorney: Patricia Brown (202) 622—1781

CC:INTL

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Phone: 202 622—3870**RIN:** 1545—AP10**2713. INTEGRATED FINANCIAL TRANSACTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 864**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation addresses whether matched book sale and repurchase transactions conducted by securities dealers qualify as integrated financial transactions under section 1.861—10(c).**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—209604—93 (INTL—001—93)

Drafting attorney: Kenneth P. Christman (202) 622—3870

Reviewing attorney: Paul S. Epstein (202) 622—3870

Treasury attorney: Patricia Brown (202) 622—1781

CC:INTL

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Phone: 202 622—3870**RIN:** 1545—AR20**2714. SOURCE RULES FOR PAYMENTS MADE PURSUANT TO CERTAIN SWAP ARRANGEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 863; 26 USC 7701**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations will provide rules for determining the source and character of payments made in certain swap transactions.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—253560—96

Drafting attorney: Paul S. Epstein (202) 622—3870

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CC:INTL

Agency Contact: Paul S. Epstein, Senior Technical Reviewer, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3870**RIN:** 1545—AU89**2715. FOREIGN TAX CREDIT ANTI—ABUSE REGULATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 901; 26 USC 901; 26 USC 904; 26 USC 864; 26 USC 7701**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will disallow foreign tax credits with respect to foreign taxes generated in certain

arrangements from which the reasonably expected economic profits are insubstantial compared to expected foreign tax credits.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—103445—98

Drafting attorney: Bethany Ingwalson (202) 622—3850

Reviewing attorney: Barbara A. Felker (202) 622—3850

CC:INTL

Agency Contact: Bethany Ingwalson, Senior Counsel, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3850**RIN:** 1545—AV97**2716. TRANSPORTATION OF PERSONS AND PROPERTY BY AIR****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 4261; 26 USC 4271; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulations provide guidance concerning the excise taxes imposed on the amounts paid for the transportation of persons and property by air.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—106167—98

Drafting attorney: Deane M. Burke (202) 622—3130

Reviewing attorneys: Frank K. Boland (202) 622—3130 and Phillip Howard (202) 622—3000

TREAS—IRS

Proposed Rule Stage

Treasury attorney: John Parcell (202) 622—2578

CC:PSI

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RIN: 1545—AW19

2717. CAPITAL GAIN GUIDANCE RELATING TO CRTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1; 26 USC 664

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance relating to charitable remainder trusts in light of the changes made to section 1(h) of the Internal Revenue Code by the Taxpayer Relief Act of 1997, the Internal Revenue Service Restructuring and Reform Act of 1998, and the Jobs and Growth Tax Relief Reconciliation Act of 2003.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—110896—98

Drafting attorney: Theresa M. Melchiorre (202) 622—7830

Reviewing attorney: Katherine A. Mellody (202) 622—3090

Treasury attorney: Catherine Hughes (202) 622—9407

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Phone: 202 622—7830

RIN: 1545—AW35

2718. CONSTRUCTIVE SALES OF APPRECIATED FINANCIAL POSITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1259

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations relate to principles for determining if a taxpayer has constructively sold an appreciated financial position.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: REG—102191—98

Drafting attorney: Kathleen Sleeth (202) 622—3920

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Treasury attorney: Michael Novey (202) 622—1339

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RIN: 1545—AW97

2719. RULES FOR SOURCING CERTAIN TRANSPORTATION INCOME, SPACE, OR OCEAN ACTIVITY INCOME, AND RELATED FOREIGN BASE COMPANY SHIPPING INCOME

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance to shipping and aircraft companies for application of the source rules for certain income under sections 863(c) and 863(d), and for related space

or ocean activity income that is also foreign—based company shipping income under section 954(f).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—115557—98

Drafting attorney: Patricia A. Bray (202) 622—3880

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Treasury attorney: Carl Dubert (202) 622—0222

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RIN: 1545—AX02

2720. DEFINITION OF ACCOUNTING METHOD

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 446

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will clarify the definition of a change in the method of accounting.

Timetable:

Action	Date	FR Cite
NPRM	03/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—105228—99

Drafting attorney: Jeffery G. Mitchell (202) 622—4970

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Treasury attorney: Sharon Kay (202) 622—0865

CC:ITA

TREAS—IRS

Proposed Rule Stage

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Phone: 202 622—4970

RIN: 1545—AX21

2721. AWARDING OF COSTS AND CERTAIN FEES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 7430

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The proposed amendments to the Treasury Regulations incorporate the 1997 and 1998 amendments to 26 U.S.C. 7430, relating to the awarding of attorney's fees in administrative and court proceedings. The amendments to 26 U.S.C. 7430 were enacted under the Taxpayer Relief Act of 1997 and the IRS Restructuring and Reform Act of 1998.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—111833—99

Drafting attorney: Tami C. Belouin (202) 622—3847

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Treasury attorney: Julian Kim (202) 622—1981

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RIN: 1545—AX46

2722. HIGHLY COMPENSATED EMPLOYEE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 414

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulations will provide the definition of highly compensated employee.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—111277—99

Drafting attorney: R. Lisa Mojiri—Azad (202) 622—6080

Reviewing attorney: Marjorie Hoffman (202) 622—6030

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RIN: 1545—AX48

2723. MODIFICATION TO SECTION 367(A) STOCK TRANSFER REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 367

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None

Abstract: This regulation will modify section 367(a), stock transfer regulations, to address abuses under check—the—box and through the use of convertible stock.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—116053—99

Drafting attorney: Robert W. Lorence (202) 622—3860

Reviewing attorney: Charles Besecsky (202) 622—3860

Treasury attorney: Michael Caballero (202) 622—0851

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RIN: 1545—AX77

2724. CLARIFICATION OF FOREIGN—BASED COMPANY SALES INCOME RULES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 954

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation clarifies when a controlled foreign corporation cannot exclude sales income from foreign—based company sales income under the manufacturing exception by reason of activities of a contract manufacturer. Likewise, the branch rule under IRC section 954(d)(2) does not apply to a contract manufacturer.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: REG—106356—00

Drafting attorney: Valerie A. Mark—Lippe (202) 622—3840

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TREAS—IRS

Proposed Rule Stage

Phone: 202 622—3840

RIN: 1545—AX91

2725. LIKE—KIND EXCHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 168; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations relate to like—kind exchanges under section 168 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—106590—00

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Reviewing attorney: Charles Ramsey (202) 622—3110

Treasury attorney: George Manousos (202) 622—1335

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RIN: 1545—AX95

2726. GUIDANCE ON CHANGES TO THE LAWS FOR CORPORATE ESTIMATED TAXES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6655

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The proposed regulations provide guidance on changes to the law for corporate estimated taxes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG—107722—00

Drafting attorney: Robert A. Desilets, Jr. (202) 622—4910

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Treasury attorney: George Manousos (202) 622—1335

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RIN: 1545—AY22

2727. WITHHOLDING TAX ON FOREIGN PARTNERS' SHARE OF EFFECTIVELY CONNECTED INCOME

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 1446

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide guidance for partnership withholding on partners' allocable share of partnership's effectively connected income.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG—108524—00

Drafting attorney: David J. Sotos (202) 622—3860

Reviewing attorney: Michael H. Frankel (202) 622—3860

Treasury attorney: Michael Caballero (202) 622—0851

CC:INTL

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RIN: 1545—AY28

2728. TAXABLE YEARS OF CONTROLLED FOREIGN CORPORATIONS (CFCS) AND FOREIGN PERSONAL HOLDING COMPANIES (FPHCS)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 898

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide definitions and rules for determining the required year for CFCs and FPHCs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG—108523—00

Drafting attorney: Jeffrey L. Vinnik (202) 622—3840

Reviewing attorney: Phyllis Marcus (202) 622—3840

CC:INTL

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RIN: 1545—AY30

2729. ALLOCATION OF INCOME AND DEDUCTIONS FROM INTANGIBLES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 482

CFR Citation: 26 CFR 1

TREAS—IRS

Proposed Rule Stage

Legal Deadline: None

Abstract: The regulation will address the allocation of income and deductions from intangible property.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: REG—115037—00

Drafting attorney: J. Peter Luedtke (202) 435—5265

Reviewing attorney: John M. Breen (202) 435—5265

Treasury attorney: Rocco Femia (202) 622—1755

CC:INTL

Agency Contact: J. Peter Luedtke, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 435—5265

RIN: 1545—AY38

2730. DOLLAR—VALUE LIFO

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 472; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide guidance under the dollar—value last— in, first—out (LIFO) inventory method for taxpayers that define LIFO items based on components of cost.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG—107580—00

Drafting attorney: Scott H. Rabinowitz (202) 622—4970

Reviewing attorney: Jeffery G. Mitchell (202) 622—4970

Treasury attorney: Sharon Kay (202) 622—0865

CC:ITA

Agency Contact: Scott H. Rabinowitz, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4970

RIN: 1545—AY39

2731. PREVIOUSLY TAXED EARNINGS AND PROFITS UNDER SUBPART F

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 959

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will address previously taxed earnings and profits under subpart F.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG—121509—00

Drafting attorney: Jonathan A. Sambur (202) 622—3840

Reviewing attorney: Kelly Kogan (202) 622—3840

Treasury attorney: Rocco Femia (202) 622—1755

CC:INTL

Agency Contact: Jonathan A. Sambur, Attorney—Advisor, Department of the Treasury, Internal Revenue Service,

1111 Constitution Avenue NW, Washington

Phone: 202 622—3840

RIN: 1545—AY54

2732. DISCLOSURE OF RETURNS AND RETURN INFORMATION IN JUDICIAL AND ADMINISTRATIVE TAX PROCEEDINGS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 6103

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This proposed rule relates to the disclosure of returns and return information in judicial and administrative tax proceedings pursuant to 26 U.S.C. 6103(h)(4).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—120297—01

Drafting attorney: Christine S. Irwin (202) 622—4570

Reviewing attorney: David L. Fish (202) 622—4590

Treasury attorney: Eric San Juan (202) 622—0224

CC:PA:DPL

Agency Contact: Christine S. Irwin, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4570

RIN: 1545—AY89

2733. PAYMENTS FOR INTEREST IN PARTNERSHIP

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 736

CFR Citation: 26 CFR 1

Legal Deadline: None

TREAS—IRS

Proposed Rule Stage

Abstract: The proposed regulations relate to section 736(b)(3)(B), regarding payments for interest in a partnership if the retiring or deceased partner was a general partner in the partnership.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—123382—01

Drafting attorney: James M. Gergurich (202) 622—3070

Reviewing attorney: Christine Ellison (202) 622—3070

CC:PSI

Agency Contact: James M. Gergurich, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3070

RIN: 1545—AY90**2734. ALLOCATION AND APPORTIONMENT OF INTEREST EXPENSE; TAX BOOK VALUE DISPARITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 864**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations would propose amendments to the current tax book value method of valuing assets for purposes of interest expense apportionment in order to reduce disparities between the treatment of foreign and domestic use assets.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—129447—01

Drafting attorney: Margaret A. Hogan (202) 622—3850

Reviewing attorney: Anne Devereaux (202) 622—3850

Treasury attorneys: Michael Caballero (202) 622—0851 and John Harrington (202) 622—0589

CC:INTL

Agency Contact: Margaret A. Hogan, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3850

RIN: 1545—BA02**2735. TRANSACTIONS INVOLVING OBLIGATIONS OF CONSOLIDATED GROUP MEMBERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1502**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The proposed regulations are in regard to intercompany obligations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—107592—00

Drafting attorney: Frances Kelly (202) 622—7072

Reviewing attorney: Michael J. Wilder (202) 622—3393

Treasury attorney: Audrey Nacamuli (202) 622—5721

CC:CORP

Agency Contact: Frances L. Kelly, Attorney—Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7072

RIN: 1545—BA11**2736. DEDUCTIBILITY OF EMPLOYER CONTRIBUTIONS FOR DEFERRED COMPENSATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations will update and clarify the general rules for deductibility of employer contributions to qualified retirement plans and other deferred compensation arrangements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG—139449—01

Drafting attorney: Linda S.F. Marshall (202) 622—6090

Reviewing attorney: Mark Schwimmer (202) 622—6090

Treasury attorney: Thomas Reeder (202) 622—1341

CC:TEGE

Agency Contact: Linda S.F. Marshall, Senior Counsel, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6090

RIN: 1545—BA13**2737. CONTINUATION OF A CONSOLIDATED GROUP****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 1502**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation addresses issues related to the continuation of consolidated groups in regulation's section 1.1502—75.

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Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—126022—01

Drafting attorney: Christopher M. Bass (202) 622—7770

Reviewing attorney: Edward Cohen (202) 622—7770

CC:CORP

Agency Contact: Christopher M. Bass, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7770

RIN: 1545—BA14**2738. PROPERTY EXEMPT FROM LEVY****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6334**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: This regulation will describe the judicial procedures for approval of a principal residence seizure, pursuant to I.R.C. sections 6334(a)(13)(B)(i) and 6334(e)(1).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—140378—01

Drafting attorney: Robin M. Ferguson (202) 622—3610

Reviewing attorney: Alan Levine (202) 622—3610

CC:PA:CBS

Agency Contact: Robin M. Ferguson, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3610

RIN: 1545—BA22**2739. GASOLINE TAX CLAIMS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 6416**CFR Citation:** 26 CFR 48**Legal Deadline:** None

Abstract: The proposed regulation will provide guidance regarding claims for credit or refund of the gasoline tax under section 6416(b)(2) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
ANPRM	10/23/01	66 FR 53564
NPRM	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Governmental Jurisdictions**Government Levels Affected:** Local, State, Tribal**Additional Information:** REG—143219—01

Drafting attorney: Susan Athy (202) 622—3130

Reviewing attorneys: Frank Boland (202) 622—3130 and Phillip Howard (202) 622—3000

Treasury attorney: John Parcell (202) 622—2578

CC:PSI

Agency Contact: Susan Athy, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3130

RIN: 1545—BA27**2740. SUSPENSION OF STATUTES OF LIMITATION IN JOHN DOE AND THIRD—PARTY SUMMONS DISPUTES, AND EXPANSION OF TAXPAYERS' RIGHTS TO RECEIVE NOTICE AND SEEK JUDICIAL REVIEW OF THIRD PARTY SUMMONSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7603; 26 USC 7609**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The proposed regulation provides guidance regarding modified rules for serving summonses on third—party recordkeepers, the broadened range of summonses subject to the notice requirements, and the suspension of limitations periods when court actions are brought or when a summoned third party fails to fully respond to a summons. This proposed regulation incorporates the changes enacted in the Internal Revenue Service Restructuring and Reform Act of 1998, Omnibus Budget Reconciliation Act of 1990, Technical and Miscellaneous Revenue Act of 1988 and Tax Reform Act of 1986. This regulation is a continuation of the regulation project previously numbered at REG—208225—88.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—153037—01

Drafting attorney: Elizabeth D. Rawlins (202) 622—3600

Reviewing attorney: Robert A. Miller (202) 622—3600

CC:PA:CBS

Agency Contact: Elizabeth D. Rawlins, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3600

RIN: 1545—BA31**2741. INCOME FROM SOURCES WITHIN SPECIFIED POSSESSION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 931; 26 USC 911**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will remove the reference to section 911 in the section 931 regulations and update the

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definition of a possession under those regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—159068—01

Drafting attorney: Jonathan A. Sambur (202) 622—3840

Reviewing attorney: Phyllis E. Marcus (202) 622—3840

Treasury attorney: Carl Dubert (202) 622—0222

CC:INTL

Agency Contact: Jonathan A. Sambur, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3840

RIN: 1545—BA37

2742. TREATMENT OF CERTAIN OBLIGATION—SHIFTING TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 864(c)(6); 26 USC 7701(e)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation proposes a rule that applies to a single taxpayer engaging in certain tax—motivated obligation—shifting transfers to prevent tax avoidance. Similar multi—party tax avoidance techniques are addressed by Property Treasury Regulation section 1.7701(i)—2 (1996). This regulation also would modify a rule in the proposed regulation dealing with certain related—party transfers that might, in its present form, present opportunities for tax avoidance.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—160799—01

Drafting attorney: Jeffrey L. Vinnik (202) 622—3840

Reviewing attorney: David N. Bowen (202) 622—3800

Treasury attorney: Rocco Femia (202) 622—1755

CC:INTL

Agency Contact: Jeffrey L. Vinnik, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3840

RIN: 1545—BA41

2743. MULTIFAMILY HOUSING BONDS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations relate to various issues with respect to multifamily housing bonds.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Local, State

Additional Information: REG—163765—01

Drafting attorney: Rose M. Weber (202) 622—3980

Reviewing attorney: Bruce M. Serchuk (202) 622—3980

Treasury attorney: Stephen J. Watson (202) 622—1322

CC:TEGE

Agency Contact: Rose M. Weber, Attorney—Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3980

RIN: 1545—BA45

2744. MODIFICATION OF CHECK THE BOX REGULATIONS (TEMPORARY)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 301

Legal Deadline: None

Abstract: The Modification of Check the Box regulations will add a new section to the 301.7701—2 regulations to provide that in certain circumstances, namely in State law mergers and conversions, a surviving disregarded entity will be regarded for purposes of assessment and collection of prior year tax liabilities of predecessor entities. Thus, following a transaction in which a regarded entity is merged or converted into a disregarded entity, the Commissioner will be able to exercise collection and assessment authority against the disregarded entity for any liabilities stemming from tax periods of the regarded entity prior to the date of the transaction.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG—106681—02

Drafting attorney: James M. Gergurich (202) 622—3070

Reviewing attorney: Jeanne Sullivan (202) 622—3070

Treasury attorney: Stephanie Robinson (202) 622—9858

CC:PSI

Agency Contact: James M. Gergurich, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3070

RIN: 1545—BA58

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Proposed Rule Stage

2745. MODIFICATION OF CHECK THE BOX REGULATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1; 26 CFR 301**Legal Deadline:** None

Abstract: The Modification of Check the Box regulation will add a new section to the 301.7701—2 regulations to provide that in certain circumstances, namely in State law mergers and conversions, a surviving disregarded entity will be regarded for purposes of assessment and collection of prior year tax liabilities of predecessor entities. Thus, following a transaction in which a regarded entity is merged or converted into a disregarded entity, the Commissioner will be able to exercise collection and assessment authority against the disregarded entity for any liabilities stemming from tax periods of the regarded entity prior to the date of the transaction.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** REG—106681—02

Drafting attorney: James M. Gergurich (202) 622—3070

Reviewing attorney: Jeanne Sullivan (202) 622—3070

Treasury attorney: Stephanie Robinson (202) 622—9858

CC:PSI

Agency Contact: James M. Gergurich, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3070

RIN: 1545—BA59**2746. ABATEMENT OF INTEREST ON LARGE ERRONEOUS REFUNDS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 6404(e)**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This proposed regulation will provide rules that address whether the Internal Revenue Service may abate interest on an erroneous refund exceeding \$50,000 pursuant to I.R.C. section 6404(e) (26 U.S.C. 6404(e)).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** REG—167500—01

Drafting attorney: David A. Abernathy (202) 622—7940

Reviewing attorney: Richard Goldman (202) 622—7940

CC:PA:APJP

Agency Contact: David A. Abernathy, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7940

RIN: 1545—BA61**2747. ALLOCATION AND APPORTIONMENT RULES: GUIDANCE ON SELECTED ISSUES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 863**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides guidance with respect to the allocation and apportionment under section 861 of selected deductions, e.g., charitable contributions and research and experimentation expenses.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—128240—01

Drafting attorney: Teresa B. Hughes (202) 622—3850

Reviewing attorney: Anne Devereaux (202) 622—3850

Treasury attorney: John Harrington (202) 622—0589

CC:INTL

Agency Contact: Teresa B. Hughes, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3850

RIN: 1545—BA64**2748. PROVISIONS REGARDING CROSS—BORDER TRANSACTIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 368(a)**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This proposed regulation will make conforming changes to account for cross—border section 368(a)(1)(A) mergers.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG—125628—01

TREAS—IRS

Proposed Rule Stage

Drafting attorney: Robert W. Lorence
(202) 622—3860

Reviewing attorney: Charles Besecky
(202) 622—3860

CC:INTL

Agency Contact: Robert W. Lorence,
Senior Counsel, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—3860

RIN: 1545—BA65

2749. CIRCULAR 230—TAX SHELTER AMENDMENTS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 31 USC 330

CFR Citation: 31 CFR 10

Legal Deadline: None

Abstract: These regulations propose amendments to the standards for tax opinions related to tax shelters.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—122379—02

Drafting attorney: Brinton T. Warren
(202) 622—7800

Reviewing attorney: Richard S.
Goldstein (202) 622—3400

Treasury attorney: Julian Kim (202)
622—1981

CC:PA:APJP

Agency Contact: Brinton T. Warren,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
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Phone: 202 622—7800

RIN: 1545—BA70

2750. CIRCULAR 230—PHASE 2 NONSHELTER REVISIONS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 31 USC 330

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations propose amendments to the rules governing practice before the Internal Revenue Service.

Timetable:

Action	Date	FR Cite
ANPRM	12/19/02	67 FR 77724
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—122380—02

Drafting attorney: Heather L. Dostaler
(202) 622—8445

Reviewing attorney: Richard S.
Goldstein (202) 622—7820

Treasury attorney: Julian Kim (202)
622—1981

CC:PA:APJP

Agency Contact: Heather L. Dostaler,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—8445

RIN: 1545—BA72

2751. ALLOCATION OF NEW MARKETS TAX CREDIT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 45D; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations will address how the section 45D new markets tax credit should be allocated to the partners of a partnership under section

704(b) of the Internal Revenue Code and will address related partnership issues.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG—131999—02

Drafting attorney: Michael Goldman
(202) 622—3080

Reviewing attorney: James Quinn (202)
622—3070

CC:PSI

Agency Contact: Michael Goldman,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—3080

RIN: 1545—BA84

2752. TRANSFER OF NOTES OR STOCK TO PROVIDE FOR SATISFACTION OF CONTESTED LIABILITIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The proposed regulations would amend regulations section 1.461—2 that allows a taxpayer to deduct in the taxable year of transfer the amount of money on other property transferred to satisfy an asserted liability that the taxpayer contests. The amendment to regulations section 1.461—2(c)(1) relates to transfers to provide for the satisfaction of an asserted liability. The regulations would also amend regulations section 1.461—2 to provide rules relating to economic performance.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

TREAS—IRS

Proposed Rule Stage

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—136890—02

Drafting attorney: Norma C. Rotunno (202) 622—7900

Reviewing attorney: Thomas D. Moffitt (202) 622—7900

Treasury attorney: Sharon A. Kay (202) 622—0865

CC:ITA

Agency Contact: Norma C. Rotunno, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7900

RIN: 1545—BA90

2753. GUIDANCE TO FACILITATE ELECTRONIC TAX ADMINISTRATION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation will facilitate electronic tax administration.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—137243—02

Drafting attorney: Bridget E. Tombul (202) 622—4940

Reviewing attorney: Ashton P. Trice (202) 622—4940

Treasury attorney: John Parcell (202) 622—2578

CC:PA:APJP

Agency Contact: Bridget E. Tombul, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4940

RIN: 1545—BA96

2754. TIMELY MAILING TREATMENT

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7502

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation will expressly provide that a registered or certified mail receipt is the sole means to prove delivery of a document to the Internal Revenue Service.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—138176—02

Drafting attorney: Charles A. Hall (202) 622—4940

Reviewing attorney: Ashton Trice (202) 622—4940

Treasury attorney: Eric San Juan (202) 622—0224

CC:PA:APJP

Agency Contact: Charles A. Hall, Senior Counsel, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4940

RIN: 1545—BA99

2755. HAND CARRY RETURNS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6091

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation revises obsolete references in the regulations under section 6091 of the Internal Revenue Code and provides guidance to taxpayers on the proper place to file

a return by hand carrying the return to the Internal Revenue Service. Currently, the regulations provide that handcarried returns should be filed with the District Director.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—138173—02

Drafting attorney: Emly B. Berndt (202) 622—4940

Reviewing attorney: Ashton Trice (202) 622—4940

Treasury attorney: Julian Kim (202) 622—2578

CC:PA:APJP

Agency Contact: Emly B. Berndt, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4940

RIN: 1545—BB00

2756. ALLOCATION OF FOREIGN TAX CREDITS AMONG PARTNERS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 704(b); 26 USC 703(b)(3); 26 USC 702(a)(b)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will provide guidance on how foreign tax credits must be allocated to partners under section 704(b).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

TREAS—IRS

Proposed Rule Stage

Additional Information: REG—139792—02

Drafting attorney: Beverly M. Katz (202) 622—3050

Reviewing attorney: Daniel Carmody (202) 622—3050

Treasury attorney: Deborah Harrington (202) 622—1788

CC:PSI

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Phone: 202 622—3050

RIN: 1545—BB11

2757. DISTRIBUTIONS OF PROPERTY

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1023; 26 USC 1024; 26 USC 2032

CFR Citation: 26 CFR 301; 26 CFR 20

Legal Deadline: None

Abstract: This regulation will clarify the language in regulations section 301.9100—6T to remove confusion as to whether relief for making an election under regulations section 2032 is available under sections 301.9100—1 and 301—9100—3.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—139845—02

Drafting attorney: Theresa M. Melchiorre (202) 622—7830

Reviewing attorney: Katherine A. Mellody (202) 622—7830

Treasury attorney: Catherine Hughes (202) 622—9407

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Phone: 202 622—7830

RIN: 1545—BB12

2758. COST SHARING

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 482

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These proposed regulations will provide additional guidance on cost sharing arrangements under section 482.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: REG—144615—02

Drafting attorneys: David Bowen (202) 622—3800 and Jeffrey Parry (202) 435—5265

Reviewing attorney: Elizabeth G. Beck (202) 435—5265

Treasury attorney: Rocco Femia (202) 622—1755

CC:INTL

Agency Contact: Jeffrey Parry, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 435—5265

RIN: 1545—BB26

2759. APPLICATION OF SEPARATE LIMITATIONS TO DIVIDENDS FROM NONCONTROLLED SECTION 902 CORPORATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 904(d)(6)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The Taxpayer Relief Act of 1997 amended the foreign tax credit limitation rules under section 904(d) and extended lookthrough treatment to

dividends paid by a 10/50 lookthrough corporation, effective for earnings and profits accumulated in tax years beginning after December 31, 2002. These regulations would provide guidance needed to comply with these changes, including transition rules for dividends paid by a 10/50 lookthrough corporation.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—144784—02

Drafting attorney: Ginny Y. Chung (202) 622—3850

Reviewing attorney: Barbara Felker (202) 622—3850

CC:INTL

Agency Contact: Ginny Y. Chung, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3850

RIN: 1545—BB28

2760. AMENDING THE LOW—INCOME HOUSING TAX CREDIT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 42; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations are amendments to the general public use requirements in the low—income housing tax credit program.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—151145—02

Drafting attorney: Jack Malgeri (202) 622—3040

Reviewing attorney: Harold Burghart (202) 622—3040

TREAS—IRS

Proposed Rule Stage

CC:PSI

Agency Contact: Jack Malgeri, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3040

RIN: 1545—BB37

2761. ADMINISTRATIVE SIMPLIFICATION OF 481(A) ADJUSTMENT PERIODS IN VARIOUS REGULATIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The purpose of this project is to harmonize various regulatory provisions with current administrative guidance regarding recovery periods for section 481(a) adjustments. When the IRS changed the spread periods from four years (positive and negative) to four years (positive) and one year (negative), it discovered that there were some scattered regulatory provisions that contain different spread periods. Those regulatory provisions that are imposed as a matter of administrative discretion are under consideration to impose a standard spread period.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—142605—02

Drafting attorney: Christian T. Wood (202) 622—4930

Reviewing attorneys: Grant Anderson (202) 622—4930 and David Fahey (202) 622—4930

CC:ITA

Agency Contact: Christian T. Wood, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622—4930

RIN: 1545—BB47

2762. ELECTION OUT GENERATION—SKIPPING TRANSFER TAX (GST) DEEMED ALLOCATIONS

Priority: Info./Admin./Other**Legal Authority:** 26 USC 2601; 26 USC 2632; 26 USC 2642**CFR Citation:** 26 CFR 601**Legal Deadline:** None

Abstract: Procedure for making the election to not have the deemed generation—skipping transfer tax allocation rules apply with respect to a GST Trust and for making the election to treat a trust as a GST Trust.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—153841—02

Drafting attorney: Scott S. Landes (202) 622—3090

Reviewing attorney: George Maenik (202) 622—3090

Treasury attorney: Catherine Hughes (202) 622—9407

CC:PSI

Agency Contact: Scott S. Landes, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3090

RIN: 1545—BB54

2763. SUBSTITUTE DIVIDEND PAYMENTS IN SECURITIES LENDING AND SIMILAR TRANSACTIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 7701; 26 USC 863**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation relates to taxation of cross—border and foreign—to—foreign substitute dividend payments in securities lending and similar transactions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG—130751—01

Drafting attorney: Jeffrey L. Vinnik (202) 622—3840

Reviewing attorney: David Bowen (202) 622—3800

CC:INTL

Agency Contact: Jeffrey L. Vinnik, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3840

RIN: 1545—BB56

2764. DEEMED IRAS IN QUALIFIED RETIREMENT PLANS

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 408**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The Economic Growth and Tax Relief Reconciliation Act of 2001 (EGTRRA) added new section 408(q) to the Internal Revenue Code. The new section allows eligible employer plans to permit employees to make voluntary contributions to a separate account or annuity established under the plan. The regulation will provide rules under which the accounts or annuities will be treated as Roth or traditional IRA's as applicable.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—157302—02

TREAS—IRS

Proposed Rule Stage

Drafting attorney: Linda C. Phillips
(202) 622—6090

Reviewing attorney: Janet Laufer (202)
622—6090

Treasury attorney: Tom Reeder (202)
622—1341

CC:TEGE

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Attorney—Advisor, Department of the
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1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—6090

RIN: 1545—BB58

2765. DEEMED IRAS IN QUALIFIED RETIREMENT PLANS (TEMPORARY)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 408(q)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The Economic Growth and
Tax Relief Reconciliation Act of 2001
(EGTRRA) added new section 408(q) to
the Internal Revenue Code. The new
section allows eligible employer plans
to permit employees to make voluntary
contributions to a separate account or
annuity established under the plan. The
regulation will provide rules under
which the accounts or annuities will
be treated as Roth or traditional IRA's
as applicable.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—
158210—02

Drafting attorney: Linda C. Phillips
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Reviewing attorney: Janet Laufer (202)
622—6090

Treasury attorney: Tom Reeder (202)
622—1341

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Agency Contact: Linda C. Phillips,
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RIN: 1545—BB59

2766. INFORMATION REPORTING RELATING TO TAXABLE STOCK TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6043; 26 USC
6045

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations under
sections 6043(c) and 6045 require
information reporting for corporate
acquisitions of control and changes in
capital structure.

Timetable:

Action	Date	FR Cite
NPRM	11/18/02	67 FR 69496
Second NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—
143321—02

Drafting attorney: Nancy L. Rose (202)
622—4910

Reviewing attorney: Pamela W. Fuller
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CC:PA:APJP

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RIN: 1545—BB60

2767. LOSS LIMITATION RULES—G U REPEAL

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 337; 26 USC
7805; 26 USC 1502

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None

Abstract: The regulations will provide
guidance to corporations that are
members of an affiliated group filing
a consolidated income tax return and
that own stock of a subsidiary member
of the group. The regulations will
prevent rules relating to certain
adjustments to the basis of subsidiary
member stock from having the effect of
offsetting certain income and gain upon
a disposition of the stock by the
consolidated group.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:
Undetermined

Federalism: Undetermined

Additional Information: REG—
157711—02

Drafting attorney: Lola L. Johnson (202)
622—7530

Reviewing attorney: Charles M.
Whedbee (202) 622—7530

CC:CORP

Agency Contact: Lola L. Johnson,
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1111 Constitution Avenue NW,
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Phone: 202 622—7530

RIN: 1545—BB61

2768. CONTRIBUTIONS TO PURCHASE CERTAIN RETIREMENT ANNUITIES OR CUSTODIAL ACCOUNTS UNDER SECTION 403(B)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 403(b); 26
USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation would revise
and update the current section 403(b)
regulations to reflect the numerous
statutory revisions to this section of the
Internal Revenue Code since these
regulations were first promulgated in
1964. Section 403(b) concerns the
income tax exclusion for contributions
to purchase certain retirement annuities
or custodial accounts made for their
employees by certain tax—exempt
employers or State—sponsored
educational institutions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

TREAS—IRS

Proposed Rule Stage

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: Federal, Local, State, Tribal

Additional Information: REG—155608—02

Drafting attorney: John A. Tolleris (202) 622—6060

Reviewing attorney: Cheryl Press (202) 622—6060

Treasury attorney: William Bortz (202) 622—1352

CC:TEGE

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6060

RIN: 1545—BB64

2769. INSTALLMENT OBLIGATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 704(c)(1)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide guidance on the treatment of installment obligations received in exchange for section 704(c) property.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG—160330—02

Drafting attorney: Christopher L. Trump (202) 622—3080

Reviewing attorney: Jeanne Sullivan (202) 622—4117

Treasury attorney: Deborah Harrington (202) 622—1788

CC:PSI

Agency Contact: Christopher L. Trump, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3080

RIN: 1545—BB65

2770. LIQUIDATION OF AN INTEREST

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 2704(b)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation relates to additional rules for determining when applicable restrictions are disregarded in valuing the liquidation of an interest under section 2704 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG—163113—02

Drafting attorney: John MacEachen (202) 622—7701

Reviewing attorney: George Masnik (202) 622—3090

Treasury attorney: Catherine Hughes (202) 622—9407

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Agency Contact: John MacEachen, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7701

RIN: 1545—BB71

2771. QUALIFIED INTERESTS

Priority: Info./Admin./Other

Legal Authority: 26 USC 2702

CFR Citation: 26 CFR 25

Legal Deadline: None

Abstract: This regulation amends examples 5 and 6 of regulation section 25.2702—3(e) to comply with the Tax Court's holding in *Walton v. Commissioner*, 115 TC. 589 (2000).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—163679—02

Drafting attorney: Scott S. Landes (202) 622—3090

Reviewing attorney: George Masnik (202) 622—3090

Treasury attorney: Catherine Hughes (202) 622—9407

CC:PSI

Agency Contact: Scott S. Landes, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3090

RIN: 1545—BB72

2772. COLLECTED EXCISE TAXES; DUTIES OF COLLECTOR

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 4291; 26 USC 6302; 26 USC 7805

CFR Citation: 26 CFR 40; 26 CFR 49

Legal Deadline: None

Abstract: These proposed regulations relate to the obligations of persons that receive payments for air transportation or communications service subject to excise tax when persons liable for taxes refuse to pay the tax.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

TREAS—IRS

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—163909—02

Drafting attorney: Deane M. Burke (202) 622—3130

Reviewing attorneys: Frank K. Boland (202) 622—3130 and Phillip Howard (202) 622—3000

Treasury attorney: John Parcell (202) 622—2578

CC:PSI

Agency Contact: Deane M. Burke, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3130**RIN:** 1545—BB75**2773. COLLECTED EXCISE TAXES; DUTIES OF COLLECTOR (TEMPORARY)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 4291; 26 USC 6302; 26 USC 7805**CFR Citation:** 26 CFR 40; 26 CFR 49**Legal Deadline:** None**Abstract:** These temporary regulations relate to the obligations of persons that receive payments for air transportation or communications service subject to excise tax when persons liable for taxes refuse to pay the tax.**Timetable:**

Action	Date	FR Cite
Temporary Regulations	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—163909—02

Drafting attorney: Deane M. Burke (202) 622—3130

Reviewing attorneys: Frank Boland (202) 622—3130 and Phillip Howard (202) 622—3000

Treasury attorney: John Parcell (202) 622—2578

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Agency Contact: Deane M. Burke, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3130**RIN:** 1545—BB76**2774. APPLICATION OF NONDISCRIMINATION CROSS—TESTING RULES TO CASH BALANCE PLANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 411**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations will provide rules for the application of certain nondiscrimination requirements, prohibiting discrimination in favor of highly compensated employees, to cash balance pension plans.**Timetable:**

Action	Date	FR Cite
NPRM	12/11/02	67 FR 76123
Hearing	04/09/03	
Other/Second NPRM	12/00/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses, Organizations**Government Levels Affected:** None**Additional Information:** REG—164464—02

Drafting attorney: Linda S.F. Marshall (202) 622—6090

Reviewing attorney: Marjorie Hoffman (202) 622—6090

Treasury attorney: William Bortz (202) 622—1352

CC:TEGE

Agency Contact: Linda S.F. Marshall, Senior Counsel, Department of theTreasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6090**RIN:** 1545—BB79**2775. CORPORATE REORGANIZATIONS; CONTINUITY—TRANSFERS OF ASSETS OR STOCK FOLLOWING A REORGANIZATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides amendments to regulations section 1.368—2(k) of the income tax regulations, which sets forth rules providing that for certain reorganizations, transfers by the acquiring corporation of target assets or stock to certain controlled corporations will not disqualify the transaction from nonrecognition treatment. The proposed amendments will clarify the reorganizations subject to these rules.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—165579—02

Drafting attorney: Rebecca O. Burch (202) 622—7550

Reviewing attorney: Wayne Murray (202) 622—7700

Treasury attorney: Audrey Nacamuli (202) 622—5721

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Agency Contact: Rebecca O. Burch, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7550**RIN:** 1545—BB80

TREAS—IRS

Proposed Rule Stage

2776. NOTIONAL PRINCIPAL CONTRACTS; CONTINGENT NONPERIODIC PAYMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 446**CFR Citation:** 26 CFR 1; 26 CFR 602**Legal Deadline:** None**Abstract:** These proposed regulations relate to the character and the inclusion into income and deduction of contingent nonperiodic payments made pursuant to a notional principal contract.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG—166012—02

Drafting attorney: Kathleen Sleeth (202) 622—3920

Reviewing attorney: Elizabeth Handler (202) 622—3920

Treasury attorney: Viva Hammer (202) 622—0869

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Agency Contact: Kathleen Sleeth, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3920**RIN:** 1545—BB82**2777. REMIC RESIDUALS—TIMING OF INCOME FOR FOREIGN HOLDERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 860G(b); 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations under 26 U.S.C. 860G(b) provide that if the holder of the REMIC residual interest is a foreign person, amounts inducible in the gross income of the holder shall be taken into account for each day during the taxable year on which the foreign person held the interest.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined
Additional Information: REG—159929—02

Drafting attorney: Arturo Estrada (202) 622—3900

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Agency Contact: Arturo Estrada, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3900**RIN:** 1545—BB84**2778. TRANSFEROR OR TRANSFEREE AS A PREDECESSOR OR SUCCESSOR****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 355; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations under section 355(e) sets forth whether a transferor or transferee will be treated as a predecessor or successor for purposes of section 355(e).**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—145535—02

Drafting attorney: Krishna P. Vallabhaneni (202) 622—7550

Reviewing attorney: Charles Whedbee (202) 622—7550

Treasury attorney: Audrey Nacamuli (202) 622—5721

CC:CORP

Agency Contact: Krishna P. Vallabhaneni, Attorney—Advisor,Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7550**RIN:** 1545—BB85**2779. DEPENDENT CARE CREDIT****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 21; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The notice of proposed rulemaking will amend existing but partially obsolete regulations under 26 U.S.C. 21 relating to dependent care credits.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—139059—02

Drafting attorney: Warren M. Joseph (202) 622—4920

Reviewing attorney: Robert Berkovsky (202) 622—4920

CC:ITA

Agency Contact: Warren M. Joseph, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4920**RIN:** 1545—BB86**2780. PARTNERSHIP EQUITY FOR SERVICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 721; 26 USC 83**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These proposed regulations will describe the tax treatment of partnership equity issued in connection with the performance of services.

TREAS—IRS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—105346—03

Drafting attorneys: Audrey W. Ellis and Demetri Yatrakis (202) 622—3060

Reviewing attorney: Matthew Lay (202) 622—3060

Treasury attorney: Deborah Harrington (202) 622—1788

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Demetri G. Yatrakis, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545—BB92

2781. DETERMINATION OF SINGLE—SUM DISTRIBUTIONS FROM CASH BALANCE PLANS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations will modify the rules for the determination of minimum single—sum distributions from cash balance pension plans.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Organizations

Government Levels Affected: None

Additional Information: REG—168897—02

Drafting attorney: Linda S.F. Marshall (202) 622—6090

Reviewing attorney: Marjorie Hoffman (202) 622—6030

Treasury attorney: Elizabeth Drigotas (202) 622—1332

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Phone: 202 622—6090

RIN: 1545—BB93

2782. ACCRUAL FOR CERTAIN REMIC REGULAR INTERESTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The proposed regulations provide guidance on the accrual of original issue discount on certain REMIC regular interests.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—108637—03

Drafting attorney: Rebecca E. Asta (202) 622—3930

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Agency Contact: Rebecca E. Asta, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3930

RIN: 1545—BB94

2783. NEW MARKETS TAX CREDIT AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 45D; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will amend regulations section 1.45D—1T involving the new markets tax credit under section 45D. The amendments will address certain issues involving qualified low—income community investments under section 45D(d)(1).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG—115471—03

Drafting attorney: Paul F. Handleman (202) 622—3040

Reviewing attorney: Susan Reaman (202) 622—3040

Treasury attorney: Steve Watson (202) 622—1322

CC:PSI

Agency Contact: Paul F. Handleman, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3040

RIN: 1545—BC03

2784. TAX EXEMPT BOND PARTNERSHIP REPORTING REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6031; 26 USC 7805; 26 USC 706

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will state the Internal Revenue Service's authority to

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issue other guidance concerning the reporting requirements for tax exempt bond partnerships. The other guidance will be issued separately by Revenue Procedure.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—115472—03

Drafting attorney: David A. Shulman (202) 622—3080

Reviewing attorney: Jeanne Sullivan (202) 622—3080

Treasury attorney: Deborah Harrington (202) 622—1788

CC:PSI

Agency Contact: David A. Shulman, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3080

RIN: 1545—BC04

2785. DETERMINATION OF BASIS OF A SINGLE CLASS OF STOCK OR SECURITIES RECEIVED IN EXCHANGE FOR A SINGLE CLASS OF STOCK OR SECURITIES IN A TAX—FREE EXCHANGES

Priority: Routine and Frequent

Legal Authority: 26 USC 338; 26 USC 358; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Amendment to section 1.358—2 of the income tax regulation. The proposed regulation will provide the basis allocation methods when a distributee exchanges a single class of stock acquired held in different lots (different dates and bases) for a single class of stock in a transaction under section 354, 355, or 356.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—116564—03

Drafting attorney: Theresa M. Kolish (202) 622—7930

Reviewing attorney: Reginald Mombrun (202) 622—7930

CC:CORP

Agency Contact: Theresa M. Kolish, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7930

RIN: 1545—BC05

2786. GENERAL ALLOCATION AND ACCOUNTING REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides rules for the allocation of and accounting for bond proceeds for purposes of determining whether bonds are private activity bonds under section 141 of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: State

Federalism: Undetermined

Additional Information: REG—140379—02

Drafting attorney: Johanna L. Som de Cerff (202) 622—3980

CC:TEGE

Agency Contact: Johanna L. Som de Cerff, Attorney—Advisor, Department

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Phone: 202 622—3980

RIN: 1545—BC07

2787. • ENTRY OF TAXABLE FUEL

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6011; 26 USC 6071; 26 USC 6151

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations will provide rules for payment of tax when taxable fuel is entered by an unregistered person.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—120616—03

Drafting attorney: Celia Gabrysh (202) 622—3130

Reviewing attorneys: Frank Boland (202) 622—3130 and Phillip Howard (202) 622—3000

Treasury attorney: John Parcell (202) 622—2578

CC:PSI

Agency Contact: Celia A. Gabrysh, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3130

RIN: 1545—BC08

2788. • TIMING AND MODIFICATION OF THE SECTION 59(E) ELECTION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 59

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will provide guidance on making a section 59(e) election.

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Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—124405—03

Drafting attorney: Eric B. Lee (202) 622—3120

Reviewing attorney: Brenda Stewart (202) 622—3120

Treasury attorney: George Manousos (202) 622—1788

CC:PSI

Agency Contact: Eric B. Lee, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224
Phone: 202 622—3120

RIN: 1545—BC13**2789. • GUIDANCE NECESSARY TO FACILITATE BUSINESS ELECTRONIC FILING****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1; 26 CFR 602**Legal Deadline:** None

Abstract: The regulatory amendments are designed to facilitate electronic filing of certain income tax returns and other forms.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG—116664—01

Drafting attorney: Nathan B. Rosen (202) 622—4910

Reviewing attorney: Pamela Fuller (202) 622—4910

CC:PA:APJP

Agency Contact: Nathan B. Rosen, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4910

RIN: 1545—BC15**2790. • CHANGES IN COMPUTING DEPRECIATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides guidance under section 446(e) regarding changes in computing depreciation or amortization.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** REG—126459—03

Drafting attorney: Sara Logan (202) 622—3110

Reviewing attorney: Kathleen Reed (202) 622—3110

Treasury attorney: George Manousos (202) 622—1335

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Phone: 202 622—3110

RIN: 1545—BC18**2791. • VALUE OF LIFE INSURANCE WHEN DISTRIBUTED FROM A QUALIFIED RETIREMENT PLAN****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 1**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These proposed regulations under section 402(a) of the Internal Revenue Code concern the amount includible in a distributee's income when certain life insurance and annuity contracts are distributed by a qualified retirement plan.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—126967—03

Drafting attorney: Robert M. Walsh (202) 622—6090

Reviewing attorney: Linda Marshall (202) 622—6090

Treasury attorney: Harlan Weller (202) 622—1001

CC:TEGE

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RIN: 1545—BC20**2792. • UTILITY ALLOWANCE REGULATION UPDATE****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 42**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will modify and update utility allowance regulations under section 1.142—10, which provides for an alternative method for computing utility allowances under section 1.142—10(b)(4)(ii). Also, the regulation will provide for annual updates of utility allowances.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

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Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—128274—03

Drafting attorney: Gregory N. Doran (202) 622—3040

Reviewing attorney: Harold Burghart (202) 622—3040

Treasury attorney: Bruce Serchuk (202) 622—1766

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Agency Contact: Gregory N. Doran, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3040**RIN:** 1545—BC22**2793. • SPECIAL CONSOLIDATED RETURN RULES FOR INTEREST EXPENSE DISALLOWED UNDER SECTION 265(A)(2)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 1502; 26 USC 265; 26 USC 7701**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will address the treatment of interest income with respect to an intercompany loan when the source of funds is borrowing from a nonmember and there is a disallowance of interest expense under section 265(a)(2).**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—128590—03

Drafting attorney: Frances L. Kelly (202) 622—7072

Reviewing attorney: Michael Wilder (202) 622—3393

Treasury attorney: Audrey Nacamuli (202) 622—5721

CC:CORP

Agency Contact: Frances L. Kelly, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7072**RIN:** 1545—BC23**2794. • EGTRRA CHANGES TO PROTECTED RETIREMENT BENEFITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 645(b)**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations will provide guidance relating to section 411(d)(6) of the Code regarding the elimination of certain early retirement benefits, retirement—type subsidies, and optional forms of benefit (section 411(d)(6)(B) protected benefits), and will address both: 1) when these benefits result in significant burdens and complexities for plans and its participants; and 2) when such benefits are of de minimis value to participants.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—128309—03

Drafting attorney: Pamela R. Kinard (202) 622—6060

CC:TEGE

Agency Contact: Pamela R. Kinard, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6060**RIN:** 1545—BC26**2795. • SINGLE DETERMINATION OF TAX FOR MULTIPLE POOLS OF ASSETS OF AN S CORPORATION****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 1374(e)**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulation will address the determination of tax with respect to various pools of assets of an S corporation that is subject to tax under section 1374.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG—131486—03

Drafting attorney: Jocelyn Leyretana (202) 622—7750

Reviewing attorney: Mark Jennings (202) 622—7750

Treasury attorney: Audrey Nacamuli (202) 622—1721

CC:CORP

Agency Contact: Jocelyn Leyretana, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7750**RIN:** 1545—BC29**2796. • DEEMED CORPORATE ELECTION FOR ELECTING S CORPORATIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 26 USC 7701; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

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Abstract: The regulation will deem an electing S corporation to have also elected to be an association taxed as a corporation under section 301.7701—3(1)(i) to ease the administrative burden on taxpayers and IRS Service Centers. It will continue implementation of section 7701 under the secretary's general section 7805 regulatory authority.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG—131786—03

Drafting attorney: Rebekah A. Myers (202) 622—3050

Reviewing attorney: Dianna Miosi (202) 622—3050

Treasury attorney: Deborah Harrington (202) 622—1788

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Agency Contact: Rebekah A. Myers, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545—BC32

2797. • SUBSTITUTE FOR RETURN (SFR) AND AUTOMATED SUBSTITUTE FOR RETURN (ASFR)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805; 26 USC 6020

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The regulation serves to be the Service's expression of intent that certain documents generated in the substitute for return (SFR) and Automated Substitute for Return (ASFR) processes constitute section

6020(b) returns for purposes of assessing the section 6651(a)(2) addition to tax.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Additional Information: REG—131739—03

Drafting attorney: Tracey B. Leibowitz (202) 622—4940

CC:PA:APJP

Agency Contact: Tracey B. Leibowitz, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545—BC45

2798. • ADDITIONAL GUIDANCE REGARDING MARK—TO—MARKET ACCOUNTING FOR TRADERS IN SECURITIES AND/OR COMMODITIES, INCLUDING FOREIGN CURRENCY INSTRUMENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805; 26 USC 988(a)(1) (B)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides additional rules relating to the trader mark—to—market election: (1) the coordination of income character rules of the mark—to market regime with the capital election under section 988(a)(1)(B); (2) the definition of commodities for purposes of section 475; and (3) the application of the mark—to—market rules for traders that trade both securities and commodities in a single business.

Timetable:

Action	Date	FR Cite
NPRM	03/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—135660—03

Drafting attorney: Camille B. Evans (202) 622—3870

Reviewing attorney: Paul S. Epstein (202) 622—3870

CC:INTL

Agency Contact: Camille B. Evans, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3860

RIN: 1545—BC48

2799. • QUALIFIED SEVERANCE REGULATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 2642(a)(3)(C)

CFR Citation: 26 CFR 2654

Legal Deadline: None

Abstract: This regulation relates to generation—skipping transfer tax consequences of a qualified severance of a trust.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—145987—03

Drafting attorney: Mayer R. Samuels (202) 622—7265

Reviewing attorney: George Masnik (202) 622—6218

Treasury attorney: Catherine Hughes (202) 622—9407

CC:PSI

TREAS—IRS

Proposed Rule Stage

Agency Contact: Mayer R. Samuels, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7265

RIN: 1545—BC50

2800. • STEWARDSHIP EXPENSES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The current regulations under section 1.861—8(e)(A), titled “Stewardship Expenses Attributable to Dividends Received,” are confusing and subject to misuse by taxpayers. In conjunction with the proposed services regulations under section 482, it is proposed to revise these regulations to clarify the parameters of stewardship expenses, thereby demarcating them from shareholder activities under section 482 and supportive expenses under section 1.861—8T(b)(3).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—138603—03

Drafting attorney: Teresa B. Hughes (202) 622—3850

Reviewing attorney: Anne Devereaux (202) 622—3850

Treasury attorney: Rocco Femia (202) 622—1755

CC:INTL

Agency Contact: Teresa B. Hughes, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3850

RIN: 1545—BC52

2801. • REMOVAL OF SECTION 6152 REGULATIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 6152

CFR Citation: 26 CFR 301; 26 CFR 1

Legal Deadline: None

Abstract: The regulations will remove sections 1.6152—1 and 301.6152—1 pertaining to section 6152 of the Internal Revenue Code, which was repealed for tax years beginning after December 31, 1986.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—139421—03

Drafting attorney: Janice R. Feldman (202) 622—8488

Reviewing attorney: Susan Hartford (202) 622—4940

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Agency Contact: Janice R. Feldman, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—8488

RIN: 1545—BC53

2802. • GUARANTEE FEES UNDER SECTION 143(G)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 143

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will allow issues of qualified mortgage revenue bonds under section 143 to exclude certain fees paid to guarantee pools of mortgages (including mortgage backed securities) from the calculation of the effective interest rate on the mortgages for purposes of section 143(g).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Local, State

Additional Information: REG—146692—03

Drafting attorney: Michael P. Brewer (202) 622—3980

Reviewing attorney: Timothy L. Jones (202) 622—3980

CC:TEGE

Agency Contact: Michael P. Brewer, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3980

RIN: 1545—BC59

2803. • PREDECEASED PARENT RULE

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 2651

CFR Citation: 26 CFR 2651; 26 CFR 7805

Legal Deadline: None

Abstract: The proposed regulation will provide guidance on the predeceased parent rule in section 2651(e) and amend the regulations under section 26.2612—1(a)(2).

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG—145988—03

Drafting attorney: Lian A. Mito (202) 622—3719

TREAS—IRS

Proposed Rule Stage

Reviewing attorney: James F. Hogan
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Treasury attorney: Catherine Hughes
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RIN: 1545—BC60

2804. • QUALIFIED ZONE ACADEMY BONDS

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 1397E

CFR Citation: 26 CFR 1.1397E

Legal Deadline: None

Abstract: The proposed regulation will provide that the credit allowed for eligible holders of qualified zone academy bonds may be claimed by S corporation shareholders; will clarify that no procedure is necessary to carry over unused QZAB limit; will coordinate and make consistent provisions regarding determination of credit rate and maturity date; will provide for remedial action in case of change in use of bond proceeds; prevent the use of bond proceeds to repay the bonds.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Undetermined

Government Levels Affected: Local, State

Additional Information: REG—121475—03

Drafting attorney: Zoran Stojanovic
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Reviewing attorney: Timothy L. Jones
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Treasury attorney: Stephen Watson
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RIN: 1545—BC61

2805. • GUIDANCE NECESSARY TO FACILITATE BUSINESS ELECTRONIC FILING (TEMPORARY)

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 301;
26 CFR 602

Legal Deadline: None

Abstract: The temporary regulation is designed to facilitate the electronic filing of certain business income tax returns and other forms.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—116664—01

Drafting attorney: Nathan B. Rosen
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Reviewing attorney: Pameala W. Fuller
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RIN: 1545—BC62

2806. • GUIDANCE UNDER SECTION 707 REGARDING DISGUISED SALES

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 707; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide guidance regarding disguised sales of partnership interests.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—149519—03

Drafting attorney: James M. Gergurich
(202) 622—3070

Reviewing attorney: Christine Ellison
(202) 622—3080

Treasury attorney: Deborah Harrington
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RIN: 1545—BC63

2807. • PARTNERSHIP TRANSACTIONS INVOLVING PARTNER'S STOCK

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 7805; 26 USC 337

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This proposed regulation under section 1.337(d)—3 will finalize regulations relating to partnership transactions involving partner's stock.

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Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Undetermined**Government Levels Affected:**

Undetermined

Federalism: Undetermined**Additional Information:** REG—

149518—03

Drafting attorney: Tara P. Volungis
(202) 622—3080Reviewing attorney: Christine Ellison
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Agency Contact: Tara P. Volungis,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
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Phone: 202 622—3080**RIN:** 1545—BC64**2808. • PARTNERSHIPS AND DEEMED DISPOSITIONS OF UNREALIZED RECEIVABLES AND INVENTORY ITEMS****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.**Legal Authority:** 26 USC 751; 26 USC
7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These modifications to
regulations under section 751 require
a redeeming partner to take hot assets
with built-in gain equal to the
partner's proportionate share of the
total hot asset appreciation in the
partnership, regardless of fair market
value.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:**
Undetermined**Additional Information:** REG—
149610—03Drafting attorney: Jason T. Smyczek
(202) 622—3050Reviewing attorney: Dan Carmody (202)
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Agency Contact: Jason T. Smyczek,
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1111 Constitution Avenue NW,
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Phone: 202 622—3050**RIN:** 1545—BC65**2809. • LIFO RECAPTURE UNDER SECTION 1362(D)****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.**Legal Authority:** 26 USC 1363**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** Section 1363(d) provides for
the recapture of LIFO benefits when a
corporation elects S corporation status.
This project addresses the treatment
LIFO inventor held through
partnerships.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis
Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—
149524—03Drafting attorney: Pietro E. Canestrelli
(202) 622—3060Reviewing attorney: David Haglund
(202) 622—3050Treasury attorney: Deborah Harrington
(202) 622—1788

CC:PSI

Agency Contact: Pietro E. Canestrelli,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—3060**RIN:** 1545—BC66**2810. • QUALIFIED ZONE ACADEMY BONDS (TEMPORARY)****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.**Legal Authority:** 26 USC 1397E**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulation will
provide that the credit allowed for
eligible holders of qualified zone
academy bonds may be claimed by S
corporation shareholders; will clarify
that no procedure is necessary to carry
over unused QZAB limit; will
coordinate and make consistent
provisions regarding determination of
credit rate and maturity date; will
provide for remedial action in case of
change in use of bond proceeds;
prevent the use of bond proceeds to
repay the bonds.**Timetable: Section 610 R**

Action	Date	FR Cite
Temporary Regulations	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local,
State**Additional Information:** REG—
121475—03Drafting attorney: Zoran Stojanovic
(202) 622—4096Reviewing attorney: Timothy L. Jones
(202) 622—3701Treasury attorney: Stepen Watson (202)
622—1322

CC:TEGE

Agency Contact: Zoran Stojanovic,
Attorney—Advisor, Department of the

TREAS—IRS

Proposed Rule Stage

Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
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Phone: 202 622—4096

RIN: 1545—BC68

2811. • SECTION 179 ELECTIONS

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 202

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulations will provide
guidance for election under section
179, effective for 2003.

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

**Regulatory Flexibility Analysis
Required:** Undetermined

Small Entities Affected: Undetermined

Government Levels Affected:
Undetermined

Additional Information: REG—
152549—03

Drafting attorney: Winston H. Douglas
(202) 622—3110

Reviewing attorney: Mark Pitzer (202)
622—3110

Treasury attorney: George Manousos
(202) 622—1335

CC:PSI

Agency Contact: Winston H. Douglas,
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1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—3110

RIN: 1545—BC69

**2812. • REAL ESTATE MORTGAGE
INVESTMENT CONDUIT (REMIC)
TETRA RULES**

Priority: Info./Admin./Other. Major
status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 860F

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The proposed regulation
relates to the application of partnership
audit procedures to disputes regarding
the ownership of residual interests in
a REMIC.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—
154077—03

Drafting attorney: Arturo Estrada (202)
622—3900

Reviewing attorney: Dale Collinson
(202) 622—3900

Treasury attorney: Viva Hammer (202)
622—0869

CC:FIP

Agency Contact: Arturo Estrada,
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Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—3900

RIN: 1545—BC71

**2813. • COLLECTION AFTER
ASSESSMENT**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 7805; 26 USC
6502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The Internal Revenue Service
Restructuring and Reform Act of 1988
(RRA '98) section 3461 amended
section 6502 of the Code to limit the
ability of the Service to enter into
agreements extending the collection
statute. RRA '98 also included an off—
Code "sunset" provision governing the

continued effect of collection statute
extension agreements executed prior to
January 1, 2000, the effective date of
this section. The current regulations
under section 6502 have not been
updated to reflect these changes to the
section. The current regulations provide
that extension agreements may be
executed anytime prior to the
expiration of the original statutory
collection period.

The revised regulations will incorporate
the changes imposed by RRA '98 and
will provide in part that the only two
circumstances under which an
agreement extending the collecting
period may be executed are: (1) when
the extension agreement is executed in
connection with an Installment
Agreement; and (2) when the extension
agreement is executed prior to a levy
being released pursuant to section
6343, when the release occurs after the
expiration of the original 10—year
statutory collection period. Also, the
revised regulations will discuss the
continued validity of extension
agreements executed prior to January 1,
2000.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—
148701—03

Drafting attorney: Aaron D. Gregory
(202) 622—3620

Reviewing attorney: Fredrick W.
Schindler (202) 622—3620

CC:PA:CBS

Agency Contact: Aaron D. Gregory,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—3620

RIN: 1545—BC72

TREAS—IRS

Proposed Rule Stage

2814. • GUIDANCE UNDER SECTION 1502; APPLICATION OF SECTION 108 TO MEMBERS OF A CONSOLIDATED GROUP

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These proposed regulations amend REG—132760—03 published in the Federal Register on September 4, 2003 (68 FR 52542) and TD 9089 also published in the Federal Register on September 4, 2003 (68 FR 52487). Those regulations provided guidance concerning the application of section 108 to members of a consolidated group.

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—153319—03

Drafting attorney: Amber R. Cook (202) 622—7530

CC:CORP

Agency Contact: Amber R. Cook, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7530

RIN: 1545—BC74

2815. • CONFIDENTIAL TRANSACTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 6011; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will modify the rule for confidential transactions under section 1.6011—4(b)(3).

Timetable:

Action	Date	FR Cite
NPRM	06/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—155303—03

Drafting attorney: Tara P. Volungis (202) 622—3080

Reviewing attorney: Christine Ellison (202) 622—3070

Treasury attorney: Julian Kim (202) 622—1981

CC:PSI

Agency Contact: Tara P. Volungis, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3080

RIN: 1545—BC75

2816. • CONFIDENTIAL TRANSACTIONS (TEMPORARY)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 6011; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will modify the rule for confidential transactions under section 1.6011—4(b)(3).

Timetable:

Action	Date	FR Cite
Temporary Regulations	06/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—155303—03

Drafting attorney: Tara Volungis (202) 622—3080

Reviewing attorney: Christine Ellison (202) 622—3070

Treasury attorney: Julian Kim (202) 622—1981

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RIN: 1545—BC76

**Department of the Treasury (TREAS)
Internal Revenue Service (IRS)**

Final Rule Stage

2817. FOREIGN CORPORATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 367

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The income tax regulations under section 367 will be amended to

reflect the changes made to that section by the Tax Reform Act of 1984. Section 367 now provides generally that a foreign corporation will not be considered to be a corporation, for purposes of certain nonrecognition provisions of the Code, upon the transfer of property to such corporation by a U.S. person. The statute provides

certain exceptions to that rule, exemptions to those exceptions, and special rules applicable to certain specified transfers. The regulations will provide guidance concerning the applicability of the general rule and its exceptions and special rules, including guidance concerning transfers of assets for use in the active conduct of a trade

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Final Rule Stage

or business, stock transfers, transfers of intangible assets, and transfers of branch operations that have operated at a loss.

Timetable:

Action	Date	FR Cite
NPRM	05/16/86	51 FR 17990
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—209042—86 (INTL—610—86)

Drafting attorney: Michael H. Frankel (202) 622—3860

Reviewing attorney: Charlie Besecky (202) 622—3860

CC:INTL

Agency Contact: Michael H. Frankel, Senior Technical Reviewer, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3860

RIN: 1545—AK74

2818. NONRECOGNITION OF CORPORATE DISTRIBUTIONS AND REORGANIZATIONS UNDER THE FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 897

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations will provide rules concerning the effect of certain distributions including dividends, redemptions, distributions pursuant to reorganizations, and liquidations on corporations and their shareholders under the Foreign Investment in Real Property Tax Act. Regulations will also provide rules for determining the extent to which nonrecognition would apply to certain transfers of real property interests and the extent to which certain reorganizations will be treated as sales of property at fair market value.

Timetable:

Action	Date	FR Cite
NPRM	05/05/88	53 FR 16233
Hearing	03/01/89	54 FR 1189
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—209039—87 (INTL—491—87)

Drafting attorney: Robert W. Lorence (202) 622—3860

Reviewing attorney: Charles P. Besecky (202) 622—3860

CC:INTL

Agency Contact: Robert W. Lorence, Senior Counsel, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545—AK79

2819. COMPUTATION OF A BRANCH'S TAXABLE INCOME; TAXATION OF EXCHANGE GAIN OR LOSS ON BRANCH REMITTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation relates to branch rules and how to translate branch income, the taxation of exchange gain or loss on branch remittances.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48457
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—208270—86 (INTL—965—86)

Drafting attorney: Kenneth P. Christman (202) 622—3870

Reviewing attorney: Jeffrey Dorfman (202) 622—3870

Treasury attorney: Carl Dubert (202) 622—0222

CC:INTL

Agency Contact: Kenneth P. Christman, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3870

RIN: 1545—AM12

2820. EARNINGS STRIPPING PAYMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation addresses the deductibility of interest under section 163 being limited when paid by a corporation to related persons not subject to U.S. tax.

Timetable:

Action	Date	FR Cite
NPRM	06/18/91	56 FR 27907
Hearing	09/25/91	
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—209059—89 (INTL—870—89)

Drafting attorney: Theodore Setzer (202) 622—3870

Reviewing attorney: Jeffrey L. Dorfman (202) 622—3870

CC:INTL

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RIN: 1545—AO24

2821. REGISTRATION REQUIRED OBLIGATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 165

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will finalize all outstanding proposed regulations under section 1.163—1(b)(2).

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Timetable:

Action	Date	FR Cite
NPRM	01/21/93	58 FR 5316
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—208245—90 (INTL—115—90)

Drafting attorney: Carl M. Cooper (202) 622—3840

Reviewing attorney: Valerie A. Mark Lippe (202) 622—3840

CC:INTL

Agency Contact: Carl M. Cooper, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3840

RIN: 1545—AP33**2822. INTEREST—FREE ADJUSTMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 6205**CFR Citation:** 26 CFR 31**Legal Deadline:** None

Abstract: Under section 6205(a)(1) of the Code, if less than the correct amount of tax imposed under the FICA, the RRTA, or the income tax withholding provisions is paid with respect to any payment of wages or compensation, proper adjustments with respect to both the tax and amount to be deducted must be made without interest in such manner and in such times as the Secretary may by regulations prescribe. The amendments add language to clarify that an interest—free adjustment can be made in certain situations in which the error is ascertained before the appropriate return is filed. The amendments are intended to apply only to situations in which no return was filed because the employer improperly failed to treat its workers as employees.

Timetable:

Action	Date	FR Cite
NPRM	12/10/92	57 FR 58423
NPRM Comment Period End	02/08/93	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—209538—92 (EE—12—92)

Drafting attorney: Karin Loverud (202) 622—6060

Reviewing attorney: Mary Oppenheimer (202) 622—6010

CC:TEGE

Agency Contact: Karin Loverud, Tax Law Specialist, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6060

RIN: 1545—AQ61**2823. DEFINITION OF “HIGHLY COMPENSATED EMPLOYEE”****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 414**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations define the term “highly compensated employee” under section 414(q) of the Code. Temporary and proposed regulations, under sections 414(q) and 414(s), were published February 19, 1988 (53 FR 4965). Final regulations, under section 414(s), were published September 19, 1991 (56 FR 47659) under project EE—129—86. The regulations under 414(q) were split off from project EE—129—86. It is anticipated that proposed regulations under section 414(q) will be published in the future under project REG—209558—92 (EE—32—92).

Timetable:

Action	Date	FR Cite
NPRM	02/19/88	53 FR 4999
NPRM Comment Period End	04/19/88	
Partially Closed by TD 8548	06/27/94	59 FR 32911
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State, Local**Federalism:** Undetermined**Additional Information:** REG—209558—92

Drafting attorney: R. Lisa Mojiri—Azad (202) 622—6080

Reviewing attorney: Marjorie Hoffman (202) 622—6030

Treasury attorney: W. Thomas Reeder (202) 622—1341

CC:TEGE

Agency Contact: R. Lisa Mojiri—Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6080

RIN: 1545—AQ74**2824. ESCROW FUNDS AND OTHER SIMILAR FUNDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 0468B**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides further guidance relating to certain escrow funds and other similar funds.

Timetable:

Action	Date	FR Cite
NPRM	02/01/99	64 FR 4801
NPRM Comment Period End	05/03/99	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—209619—93 (IA—17—93)

Drafting attorney: A. Katharine Kiss (202) 622—7812

Reviewing attorney: Jeffery G. Mitchell (202) 622—7034

CC:ITA

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Phone: 202 622—7812

RIN: 1545—AR82

TREAS—IRS

Final Rule Stage

2825. MARK—TO—MARKET UPON DISPOSITION**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 475**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations address the relationship between mark—to—market accounting and accrual of stated interest, discount and premium, and between mark—to—market accounting and the tax treatment of bad debts. The regulations also provide that securities are to be marked to market upon disposition by a dealer and the exemption from marking to market in certain securitization transactions.

Timetable:

Action	Date	FR Cite
NPRM	01/04/95	60 FR 397
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—209724—94 (FI—42—94)

Drafting attorney: Stephen J. Coleman (202) 622—6289

Reviewing attorney: Elizabeth Handler (202) 622—3157

CC:FIP

Sections 1.475(a)—3 finalized in TD 8700. Sections 1.475(b)—4 finalized in TD 8700. Sections 1.475(c)—2 finalized in TD 8700.

Agency Contact: Stephen J. Coleman, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6289

RIN: 1545—AS85**2826. STRADDLES—MISCELLANEOUS ISSUES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1092**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation clarifies the circumstances in which common stock may be personal property for purposes of section 1092.

Timetable:

Action	Date	FR Cite
NPRM	05/02/95	60 FR 21482
Other/Comment	05/01/01	
Period End		
Final Action	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—209768—95 (FI—21—95)

Drafting attorney: Mary Brewer (202) 622—3950

Reviewing attorney: Christina Morrison (202) 622—3950

Treasury attorney: Mike Novey (202) 622—1339

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RIN: 1545—AT46**2827. RECOMPUTATION OF LIFE INSURANCE RESERVES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 816**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations will permit recomputation of life insurance reserves that were not originally computed according to the requirements of section 816(b)(1)(A).

Timetable:

Action	Date	FR Cite
NPRM	01/02/97	62 FR 71
Final Action	12/00/05	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—246018—96

Drafting attorney: Mark S. Smith (202) 622—3970

Reviewing attorney: Don Drees (202) 622—3970

CC:FIP

Agency Contact: Mark S. Smith, Branch Chief, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545—AU49**2828. DEFINITION OF PRIVATE ACTIVITY BOND—REFUNDING REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations will provide guidance on the application of the private loan test and the private business use and private payments/security tests to refunding bonds.

Timetable:

Action	Date	FR Cite
NPRM	12/30/94	59 FR 67658
NPRM Comment	05/01/95	
Period End		
Second NPRM	05/14/03	68 FR 25845
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—113007—99

Drafting attorney: Gary Bornholdt (202) 622—7870

Treasury attorney: Bruce M. Serchuk (202) 622—1766

CC:TEGE

Agency Contact: Gary W. Bornholdt, Attorney—Advisor, Department of the

TREAS—IRS

Final Rule Stage

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RIN: 1545—AU98

2829. RETURN OF LEVIED PROPERTY IN CERTAIN CASES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: Section 501(b) of the Taxpayer Bill of Rights 2 amended section 6343 of the Internal Revenue Code to authorize the Secretary to return levied property in four enumerated circumstances. Section 1102(d)(1)(B) of RRA 98 changed “Taxpayer Advocate” to “National Taxpayer Advocate” as a person who determines what is in the best interest of the taxpayer. The regulations set forth the circumstances in which the Secretary may return property and procedures to implement these sections.

Timetable:

Action	Date	FR Cite
NPRM	02/14/01	66 FR 10249
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—101520—97

Drafting attorney: Kevin B. Connelly (202) 622—3630

Reviewing attorney: Robert Miller (202) 622—3630

Treasury attorney: Julian Kim (202) 622—1981

CC:PA:CBS

Agency Contact: Kevin B. Connelly, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3630

RIN: 1545—AV01

2830. ELECTRONIC TRANSMISSION OF WITHHOLDING CERTIFICATES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6061; 26 USC 1441

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides guidance for the electronic transmission of withholding certificates.

Timetable:

Action	Date	FR Cite
NPRM	10/14/97	62 FR 53504
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—107872—97

Drafting attorney: Carl M. Cooper (202) 622—3840

Reviewing attorney: Valerie A. Mark Lippe (202) 622—3840

CC:INTL

Agency Contact: Carl M. Cooper, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3840

RIN: 1545—AV27

2831. INTEREST ON EDUCATION LOANS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 221; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides guidance on the deduction of interest on education loans under section 221.

Timetable:

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3257
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—116826—97

Drafting attorney: Sean Dwyer (202) 622—5020

Drafting attorney: Donna Crisalli (202) 622—5020

CC:ITA

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Phone: 202 622—5020

RIN: 1545—AW01

2832. MARK—TO—MARKET ACCOUNTING FOR DEALERS IN COMMODITIES AND TRADERS IN SECURITIES AND COMMODITIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 475; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides guidance concerning mark—to—market accounting for securities traders and commodities dealers and traders.

Timetable:

Action	Date	FR Cite
NPRM	01/28/99	64 FR 4374
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—104924—98

Drafting attorney: Stephen J. Coleman (202) 622—6289

Reviewing attorney: Robert Williams (202) 622—3157

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Agency Contact: Stephen J. Coleman, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

TREAS—IRS

Final Rule Stage

Phone: 202 622—6289

RIN: 1545—AW06

2833. INTERCOMPANY OBLIGATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1502; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides clarification of the tax treatment of certain transfers of intercompany obligations by or to a member of a consolidated group.

Timetable:

Action	Date	FR Cite
NPRM	12/18/98	63 FR 70354
NPRM Comment Period End	03/22/99	
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—105964—98

Drafting attorney: Frances Kelly (202) 622—7072

Reviewing attorney: Michael J. Wilder (202) 622—3393

Treasury attorney: Audrey Nacamuli (202) 622—5721

CC:CORP

Agency Contact: Frances L. Kelly, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7072

RIN: 1545—AW30

2834. REPORTING OF PAYMENTS TO ATTORNEY

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 6045

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides information reporting requirements for payments of gross proceeds made in the course of a trade or business to attorneys in connection with legal services.

Timetable:

Action	Date	FR Cite
NPRM	05/21/99	64 FR 27730
Second NPRM	05/17/02	67 FR 35064
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—126024—01

Drafting attorney: Nancy L. Rose (202) 622—4910

Reviewing attorney: James C. Gibbons (202) 622—4910

Treasury attorney: Michael Novey (202) 622—1339

CC:PA:APJP

Agency Contact: Nancy L. Rose, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4910

RIN: 1545—AW72

2835. QUALIFIED OFFERS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation relates to the qualified offer rule allowing the recovery of reasonable administrative or litigation costs.

Timetable:

Action	Date	FR Cite
NPRM	01/04/01	66 FR 749
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—121928—98

Drafting attorney: Tami C. Belouin (202) 622—3847

Reviewing attorneys: Henry Schneiderman (202) 622—3400 and Susan T. Mosley (202) 622—7950

Treasury attorney: Julian Kim (202) 622—1981

CC:PA:APJP

Agency Contact: Tami C. Belouin, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3847

RIN: 1545—AW99

2836. DELAY RENTAL PAYMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 263

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations clarify that section 1.612—3(c) applies to delay rental payments to the extent that section 263A does not require the payments to be capitalized.

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6090
Public Hearing	05/26/00	
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—103882—99

Drafting attorney: Brenda M. Stewart (202) 622—3120

Reviewing attorney: J.H. Makurath (202) 622—3120

Treasury attorney: John Parcell (202) 622—2578

CC:PSI

Agency Contact: Brenda M. Stewart, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3120

RIN: 1545—AX06

TREAS—IRS

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2837. GUIDANCE ON COST RECOVERY IN THE ENTERTAINMENT INDUSTRY**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation relates to the application of the income forecast method under section 167(g) of the Internal Revenue Code.**Timetable:**

Action	Date	FR Cite
NPRM	05/31/02	67 FR 38025
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—103823—99

Drafting attorney: Bernard P. Harvey, III (202) 622—3110

Reviewing attorney: Charles B. Ramsey (202) 622—3110

Treasury attorney: George Manousos (202) 622—0865

CC:PSI

Agency Contact: Bernard P. Harvey III, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3110**RIN:** 1545—AX12**2838. CASH OR DEFERRED ARRANGEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation updates and revises regulations on qualified cash or deferred arrangements, matching contributions, and employee contributions.**Timetable:**

Action	Date	FR Cite
NPRM	07/17/03	68 FR 42476
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG—108639—99

Drafting attorney: R. Lisa Mojiri—Azad (202) 622—6080

Reviewing attorney: Marjorie Hoffman (202) 622—6030

Treasury attorney: W. Thomas Reeder (202) 622—1341

CC:TEGE

Agency Contact: R. Lisa Mojiri—Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6080**RIN:** 1545—AX26**2839. CASH OR DEFERRED ARRANGEMENTS (TEMPORARY)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulations update and revise regulations for cash or deferred arrangements.**Timetable:**

Action	Date	FR Cite
Temporary Regulations	12/00/03	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG—108639—99

Drafting attorney: R. Lisa Mojiri—Azad (202) 622—6080

Reviewing attorney: Marjorie Hoffman (202) 622—6030

Treasury attorney: W. Thomas Reeder (202) 622—1341

CC:TEGE

Agency Contact: R. Lisa Mojiri—Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6080**RIN:** 1545—AX43**2840. STOCK TRANSFER RULES—CARRYOVER OF EARNINGS AND TAXES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 367**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides guidance with respect to how earnings and profits and foreign income tax accounts carry over under section 381 and are allocated under section 312 in certain transactions described in section 367(b) of the Internal Revenue Code.**Timetable:**

Action	Date	FR Cite
NPRM	11/15/00	65 FR 69138
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—116050—99

Drafting attorney: Mark R. Pollard (202) 622—3850

Reviewing attorney: Anne Devereaux (202) 622—3850

Treasury attorney: Michael Caballero (202) 622—0851

CC:INTL

Agency Contact: Mark R. Pollard, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3850**RIN:** 1545—AX65**2841. ALLOCATION AND APPORTIONMENT OF INTEREST EXPENSE AND CERTAIN OTHER EXPENSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 864**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations provide rules for the allocation and apportionment of interest expenses and certain other expenses for purposes of the foreign tax credit and certain other international tax provisions.

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Timetable:

Action	Date	FR Cite
NPRM	02/05/90	55 FR 3750
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—117608—99

Drafting attorney: David F. Bergkuist (202) 622—3850

Reviewing attorney: Anne O. Devereaux (202) 622—3850

CC:INTL

Agency Contact: David F. Bergkuist, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3850

RIN: 1545—AX72

2842. HIPAA PORTABILITY

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 9833

CFR Citation: 26 CFR 54

Legal Deadline: None

Abstract: These regulations provide guidance to group health plans regarding the limitations on imposing pre—existing condition exclusions and the special enrollment rules. These regulations also provide guidance regarding plans and benefits that are not subject to these rules.

Timetable:

Action	Date	FR Cite
NPRM	04/08/97	62 FR 16977
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—119828—99

Drafting attorney: Russell Weinheimer (202) 622—6080

Reviewing attorney: Alan Tawshunsky (202) 622—6000

Treasury attorney: Kevin Knopf (202) 622—2329

CC:TEGE

Agency Contact: Russell Weinheimer, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6080

RIN: 1545—AX84

2843. APPLICATION OF SEPARATE FOREIGN TAX CREDIT LIMITATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 904; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation clarifies the application of separate foreign tax credit limitations under sections 904(b) and 904(d) of the Code and revises the rules for computing post—1986 undistributed earnings and taxes of foreign corporations under section 902 of the Code.

Timetable:

Action	Date	FR Cite
NPRM	01/03/01	66 FR 319
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—104683—00

Drafting attorney: Bethany Ingwalsen (202) 622—3850

Reviewing attorney: Barbara A. Felker (202) 622—3850

Treasury attorney: Michael Caballero (202) 622—0851

CC:INTL

Agency Contact: Bethany Ingwalsen, Senior Counsel, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3850

RIN: 1545—AX88

2844. CAPITALIZATION OF INTEREST AND CARRYING CHARGES PROPERLY ALLOCABLE TO STRADDLES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 263; 26 USC 1092

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations will clarify the types of payments that may be “interest” or “carrying charges” subject to 26 U.S.C. 263(g), clarify the operation of the capitalization rules of 26 U.S.C. 263(g), and also clarify what constitutes “positions” and “losses” subject to 26 U.S.C. 1092.

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4746
Comment Period End	05/01/01	
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—105801—00

Drafting attorney: Mary Brewer (202) 622—3950

Reviewing attorney: Christina Morrison (202) 622—3950

Treasury attorney: Mike Novey (202) 622—1339

CC:FIP

Agency Contact: Mary Brewer, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3950

RIN: 1545—AX92

2845. ASSUMPTION OF PARTNERSHIP LIABILITIES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 752

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This proposed regulation prevents the acceleration or duplication of losses through the assumption of liabilities in transactions involving partnerships.

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Timetable:

Action	Date	FR Cite
NPRM	06/24/03	68 FR 37434
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:**

Undetermined

Federalism: Undetermined**Additional Information:** REG—106736—00

Drafting attorney: Horace Howells (202) 622—3050

Reviewing attorney: Dianna Miosi (202) 622—3050

Treasury attorney: Deborah Harrington (202) 622—1788

CC:PSI

Agency Contact: Horace W. Howells, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3050

RIN: 1545—AX93**2846. DEFINITION OF INCOME****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 643; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations provide guidance under section 643 of the Internal Revenue Code, on whether State law definition of trust income is trust income for Federal tax purposes.

Timetable:

Action	Date	FR Cite
NPRM	02/15/01	66 FR 1039
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:**

Undetermined

Federalism: Undetermined**Additional Information:** REG—106513—00

Drafting attorney: Bradford R. Poston (202) 622—3060

Reviewing attorney: J. Thomas Hines (202) 622—3060

Treasury attorney: Catherine Hughes (202) 622—9407

CC:PSI

Agency Contact: Bradford R. Poston, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3060

RIN: 1545—AX96**2847. ELECTING MARK—TO—MARKET FOR MARKETABLE STOCK OF A PFIC****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1296**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation describes the methods and procedures for electing mark—to—market treatment for marketable stock of a PFIC.

Timetable:

Action	Date	FR Cite
NPRM	07/31/02	67 FR 49634
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG—112306—00

Drafting attorney: Alexandra K. Helou (202) 622—3840

Reviewing attorney: Phyllis Marcus (202) 622—3840

Treasury attorney: Michael Caballero (202) 622—0851

CC:INTL

Agency Contact: Alexandra K. Helou, Attorney—Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3840

RIN: 1545—AY17**2848. AUTHORIZED PLACEMENT AGENCY****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 152**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation amends the definition of “authorized placement agency” (for purposes of determining whether a child placed for legal adoption in a taxpayer’s home is a dependent of the taxpayer) to include biological parents and other persons authorized by State law to place children for legal adoption.

Timetable:

Action	Date	FR Cite
NPRM	11/30/00	65 FR 71277
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—107279—00

Drafting attorney: Elizabeth K. Kaye (202) 622—4910

Reviewing attorney: Pamela W. Fuller (202) 622—4910

CC:PA:APJP

Agency Contact: Elizabeth K. Kaye, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4910

RIN: 1545—AY18**2849. INFORMATION REPORTING ON CANCELLATION OF INDEBTEDNESS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 6050**CFR Citation:** 26 CFR 1

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Legal Deadline: None**Abstract:** This regulation relates to information reporting on the cancellation of indebtedness.**Timetable:**

Action	Date	FR Cite
NPRM	06/13/02	67 FR 40629
Public Hearing	10/08/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—107524—00

Drafting attorney: Joseph P. Dewald (202) 622—4910

Reviewing attorney: Donna Welch (202) 622—4910

Treasury attorney: Michael Novey (202) 622—1339

CC:PA:APJP

Agency Contact: Joseph P. Dewald, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4910**RIN:** 1545—AY35**2850. ELECTION—ASSET ACQUISITIONS OF INSURANCE COMPANIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 197; 26 USC 338; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations prescribe the manner in which the various provisions of subchapter L, chapter 1, subtitle A of the Internal Revenue Code apply to asset acquisitions deemed to occur by reason of a section 338 election as well as to actual acquisitions of insurance company assets subject to section 1060.**Timetable:**

Action	Date	FR Cite
NPRM	03/08/02	67 FR 10640
Public Hearing	09/18/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—118861—00

Drafting attorney: Mark Weiss (202) 622—7790

Reviewing attorney: Filiz Serbes (202) 622—7790

Treasury attorney: Audrey Nacamuli (202) 622—0869

CC:CORP

Agency Contact: Mark Weiss, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7790**RIN:** 1545—AY49**2851. ELECTRONIC FURNISHING OF PAYEE STATEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6050; 26 USC 6051; 26 USC 6041; 26 USC 6724**CFR Citation:** 26 CFR 1; 26 CFR 31**Legal Deadline:** None**Abstract:** This regulation amends the regulations to allow for the electronic furnishing of Forms W—2, 1098—E, 1098—T, and other payee statements.**Timetable:**

Action	Date	FR Cite
NPRM	02/14/01	66 FR 10247
NPRM Comment Period End	07/06/01	66 FR 32279
Public Hearing	07/25/01	66 FR 32279
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** State**Additional Information:** REG—107186—00

Drafting attorney: Michael E. Hara (202) 622—4910

Reviewing attorney: John McGreevy (202) 622—4910

Treasury attorney: John Parcell (202) 622—2578

CC:PA:APJP

Agency Contact: Michael E. Hara, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4910**RIN:** 1545—AY50**2852. TAX TREATMENT OF CAFETERIA PLANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 125**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides information about the tax treatment of cafeteria plans.**Timetable:**

Action	Date	FR Cite
NPRM	01/10/01	66 FR 1923
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG—209461—79

Drafting attorney: Shoshanna Tanner (202) 622—6080

Reviewing attorney: Janet A. Laufer (202) 622—6090

CC:TEGE

Agency Contact: Shoshanna Tanner, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6080**RIN:** 1545—AY67**2853. LOW—INCOME TAXPAYER CLINICS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation will amend the regulations pertaining to the definition of income tax return preparer to exclude low—income taxpayer

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clinics and their volunteers when operating as authorized by 26 U.S.C. 7526.

Timetable:

Action	Date	FR Cite
NPRM	06/11/02	67 FR 39915
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—115285—01

Drafting attorney: Brinton T. Warren (202) 622—4940

Reviewing attorney: Judith M. Wall (202) 622—4940

Treasury attorney: Julian Kim (202) 622—1981

CC:PA:APJP

Agency Contact: Brinton T. Warren, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7800

RIN: 1545—AY84

2854. NEW MARKET TAX CREDIT

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 45D; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations relate to the new markets tax credit under section 45D, which was enacted by section 121(a) of the Community Renewal Tax Relief Act of 2000 (Pub. L. 106—554).

Timetable:

Action	Date	FR Cite
ANPRM	05/01/01	66 FR 21844
NPRM	12/26/01	66 FR 66376
Public Hearing	03/14/02	
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected:

Undetermined

Additional Information: REG—119436—01

Drafting attorney: Paul F. Handleman (202) 622—3040

Reviewing attorney: Susan Reaman (202) 622—3040

Treasury attorney: Steve Watson (202) 622—1322

CC:PSI

Agency Contact: Paul F. Handleman, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3040

RIN: 1545—AY87

2855. DEFINITION OF AGENT AND SAFEGUARD CERTIFICATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6103

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation relates to the definition of agent for purposes of I.R.C. sections 6103(1) and (m).

Timetable:

Action	Date	FR Cite
NPRM	02/01/02	67 FR 4938
NPRM Comment	05/02/02	
Period End		
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal, Local

Additional Information: REG—120135—01

Drafting attorney: Helene R. Newsome (202) 622—4570

Reviewing attorney: Donald M. Squires (202) 622—4570

Treasury attorney: Eric San Juan (202) 622—0224

CC:PA:DPL

Agency Contact: Helene R. Newsome, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—4570

RIN: 1545—AY94

2856. TAX SHELTER PENALTIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6662; 26 USC 6664

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation relates to sections 6662 and 6664 regarding tax shelter penalties. The project has arisen in connection with the revision to Circular 230.

Timetable:

Action	Date	FR Cite
NPRM	12/31/02	67 FR 79894
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—126016—01

Drafting attorneys: Jamie G. Bernstein (202) 622—7845

Reviewing attorney: Ashton P. Trice (202) 622—7711

Treasury attorney: Julian Kim (202) 622—1981

CC:PA:APJP

Agency Contact: Jamie G. Bernstein, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224
Phone: 202 622—7845

RIN: 1545—AY97

2857. EXPENDITURES IN CONNECTION WITH THE CREATION OF INTANGIBLE ASSETS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 263

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations provide guidance on the treatment of costs incurred in connection with the creation of an intangible asset.

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Timetable:

Action	Date	FR Cite
NPRM	12/19/02	67 FR 77701
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG—125638—01

Drafting attorney: Andrew J. Keyso, Jr. (202) 622—5020

Reviewing attorney: Robert Casey (202) 622—4950

Treasury attorney: Jodi Cohen (202) 622—0160

CC:ITA

Agency Contact: Andrew J. Keyso Jr., Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—5020

RIN: 1545—BA00**2858. MERGERS INVOLVING DISREGARDED ENTITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 368; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation will provide guidance concerning the requirements to be met in order for a merger or consolidation to qualify as a reorganization under section 368(a)(1)(A). They will also address whether certain mergers involving disregarded entities can qualify as reorganizations under section 368(a)(1)(A).

Timetable:

Action	Date	FR Cite
NPRM	11/15/01	66 FR 57400
Second NPRM	01/24/03	68 FR 3477
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG—126485—01

Drafting attorneys: Richard M. Heinecke (202) 622—7930

Reviewing attorney: Reginald Mombrum (202) 622—7930

Treasury attorney: Audrey Nacamuli (202) 622—5721

CC:CORP

RIN 1545—BA06 and its corresponding number REG—126485—01 was first opened with respect to a proposed regulation that was first published in the Federal Register on November 15, 2001. The November 15, 2001, proposed regulations were withdrawn by proposed regulations in the Federal Register on January 24, 2003. The January 24, 2003, proposed regulations with the same REG—126485—01, not only withdrew the November 15, 2001, proposed regulations but also served as a cross—referencing proposed regulation to a temporary regulation published in the Federal Register on January 24, 2003, and a notice of proposed rulemaking.

The temporary regulations also use the REG—126485—01 number. The document published with respect to the temporary regulations also serve as final regulations. The final regulations use RIN 1545—BB46 and REG—162729—02. Once the temporary regulations were published, the final regulations (REG—162729—02; RIN 1545—BB46) were closed.

Agency Contact: Richard M. Heinecke, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7930

RIN: 1545—BA06**2859. REDUCTIONS OF ACCRUALS AND ALLOCATIONS BECAUSE OF INCREASED AGE****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 411; 26 USC 411**CFR Citation:** 26 CFR 1**Legal Deadline:** Final, Statutory, February 1, 1988, Final.

Abstract: These regulations will prescribe rules regarding the requirement that accruals and allocations under qualified retirement plans cannot be reduced because of the attainment of any age.

Timetable:

Action	Date	FR Cite
NPRM	12/11/02	67 FR 76123
Hearing	04/09/03	
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses, Organizations**Government Levels Affected:** None**Additional Information:** REG—209500—86

Drafting attorney: Linda S.F. Marshall (202) 622—6090

Reviewing attorney: Marjorie Hoffman (202) 622—6090

Treasury attorney: Harlan Weller (202) 622—1001

CC:TEGE

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RIN: 1545—BA10**2860. APPLICATION OF THE FEDERAL INSURANCE CONTRIBUTIONS ACT, FEDERAL UNEMPLOYMENT TAX ACT, AND COLLECTION OF INCOME TAX AT SOURCE TO STATUTORY STOCK OPTIONS**

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 3101; 26 USC 3111; 26 USC 3121; 26 USC 3301; 26 USC 3306; 26 USC 3401; 26 USC 3402; 26 USC 7805

CFR Citation: 26 CFR 31**Legal Deadline:** None

Abstract: The regulations under sections 424, 3121, 3306, and 3401 clarify the application of the Federal Insurance Contributions Act (FICA), Federal Unemployment Tax Act (FUTA), and the Collection of Income

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Tax at Source to statutory stock options; i.e., incentive stock options under section 422 (ISOs) and options granted under employee stock purchase plans under section 423 (ESPP options). The regulations provide that at the time of the exercise of a statutory stock option, the individual who was granted the statutory stock option receives wages for FICA and FUTA purposes. The regulations also provide that the amount of wages received equals the excess of the fair market value of the stock acquired pursuant to the exercise of the statutory stock option over the amount paid for the stock and that income tax withholding is not required when an individual exercises a statutory stock option because no income is recognized at the time of exercise by reason of section 421(a)(1).

Timetable:

Action	Date	FR Cite
NPRM	11/13/01	66 FR 57023
Public Hearing	05/14/02	67 FR 5076
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—142686—01

Drafting attorney: Stephen B. Tackney (202) 622—6040

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Treasury attorney: Bill Bortz (202) 622—1352

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RIN: 1545—BA26**2861. AMENDMENT TO THE DEFINITION OF REFUNDING****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will amend the definition of a refunding issue applicable to tax—exempt bonds issued by State and local governments.

Timetable:

Action	Date	FR Cite
NPRM	04/10/02	67 FR 17310
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Local, State**Additional Information:** REG—165706—01

Drafting attorney: Michael P. Brewer (202) 622—3980

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RIN: 1545—BA46**2862. LOSS LIMITATION RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 337(d)**CFR Citation:** 26 CFR 1; 26 CFR 602**Legal Deadline:** None

Abstract: The regulation provides guidance on the treatment of certain losses recognized on sales of subsidiary stock by members of a consolidated group under section 337(d) and section 1502 of the Internal Revenue Code. For related matters, see the proposed regulations published on March 12, 2002, at 67 FR 11070 regarding REG—102740—02.

Timetable:

Action	Date	FR Cite
NPRM	05/31/02	67 FR 38040
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—123305—02

Drafting attorney: Lola L. Johnson (202) 622—7530

Reviewing attorney: Sean P. Duffley (202) 622—7530

CC:CORP

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Phone: 202 622—7530

RIN: 1545—BA52**2863. NONCOMPENSATORY PARTNERSHIP OPTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 704; 26 USC 721; 26 USC 761**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will describe the tax treatment of noncompensatory partnership options.

Timetable:

Action	Date	FR Cite
NPRM	01/22/03	68 FR 2930
Public Hearing	05/20/03	
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Additional Information:** REG—103580—02

Drafting attorneys: Audrey W. Ellis and Demetri G. Yatrakis (202) 622—3060

Reviewing attorneys: Matthew Lay (202) 622—3060

Treasury attorney: Deborah Harrington (202) 622—1788

TREAS—IRS

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RIN: 1545—BA53

2864. REQUIRED DISTRIBUTIONS FROM RETIREMENT PLANS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 401(a)(9)**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation relates to required minimum distributions from defined benefit plans and annuity contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/17/02	67 FR 18834
Hearing	09/04/02	67 FR 56509
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Additional Information: REG—108697—02

Drafting attorney: Cathy A. Vohs (202) 622—6090

Reviewing attorney: Marjorie Hoffman (202) 622—6000

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RIN: 1545—BA60

2865. CARRYBACK OF CONSOLIDATED NET OPERATING LOSSES TO SEPARATE RETURN YEARS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1502**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation will harmonize the waiver election in regulations section 1.1502—21(b)(3) with the amendments to IRC 172(b) with the Job Creation and Worker Assistance Act of 2002.

Timetable:

Action	Date	FR Cite
NPRM	05/31/02	67 FR 38039
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Additional Information: REG—122564—02

Drafting and reviewing attorney: Marie C. Milnes—Vasquez (202) 622—7530

Treasury attorney: Audrey Nacamuli (202) 622—5721

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RIN: 1545—BA73

2866. STATUTORY OPTIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 421**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides rules for the creation, and or maintenance, of a statutory stock option plan. It includes rules on adopting a plan, plan requirements, permissible provisions of a plan, and disqualification of a statutory option.

Timetable:

Action	Date	FR Cite
NPRM	06/09/03	68 FR 34344
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None

Additional Information: REG—122917—02

Drafting attorney: Erinn M. Madden (202) 622—6030

Reviewing attorney: Robert Misner (202) 622—6030

Treasury attorney: Elizabeth Drigotas (202) 622—1332

CC:TEGE

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RIN: 1545—BA75

2867. DISCLOSURE OF RELATIVE VALUE OF DISTRIBUTION FORMS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805(b); 26 USC 417(a)(3)(A)**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will specify the disclosures that must be made to participants in qualified pension plans to describe the relative value of the available optional forms of benefit.

Timetable:

Action	Date	FR Cite
NPRM	10/07/02	67 FR 62417
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses, Organizations**Government Levels Affected:** None

Additional Information: REG—124667—02

Drafting attorney: Linda S.F. Marshall (202) 622—6090

TREAS—IRS

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Reviewing attorney: Marjorie Hoffman
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Treasury attorney: Harlan Weller (202)
622—1001

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RIN: 1545—BA78

2868. PARTNERSHIP TRANSACTIONS INVOLVING LONG—TERM CONTRACTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 460

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Currently, regulations under section 460 divide the rules regarding a mid—contract change in taxpayers engaged in completing long—term contracts into two categories: constructive completion transactions and step—in—the—shoes transactions. The regulations provide that a transfer described in section 721(a) of a long—term contract to a partnership and a transfer of a partnership interest are step—in—the—shoes transactions. These regulations will explain the tax consequences of contributions of long—term contracts to, transfers of interests in, and distributions from, partnerships holding long—term contracts.

Timetable:

Action	Date	FR Cite
NPRM	08/06/03	68 FR 46516
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG—128203—02

Drafting attorney: Richard T. Probst
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RIN: 1545—BA81

2869. REPORTING REQUIREMENTS FOR WIDELY HELD FIXED INVESTMENT TRUSTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation relates to reporting requirements for widely held fixed investment trusts.

Timetable:

Action	Date	FR Cite
NPRM	06/20/02	67 FR 41892
NPRM Comment	09/18/02	
Period End		
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—106871—00

Drafting attorney: Faith Colson (202)
622—3060

Reviewing attorney: J. Thomas Hines
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622—0869

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RIN: 1545—BA83

2870. GUIDANCE ON REPORTING OF DEPOSIT INTEREST PAID TO NONRESIDENT ALIENS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 31

Legal Deadline: None

Abstract: This regulation will provide guidance on the reporting requirements for interest on deposits maintained at U.S. offices of certain financial institutions and paid to nonresident aliens that are residents of certain specified countries.

Timetable:

Action	Date	FR Cite
NPRM	08/02/02	67 FR 50386
Hearing	12/05/02	67 FR 50386
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—133254—02

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RIN: 1545—BA86

2871. AGGREGATE COMPUTATION AND ALLOCATION OF RESEARCH CREDIT

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 41

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide guidance on the proper method of computing the research credit for a controlled group. In addition, this regulation will provide guidance on the allocation of the research credit among members of a controlled group.

Timetable:

Action	Date	FR Cite
NPRM	07/29/03	68 FR 44499
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

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Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—133791—01

Drafting attorney: Jolene J. Shiraishi (202) 622—3120

Reviewing attorney: Brenda M. Stewart (202) 622—3120

Treasury attorney: Sharon Kay (202) 622—0865

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RIN: 1545—BA88

2872. REDUCED EXCLUSION OF GAIN FROM SALE OR EXCHANGE OF PRINCIPAL RESIDENCE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 121; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides guidance on when a taxpayer who has not owned and used the property for two years or who has claimed the exclusion within the last two years is eligible to claim a reduced exclusion under section 121(c).

Timetable:

Action	Date	FR Cite
NPRM	12/24/02	67 FR 78398
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—138882—02

Drafting attorney: Sara P. Shepherd (202) 622—4960

Reviewing attorney: J. Charles Strickland (202) 622—4960

Treasury attorney: Eric San Juan (202) 622—0224

CC:ITA

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RIN: 1545—BB01

2873. CHANGE IN USE; ACCELERATED COST RECOVERY SYSTEM

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 168

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides guidance under section 168 regarding depreciation of property for which the use changes.

Timetable:

Action	Date	FR Cite
NPRM	07/21/03	68 FR 43047
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG—138499—02

Drafting attorney: Sara L. Logan (202) 622—3110

Reviewing attorney: Kathleen Reed (202) 622—3110

Treasury attorney: George Manousos (202) 622—1335

CC:PSI

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RIN: 1545—BB05

2874. CAPITAL ACCOUNT BOOKUP

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 704; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will expand the circumstances under which a revaluation of partnership capital accounts is permitted.

Timetable:

Action	Date	FR Cite
NPRM	07/02/03	68 FR 39498
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—139796—02

Drafting attorney: Jason T. Smyczek (202) 622—3050

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Treasury attorney: Deborah Harrington (202) 622—1788

CC:PSI

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RIN: 1545—BB10

2875. STRUCTURED SETTLEMENT FACTORING TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 115

CFR Citation: 26 CFR 1; 26 CFR 602; 26 CFR 157

Legal Deadline: None

Abstract: These regulations relate to section 5891 of the Internal Revenue Code. Section 5891 imposes a 40 percent excise tax upon any person who acquires certain payment rights in a structured settlement factoring transaction. The regulations provide guidance necessary to comply with the reporting requirements of the excise tax.

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Timetable:

Action	Date	FR Cite
NPRM	02/19/03	68 FR 7956
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—139768—02

Drafting attorney: Shareen S. Pflanz (202) 622—4920

Reviewing attorney: Charles Strickland (202) 622—4960

Treasury attorney: John Parcell (202) 622—2578

CC:ITA

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RIN: 1545—BB14**2876. TESTIMONY AUTHORIZATIONS AND REQUESTS FOR IRS INFORMATION****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 301**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** This regulation will amend existing regulations on testimony authorizations and requests for IRS information.**Timetable:**

Action	Date	FR Cite
NPRM	07/09/03	68 FR 40850
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—140930—02

Drafting attorney: J. Suzanne Sones (202) 622—4590

Reviewing attorney: David L. Fish (202) 622—4590

CC:PA:DPL

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RIN: 1545—BB15**2877. TOLL TELEPHONE SERVICE—DEFINITION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 49**Legal Deadline:** None**Abstract:** This regulation provides amendments to regulations relating to the definition of toll telephone service.**Timetable:**

Action	Date	FR Cite
NPRM	04/01/03	68 FR 15690
Hearing	09/10/03	68 FR 35828
Final Action	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** REG—141097—02

Drafting attorney: Cynthia A. McGreevy (202) 622—3130

Reviewing attorneys: Frank Boland (202) 622—3130 and Phillip Howard (202) 622—3000

Treasury attorney: John Parcell (202) 622—2578

CC:PSI

Agency Contact: Cynthia A. McGreevy, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622—3130

RIN: 1545—BB18**2878. AUTHORIZATION FOR IRS TO CHARGE FEES FOR COPYING EXEMPT ORGANIZATION RETURNS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6104**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** The regulation provides authorization for Internal Revenue Service to charge fees for copying exempt organization returns.**Timetable:**

Action	Date	FR Cite
NPRM	07/09/03	68 FR 40849
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—142538—02

Drafting attorney: Sarah Tate (202) 622—4590

Reviewing attorney: Philip Lindenmuth (202) 622—4560

Treasury attorney: Eric San Juan (202) 622—0224

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RIN: 1545—BB21**2879. EXTENSION OF TIME FOR FILING RETURNS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6081**CFR Citation:** 26 CFR 1; 26 CFR 25; 26 CFR 31; 26 CFR 53; 26 CFR 55; 26 CFR 156; . . .**Legal Deadline:** None**Abstract:** This regulation will amend the section 6081 regulations to remove

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the signature requirement for Form 8809, Request for Extension of Time to File Information Returns. This will enable filers of information returns to request an extension of time to file using an online version of the Form 8809.

Timetable:

Action	Date	FR Cite
NPRM	06/11/03	68 FR 34875
Final Action	02/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—107618—02

Drafting attorney: Charles A. Hall (202) 622—4940

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Treasury attorney: John Parcell (202) 622—2578

CC:PA:APJP

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RIN: 1545—BB29

2880. INVESTMENT ADJUSTMENT RULES AND WAIVER OF LOSS CARRYOVERS FROM SRLY YEARS—AMENDED

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will allow a group to revoke an election under regulations section 1.1502—32(b)(4), where such election has become unnecessary as a result of regulations section 1.1502—20T(i)(2).

Timetable:

Action	Date	FR Cite
NPRM	05/07/03	68 FR 24404
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—152524—02

Drafting attorney: Jeffrey B. Fienberg (202) 622—7930

Reviewing attorney: Alison G. Burns (202) 622—7700

Treasury attorney: Audrey Nacamuli (202) 622—5721

CC:CORP

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RIN: 1545—BB38

2881. AMENDMENT TO SECTION 6724 RELATING TO FAILURE TO FILE CORRECT INFORMATION RETURNS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6724

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Amended regulations to provide an electronic alternative procedure as to when the filing of a correction is considered prompt for purposes of section 6724.

Timetable:

Action	Date	FR Cite
NPRM	07/09/03	68 FR 40857
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—141669—02

Drafting attorney: Robert A. Desilets (202) 622—4910

Reviewing attorney: John J. McGreevy (202) 622—4910

Treasury attorney: Eric San Juan (202) 622—0224

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RIN: 1545—BB41

2882. LIMITATION ON USE OF NONACCRUAL EXPERIENCE METHOD OF ACCOUNTING

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 403

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Under section 448(d)(5), as amended by the Job Creation and Worker Assistance Act of 2002, the nonaccrual experience method of accounting is available only for amounts to be received for the performance of qualified services (i.e., services in the fields of health, law, engineering, architecture, accounting, actuarial science, performing arts, or consulting) or for services provided by certain small businesses (i.e., those with gross receipts of \$5 million or less). The law provides that such taxpayers are not required to accrue, based on their experience, any portion of year—end receivables that will not be collected. Under the proposed regulations, taxpayers will be permitted to determine such amounts using alternative computations or formulas which, based on experience, accurately reflect the amount of income that will not be collected by such taxpayer. The proposed regulations will provide safe harbor methods (computations or formulas) of estimating such amounts that the taxpayers can rely on.

Timetable:

Action	Date	FR Cite
NPRM	09/04/03	68 FR 52543
Final Action	06/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG—141402—02

Drafting attorney: Terrance McWhorter (202) 622—4970

TREAS—IRS

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Reviewing attorney: Tom A. Luxner
(202) 622—4970

CC:ITA

We issued interim guidance in the form of a Notice 2003—12, 2003—6 published in the IRB 422 on January 22, 2003, with a request for comments.

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RIN: 1545—BB43

2883. ADVANCE RENTALS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 61(a)(5)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will allow the IRS Commissioner to change the rules for accounting for advance rental income. This change is needed to accomplish an item on Treasury's Guidance Priority List involving advance payments. Because the modification only provides for the Commissioner's authority and does not directly change a substantive rule, the regulation should have no loss or risk.

Timetable:

Action	Date	FR Cite
NPRM	12/18/02	67 FR 77450
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—151043—02

Drafting attorney: Edwin B. Cleverdon
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Reviewing attorney: Kim Koch (202)
622—5020

CC:ITA

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RIN: 1545—BB44

2884. SPECIAL DEPRECIATION ALLOWANCE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides guidance under sections 168 and 1400L(b) regarding special depreciations allowance.

Timetable:

Action	Date	FR Cite
NPRM	09/08/03	68 FR 53008
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—157164—02

Drafting attorney: Douglas Kim (202)
622—3110

Reviewing attorney: Kathleen Reed
(202) 622—3110

Treasury attorney: George Manuso (202)
622—1335

CC:PSI

Agency Contact: Douglas Kim, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3110

RIN: 1545—BB57

2885. USE OF GOVERNMENT DEPOSITARIES IN CONNECTION WITH TAX UNDER THE FEDERAL UNEMPLOYMENT TAX ACT

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 6302

CFR Citation: 26 CFR 31

Legal Deadline: None

Abstract: The proposed regulations will raise the amount of accumulated Federal Unemployment Tax Act for taxes that a taxpayer may accumulate before being required to deposit.

Timetable:

Action	Date	FR Cite
NPRM	07/17/03	68 FR 42329
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG—144908—02

Drafting attorney: Heather L. Dostaler
(202) 622—8445

Reviewing attorney: Brinton T. Warren
(202) 622—7134

Treasury attorney: John Parcell (202)
622—2578

CC:PA:APJP

Agency Contact: Heather L. Dostaler, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—8445

RIN: 1545—BB66

2886. AVAILABILITY OF SECTION 338(H)(10) ELECTION IN MULTISTEP TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 338; 26 USC 368

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation concerns whether a section 338(h)(10) election should suspend application of the step transaction doctrine.

Timetable:

Action	Date	FR Cite
NPRM	07/09/03	68 FR 40848
Final Action	12/00/03	

TREAS—IRS

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—143679—02

Drafting attorneys: Daniel F. Heins and Mary E. Goode (202) 622—7930

Reviewing attorney: Reginald Mombrun (202) 622—7930

CC:CORP

Agency Contact: Daniel F. Heins, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7930Mary E. Goode, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7930**RIN:** 1545—BB68**2887. REAL ESTATE MORTGAGE INVESTMENT CONDUITS (REMICS); APPLICATION OF SECTION 446 WITH RESPECT TO INDUCEMENT FEES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 446; 26 USC 860**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations provide guidance on the proper timing of income from the receipt of fees to induce the purchase of noneconomic residual interests in Real Estate Mortgage Investment Conduits (REMICS). The regulations require that these REMIC inducement fees may no longer be taken into account currently upon receipt. Instead, the proposed regulations require that these inducement fees be taken into account over a period that is related to the period during which the applicable REMIC is expected to generate taxable income or net loss allocable to the holder of the noneconomic residual interest. The regulations also provide two safe harbor methods of accounting for these inducement fees. The regulations will be issued at 26 CFR

section 1.446—6, as applicable. (The notice of proposed rulemaking also includes a sourcing rule at 1.863—1(e).)

Timetable:

Action	Date	FR Cite
NPRM	07/21/03	68 FR 43055
Public Hearing	11/18/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG—162625—02

Drafting attorney: John W. Rogers, III (202) 622—3950

Reviewing attorney: Santina M. Jannotta (202) 622—3930

CC:FIP

Agency Contact: John W. Rogers, III, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3950**RIN:** 1545—BB73**2888. GUIDANCE ON LIFE INSURANCE AND ANNUITY CONTRACTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 817**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation modifies the existing section under 26 U.S.C. 817(h) relating to guidance on life insurance and annuity contracts.**Timetable:**

Action	Date	FR Cite
NPRM	07/30/03	68 FR 44689
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—163974—02

Drafting attorney: James Polfer (202) 622—3970

Reviewing attorney: Donald Drees, Jr. (202) 622—3970

CC:FIP

Agency Contact: James Polfer, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3970**RIN:** 1545—BB77**2889. ASSUMPTION OF PARTNERSHIP LIABILITIES (TEMPORARY)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These temporary regulations enact section 358(b) for partnerships for the period between October 18, 1999, and the publication of the companion proposed regulations.**Timetable:**

Action	Date	FR Cite
Temporary Regulations	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—106736—00

Drafting attorney: Horace W. Howells (202) 622—3050

Reviewing attorney: Dianna Miosi (202) 622—3050

Treasury attorney: Deborah Harrington (202) 622—1788

CC:PSI

Agency Contact: Horace W. Howells, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3050**RIN:** 1545—BB83**2890. DISTRIBUTIONS OF LOSS CORPORATION STOCK BY QUALIFIED PLANS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined

TREAS—IRS

Final Rule Stage

Legal Authority: 26 USC 382(m)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Under current regulations, distributions of loss corporation stock from a qualified trust to its beneficiaries can cause an ownership change, triggering the limitation on losses of section 382 of the Internal Revenue Code. This regulation would reduce the negative impact of many such distributions by providing a “talking rule” that would treat distributed stock as having been acquired by the beneficiary in the time and manner acquired by the trust.

Timetable:

Action	Date	FR Cite
NPRM	06/27/03	68 FR 38247
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—108676—03

Drafting attorney: Martin T. Huck (202) 622—7750

Reviewing attorney: Mark Jennings (202) 622—7750

Treasury attorney: Audrey Nacamuli (202) 622—5721

CC:CORP

Agency Contact: Martin T. Huck, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7750

RIN: 1545—BC00

2891. TRANSFERS OF NONSTATUTORY STOCK OPTIONS TO RELATED PERSONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 83

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations will provide rules for determining when the transfer

of a nonstatutory stock option will be considered an arm’s length transaction for purposes of section 1.83—7(a).

Timetable:

Action	Date	FR Cite
NPRM	07/02/03	68 FR 39498
Final Action	06/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—116914—03

Drafting attorney: Stephen B. Tackney (202) 622—6040

Reviewing attorney: Robert Misner (202) 622—6030

Treasury attorney: William Bortz (202) 622—1352

CC:TEGE

Agency Contact: Stephen B. Tackney, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6040

RIN: 1545—BC06

2892. • NOTARIZATION REQUIREMENT FOR STATEMENTS OF PURCHASE

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1042(a)(1); 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations would modify the requirement that statements of purchase of qualified replacement property be notarized within 30 days of purchase.

Timetable:

Action	Date	FR Cite
NPRM	07/10/03	68 FR 41087
Comment Period End	10/08/03	
Final Action	02/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—121122—03

Drafting attorney: John T. Ricotta (202) 622—6060

Reviewing attorney: Robert Patchell (202) 622—6060

CC:TEGE

Agency Contact: John T. Ricotta, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6060

RIN: 1545—BC11

2893. • CONTINGENT AT CLOSING ESCROWS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None

Abstract: The regulations will provide rules for taxing the income of a contingent at closing escrow. A contingent at closing escrow is, generally, established in connection with the sale or exchange of real or personal property to hold assets that will be distributable to the purchaser or seller based on the post—closing resolution of bona fide contingencies. The rules will require the purchaser or seller to take into account all items of income and deduction for Federal income tax purposes.

Timetable:

Action	Date	FR Cite
NPRM	02/01/99	64 FR 4801
Final Action	12/00/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—103422—03

Reviewing attorney: A. Katharine Kiss (202) 622—7812

Drafting attorney: Jeff Mitchell (202) 622—7934

TREAS—IRS

Final Rule Stage

Treasury attorney: Deborah Harrington
(202) 622—1788

CC:ITA

Agency Contact: A. Katharine Kiss,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—7812

RIN: 1545—BC16

2894. • CHANGES IN COMPUTING DEPRECIATION (TEMPORARY)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The temporary regulation provides guidance under section 446(b) regarding changes in computing depreciation or amortization.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG—126459—03

Drafting attorney: Sara L. Logan (202) 622—3110

Reviewing attorney: Kathleen Reed (202) 622—3110

Treasury attorney: George Manousos (202) 622—1335

CC:PSI

Agency Contact: Sara L. Logan,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—3110

RIN: 1545—BC17

2895. • LIKE—KIND EXCHANGES UNDER SECTION 168 (TEMPORARY)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 168

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This temporary regulation relates to the depreciation of properly subject to section 168 of the Internal Revenue Code (MACRS property). Specifically, these temporary regulations provide guidance on how to depreciate MACRS property acquired in a like—kind exchange under section 1031 or as a result of an involuntary conversion under section 1033, where both the acquired and relinquished property are subject to MACRS.

Timetable:

Action	Date	FR Cite
Temporary Regulations	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Additional Information: REG—106590—00

Drafting attorney: Charles Magee (202) 622—3110

Reviewing attorney: Charles Ramsey (202) 622—3110

Treasury attorney: George Manousos (202) 622—1335

CC:PSI

Agency Contact: Charles Magee,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—3110

RIN: 1545—BC27

2896. • PRESERVATION OF STOCK BASIS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will address the determination of stock basis in the case of a group structure change that occurs by reason of certain transactions.

Timetable:

Action	Date	FR Cite
NPRM	07/08/03	68 FR 40579
Final Action	12/00/03	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—130262—03

Drafting attorney: Ross E. Poulsen (202) 622—7770

Reviewing attorney: Marlene Oppenheim (202) 622—7770

Treasury attorney: Audrey Nacamuli (202) 622—5721

CC:CORP

Agency Contact: Ross E. Poulsen,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—7770

RIN: 1545—BC28

2897. • ELIMINATION OF FORMS OF DISTRIBUTION IN DEFINED CONTRIBUTION PLANS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 411(d)(b)(E)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations will amend the section 411(d)(b) regulations to conform to the amendments made by EGTRRA, in accordance with section 411(d)(b)(E), relating to the elimination of forms of distribution in defined contribution plans.

Timetable:

Action	Date	FR Cite
NPRM	07/08/03	68 FR 40581
Final Action	06/00/04	

TREAS—IRS

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—112039—03Drafting attorney: Vernon S. Carter
(202) 622—6060Treasury attorney: William Bortz (202)
622—1352

CC:TEGE

Agency Contact: Vernon Carter, Tax Law Specialist, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—6060**RIN:** 1545—BC35**2898. • DEPRECIATION OF VANS AND LIGHT TRUCKS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations will provide guidance defining a specific class of vans and light trucks as exempt from the depreciation limitations imposed on passenger automobiles under section 280F.**Timetable:**

Action	Date	FR Cite
NPRM	07/07/03	68 FR 40224
Final Action	06/00/04	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—138495—02Drafting attorney: Bernard Harvey, III
(202) 622—3110Reviewing attorney: Charles Ramsey
(202) 622—3110Treasury attorney: John Parcell (202)
622—2578

CC:PSI

Agency Contact: Bernard P. Harvey III, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3110**RIN:** 1545—BC36**2899. • GUIDANCE UNDER SECTION 1502; APPLICATION OF SECTION 108 TO MEMBERS OF A CONSOLIDATED GROUP****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 26 USC 1502**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations under section 1502 of the Internal Revenue Code provide guidance concerning the application of certain provisions of section 108 to members of a consolidated group.**Timetable:**

Action	Date	FR Cite
NPRM	09/04/03	68 FR 52542
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—132760—03Drafting attorney: Amber R. Cook (202)
622—7530Reviewing attorney: Marie Milnes—
Vasquez (202) 622—7530Treasury attorney: Audrey Nacamuli
(202) 622—5721

CC:CORP

Agency Contact: Amber R. Cook, Attorney—Advisor, Department of theTreasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—7530**RIN:** 1545—BC38**2900. • REMEDIAL ACTIONS FOR TAX EXEMPT BONDS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 26 USC 141; 26 USC 142**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulations amend final regulations under section 1.141—12 and 1.141—2 that provide certain permitting remedial actions for tax exempt bonds issued by State and local governments and make related amendments to section 1.141—15 and 1.141—16. This regulation revises the definition of the amount of nonqualified bonds under section 141—12 and amends the provision of section 1.141—12 and 1.141—2 relating to allocations of nonqualified bonds.**Timetable:**

Action	Date	FR Cite
NPRM	07/21/03	68 FR 43059
Final Action	12/00/03	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—132483—03Drafting attorney: Gary W. Bornholdt
(202) 622—7870Reviewing attorney: Bruce Serchuk
(202) 622—1766

CC:TEGE

Agency Contact: Gary W. Bornholdt, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—7870**RIN:** 1545—BC40

Department of the Treasury (TREAS)
Internal Revenue Service (IRS)
Long-Term Actions
2901. INCOME TAX—TAXPAYER'S OBLIGATION TO FILE A NOTICE OF REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1; 26 CFR 301; 26 CFR 602

Timetable:

Action	Date	FR Cite
NPRM	06/23/88	53 FR 23659

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Margaret A. Hogan
Phone: 202 622—3850

RIN: 1545-AC09

2902. INCOME TAX—DEFINITION OF QUALIFIED POSSESSION SOURCE INVESTMENT INCOME FOR PURPOSES OF PUERTO RICO AND POSSESSION TAX CREDIT

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/21/86	51 FR 2726

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: W. Edward Williams
Phone: 202 622—3880

RIN: 1545-AC10

2903. FSC TRANSFER PRICING RULES, DISTRIBUTIONS, DIVIDENDS RECEIVED, DEDUCTION, AND OTHER SPECIAL RULES FOR FSC

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	03/03/87	52 FR 6467

NPRM Comment	05/02/87	
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Period End

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Douglas L. Giblen

Phone: 202 435—5265

RIN: 1545-AI16

2904. INFORMATION FROM PASSPORT AND IMMIGRATION APPLICANTS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 301

Timetable:

Action	Date	FR Cite
NPRM	12/24/92	57 FR 61373

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Amanda A. Ehrlich
Phone: 202 622—3880

RIN: 1545-AJ93

2905. INCOME OF FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	06/27/88	53 FR 24100

NPRM Comment	08/26/88	
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Period End

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: David A. Juster
Phone: 202 622—3850

RIN: 1545-AL93

2906. CLARIFICATION OF TREATMENT OF SEPARATE LIMITATION LOSSES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	06/00/05	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Richard L. Chewning
Phone: 202 622—3850

RIN: 1545-AM11

2907. EARNINGS AND PROFITS OF CONTROLLED FOREIGN CORPORATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/25/90	55 FR 2535

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Margaret A. Hogan
Phone: 202 622—3850

RIN: 1545-AM90

2908. CARIBBEAN BASIN INVESTMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	05/13/91	56 FR 21963

Hearing	07/12/91	56 FR 21963
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Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: W. Edward Williams
Phone: 202 622—3880

RIN: 1545-AM91

2909. CONSOLIDATED ALTERNATIVE MINIMUM TAX

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/30/92	57 FR 62251

NPRM Comment	03/01/93	
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Period End

Hearing	04/06/93	
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Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Martin Scully
Phone: 202 622—8066

RIN: 1545-AN73

TREAS—IRS

Long-Term Actions

2910. CONFORMING TAXABLE YEARS OF CFCS AND FPHCS**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/05/93	58 FR 290
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Carl M. Cooper
Phone: 202 622—3840**RIN:** 1545—AO22**2911. CHARITABLE CONTRIBUTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	03/12/91	56 FR 10395
Hearing	08/01/91	56 FR 23823
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Teresa B. Hughes
Phone: 202 622—3850**RIN:** 1545—AP30**2912. GUIDANCE IN NOTICE 89—37, WHICH TREATS THE RECEIPT OF A CORPORATE PARTNER'S STOCK BY THE CORPORATE PARTNER AS A CIRCUMVENTION OF GENERAL UTILITIES REPEAL****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/15/92	57 FR 59324
NPRM Comment	01/20/93	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Tara P. Volungis
Phone: 202 622—3080**RIN:** 1545—AP52**2913. USE OF GAAP EARNINGS AS E&P OF FOREIGN CORPORATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	07/01/92	57 FR 29246
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Margaret A. Hogan
Phone: 202 622—3850**RIN:** 1545—AQ55**2914. THE TREATMENT OF ACCELERATED DEATH BENEFITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/15/92	57 FR 59319
NPRM Comment	02/26/93	
Period End		
Hearing	03/19/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Ann H. Logan
Phone: 202 622—3970**RIN:** 1545—AQ70**2915. FOREIGN TRUSTS REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Karen Rennie Quarrie
Phone: 202 622—3880**RIN:** 1545—AR25**2916. TREATMENT OF DUAL CONSOLIDATED LOSSES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** Kenneth D. Allison
Phone: 202 622—3860**RIN:** 1545—AR26**2917. ALLOCATION OF ACCRUED BENEFITS BETWEEN EMPLOYER AND EMPLOYEE CONTRIBUTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/22/95	60 FR 66532
NPRM Comment	03/21/96	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Cathy A. Vohs
Phone: 202 622—6090**RIN:** 1545—AT82**2918. FOREIGN CORPORATIONS REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	03/08/96	61 FR 9377
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kenneth P. Christman
Phone: 202 622—3870**RIN:** 1545—AT96**2919. APPLICATION OF GRANTOR TRUST RULES TO NONEXEMPT EMPLOYEES' TRUST****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	09/27/96	61 FR 50778

TREAS—IRS

Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	12/26/96	
Hearing	01/15/97	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** M. Grace Fleeman
Phone: 202 622—3880Linda S.F. Marshall
Phone: 202 622—6090James A. Quinn
Phone: 202 622—3070**RIN:** 1545—AU29**2920. APPLICATION OF ATTRIBUTION RULES TO FOREIGN TRUSTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** W. Edward Williams
Phone: 202 622—3880**RIN:** 1545—AU91**2921. FINANCIAL ASSET SECURITIZATION INVESTMENT TRUST (FASIT) START—UP; OPERATIONAL AND TRANSITIONAL RULES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301; 26 CFR 1**Timetable:**

Action	Date	FR Cite
ANPRM	11/04/96	61 FR 56648
ANPRM Comment Period End	12/31/96	
NPRM	02/07/00	65 FR 5807
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Alexa Temple Dubert
Phone: 202 622—3071**RIN:** 1545—AU94**2922. AGREEMENTS FOR PAYMENT OF TAX LIABILITIES IN INSTALLMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Timetable:**

Action	Date	FR Cite
NPRM	12/31/97	62 FR 68241
Second NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Frederick W. Schindler
Phone: 202 622—3620**RIN:** 1545—AU97**2923. SUBSTANTIATING TRAVEL EXPENSE DEDUCTIONS FOR MEMBERS OF CONGRESS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1; 26 CFR 5**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Edwin B. Cleverdon
Phone: 202 622—7900**RIN:** 1545—AV55**2924. STOCKS AND SECURITIES SAFE HARBOR EXCEPTION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	06/12/98	63 FR 32164
Hearing	09/09/98	
NPRM Comment Period End	09/10/98	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kenneth P. Christman
Phone: 202 622—3870**RIN:** 1545—AW13**2925. CONTINGENT DEBT INSTRUMENT****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	08/29/03	68 FR 51944
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Milton M. Cahn
Phone: 202 622—3870**RIN:** 1545—AW33**2926. SOURCE OF INCOME FROM CERTAIN SPACE AND OCEAN ACTIVITIES AND FOR COMMUNICATIONS INCOME****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3903
Hearing	05/23/01	66 FR 12916
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Edward R. Barret
Phone: 202 435—5265**RIN:** 1545—AW50**2927. HIGHWAY VEHICLE—DEFINITION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 48**Timetable:**

Action	Date	FR Cite
NPRM	06/06/02	67 FR 38913
Public Hearing	02/27/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Theodore N. Margopoulos
Phone: 202 622—3130**RIN:** 1545—AX10

TREAS—IRS

Long-Term Actions

2928. GUARANTEED INVESTMENT CONTRACTS**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	08/27/99	64 FR 46876
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Local, State**Agency Contact:** Rose M. Weber
Phone: 202 622—3980**RIN:** 1545—AX22**2929. INSPECTION OF WRITTEN DETERMINATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Deborah Lambert—
Dean
Phone: 202 622—4570
Fax: 202 622—9888**RIN:** 1545—AX40**2930. DEFINITION OF PASSIVE FOREIGN INVESTMENT COMPANY UNDER SECTION 1297****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Alexandra K. Helou
Phone: 202 622—3840**RIN:** 1545—AX78**2931. ACTIVE CONDUCT OF AN INSURANCE BUSINESS UNDER PFIC RULES****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Undetermined**Agency Contact:** Sheila Ramaswamy
Phone: 202 622—3870**RIN:** 1545—AY20**2932. HIPAA GENERAL NONDISCRIMINATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 54**Timetable:**

Action	Date	FR Cite
NPRM	01/08/01	66 FR 1435
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Russell Weinheimer
Phone: 202 622—6080**RIN:** 1545—AY32**2933. HIPAA NONDISCRIMINATION EXCEPTION FOR CHURCH PLANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/10/01	66 FR 1437
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Russell Weinheimer
Phone: 202 622—6080**RIN:** 1545—AY33**2934. HIPAA NONDISCRIMINATION EXCEPTION FOR BONA FIDE WELLNESS PROGRAMS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/08/01	66 FR 1421
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Russell Weinheimer
Phone: 202 622—6080**RIN:** 1545—AY34**2935. SPECIAL RULES RELATING TO TRANSFERS OF INTANGIBLES TO FOREIGN CORPORATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Agency Contact:** Thomas D. Beem
Phone: 202 622—3860**RIN:** 1545—AY41**2936. RECOGNITION OF GAIN ON CERTAIN DISTRIBUTIONS OF STOCK OR SECURITIES IN CONNECTION WITH AN ACQUISITION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	04/26/02	67 FR 20711
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Amber R. Cook
Phone: 202 622—7530**RIN:** 1545—AY42**2937. SPECIAL RULES FOR S CORPORATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301; 26 CFR 601**Timetable:**

Action	Date	FR Cite
NPRM	04/27/92	57 FR 15272

TREAS—IRS

Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	06/26/92	
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** David A. Juster
Phone: 202 622—3850**RIN:** 1545—AY44**2938. NORMAL RETIREMENT AGE FOR PENSION PLANS****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** Janet A. Laufer
Phone: 202 622—6090**RIN:** 1545—AY61**2939. LIABILITIES ASSUMED IN CERTAIN CORPORATE TRANSACTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
ANPRM	05/06/03	68 FR 23931
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Douglas C. Bates
Phone: 202 622—7550**RIN:** 1545—AY74**2940. NORMALIZATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	03/04/03	68 FR 10190
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Agency Contact:** David Selig
Phone: 202 622—3040**RIN:** 1545—AY75**2941. RESEARCH CREDIT III****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/26/01	66 FR 66362
Hearing	03/27/02	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Agency Contact:** Nicole R. Cimino
Phone: 202 622—3120**RIN:** 1545—AY82**2942. TRANSITIONAL RELIEF FOR QUALIFIED INTERMEDIARIES****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Ethan A. Atticks
Phone: 202 622—3840**RIN:** 1545—AY92**2943. CONSOLIDATED RETURNS; NONAPPLICABILITY OF SECTION 357(C)****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	11/14/01	66 FR 57021
Public Hearing	03/21/02	
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Thomas I. Russell
Phone: 202 622—7550**RIN:** 1545—BA09**2944. PROCUREMENT/PURCHASING CARD REPORTING****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/31/03	68 FR 4970
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Agency Contact:** Donna J. Welch
Phone: 202 622—4910**RIN:** 1545—BA17**2945. INTEREST OTHER THAN THAT OF A CREDITOR****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	07/08/03	68 FR 40583
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Undetermined**Agency Contact:** Tara P. Volungis
Phone: 202 622—3080**RIN:** 1545—BA69**2946. REDEMPTIONS TREATED AS DIVIDENDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	10/18/02	67 FR 64331
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Lisa K. Leong
Phone: 202 622—7530**RIN:** 1545—BA80

TREAS—IRS

Long-Term Actions

2947. CARRYOVER AND STACKING RULE AMENDMENT**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	07/07/03	68 FR 40218
Hearing	09/23/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:**

Undetermined

Agency Contact: Christopher J. Wilson
Phone: 202 622—3040Lauren R. Taylor
Phone: 202 622—3040**RIN:** 1545—BA85**2948. DESIGNATED IRS OFFICER OR EMPLOYEE****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1; 26 CFR 301**Timetable:**

Action	Date	FR Cite
NPRM	09/10/02	67 FR 57354
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Elizabeth D. Rawlins
Phone: 202 622—3600**RIN:** 1545—BA89**2949. TAX BOOK VALUE DISPARITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** No**Government Levels Affected:** None**Agency Contact:** Margaret A. Hogan
Phone: 202 622—3850**RIN:** 1545—BA92**2950. EARNINGS AND PROFITS ATTRIBUTION PRINCIPLES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:**

Undetermined

Federalism: Undetermined**Agency Contact:** Mark R. Pollard
Phone: 202 622—3850**RIN:** 1545—BA93**2951. COMMUNICATIONS EXCISE TAX; TAXABLE COMMUNICATION SERVICES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 49**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:**

Undetermined

Agency Contact: Cynthia A. McGreevy
Phone: 202 622—3130**RIN:** 1545—BB04**2952. INVESTIGATIVE DISCLOSURES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Timetable:**

Action	Date	FR Cite
NPRM	07/10/03	68 FR 41089
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Helene R. Newsome
Phone: 202 622—4570**RIN:** 1545—BB16**2953. MIXED USE OUTPUT FACILITIES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
ANPRM	09/23/02	67 FR 59767
Next Action	Undetermined	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** Local, State**Federalism:** Undetermined**Agency Contact:** Rose M. Weber
Phone: 202 622—3980**RIN:** 1545—BB23**2954. DUPLICATIVE TAX BENEFITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	03/14/03	68 FR 12324
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Aimee K. Meacham
Phone: 202 622—7530**RIN:** 1545—BB25**2955. ACCRUAL RULES FOR CREDITABLE FOREIGN TAXES AND GUIDANCE ON CHANGE IN TAXABLE YEAR****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:** Next Action Undetermined**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Margaret A. Hogan
Phone: 202 622—3850**RIN:** 1545—BB27**2956. TREATMENT OF SERVICES UNDER SECTION 482****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
Final Action	12/00/04	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Douglas L. Giblen
Phone: 202 435—5265**RIN:** 1545—BB31**2957. PREPARER PENALTIES—SIGNATURE REQUIREMENT AND COPIES OF RETURNS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	04/24/03	68 FR 20089
Final Action	12/00/04	

TREAS—IRS

Long-Term Actions

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Richard C. Grosenick
Phone: 202 622—5510

RIN: 1545—BB34

**2958. SAFE HARBOR LEASING
SECOND INTEREST CAPITALIZATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Grant D. Anderson
Phone: 202 622—4970

RIN: 1545—BB62

**2959. SAFE HARBOR LEASING
SECOND INTEREST CAPITALIZATION
(TEMPORARY)****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
Temporary Regulation	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Grant D. Anderson
Phone: 202 622—4970

RIN: 1545—BB63

**2960. USE OF GOVERNMENT
DEPOSITARIES IN CONNECTION
WITH TAX UNDER THE FEDERAL
UNEMPLOYMENT TAX ACT
(TEMPORARY)****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 31**Timetable:**

Action	Date	FR Cite
Temporary Regulations	12/00/04	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:
Undetermined**Agency Contact:** Heather L. Dostaler

Phone: 202 622—8445

RIN: 1545—BB67

**2961. STATUTORY OPTIONS
(TEMPORARY)****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
Temporary Regulations	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Erinn M. Madden
Phone: 202 622—6030

RIN: 1545—BB69

**2962. MISCELLANEOUS CHANGES TO
COLLECTION DUE PROCESS
PROCEDURES RELATING TO NOTICE
AND OPPORTUNITY FOR HEARING
UPON FILING OF NOTICE OF LIEN****Priority:** Routine and Frequent**CFR Citation:** 26 CFR 301**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Jerome D. Sekula
Phone: 202 622—3610

RIN: 1545—BB96

**2963. MISCELLANEOUS CHANGES TO
COLLECTION DUE PROCESS
PROCEDURES RELATING TO
HEARINGS BEFORE LEVY****Priority:** Routine and Frequent**CFR Citation:** 26 CFR 301**Timetable:**

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Jerome D. Sekula
Phone: 202 622—3610

RIN: 1545—BB97

**2964. COMPUTATION OF TAX
ATTRIBUTES****Priority:** Routine and Frequent**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	07/18/03	68 FR 42652
Final Action	12/00/06	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Theresa M. Kolish
Phone: 202 622—7930

RIN: 1545—BB98

**2965. • PROHIBITED ALLOCATION OF
SECURITIES IN AN S CORPORATION****Priority:** Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.**Legal Authority:** 26 USC 7805; 26 USC
409(p)(7)(A)**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will provide
guidance for employee stock ownership
plans holding stock of a subchapter S
corporation concerning the prohibition
against allocations to disqualified
persons under section 409(p).**Timetable:**

Action	Date	FR Cite
NPRM	07/21/03	68 FR 43058
Comment Period End	10/20/03	
Final Action	12/00/04	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG—
129709—03Drafting attorney: John T. Ricotta (202)
622—6060Reviewing attorney: Marjorie Hoffman
(202) 622—6060

CC:TEGE

Agency Contact: John T. Ricotta,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224

TREAS—IRS

Long-Term Actions

Phone: 202 622—6060

RIN: 1545—BC34

2966. • GUIDANCE ON PFIC PURGING ELECTIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These proposed regulations will provide guidance to taxpayers, who in limited circumstances, continue to be subject to the PFIC excess distribution regime of section 1291 although the foreign corporation in which they own stock is no longer treated as a PFIC under section 1298 or section 1297(e).

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG—133446—03

Drafting attorney: Alexandra K. Helou (202) 622—3840

Reviewing attorney: Valerie A. Mark Lippe (202) 622—3840

Treasury attorney: Michael Caballero (202) 622—0851

CC:INTL

Agency Contact: Alexandra K. Helou, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3840

RIN: 1545—BC37

2967. • GUIDANCE ON PFIC PURGING ELECTIONS (TEMPORARY)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These temporary regulations will provide guidance to taxpayers on making timely deemed sale and deemed dividend elections under sections 1291 and 1298.

Timetable:

Action	Date	FR Cite
Temporary Regulations	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—133446—03

Drafting attorney: Alexandra K. Helou (202) 622—3840

Reviewing attorney: Valerie A. Mark Lippe (202) 622—3840

Treasury attorney: Michael Caballero (202) 622—0857

CC:INTL

Agency Contact: Alexandra K. Helou, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3840

RIN: 1545—BC49

2968. • COORDINATION OF UNITED STATES AND CERTAIN POSSESSIONS INCOME TAXES

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 301

Legal Deadline: None

Abstract: The regulations for section 7654 (1954 Code) will revise existing regulations for clarification and the regulations for section 7654 (1986 Code) will be new. Internal Revenue Code (IRC) section 7654 contains the provisions for cover—over to the U.S. Possessions. Old section 7654 (1954 Code) continues to be applicable to Guam and the Commonwealth of the Northern Mariana Islands (CNMI) because these two possessions do not have an effective implementing agreement with the United States as required by the Tax Reform Act of 1986. Regulations are necessary for consistent and correct application of section 7654. For example, cover—over for (Armed Forces) residents of the possessions stationed outside the possessions are not specifically addressed in the 1954 Code, and neither is cover—over for Federal employees residing in U.S. Possessions. Regulations are needed to carryout the provisions of section 7654 and sections 931, 932, and 935.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—139900—03

Drafting attorney: Mae J. Lew (202) 435—5262

Reviewing attorney: Ricardo A. Cadenas (202) 435—5262

CC:INTL

Agency Contact: Mae J. Lew, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 435—5262

RIN: 1545—BC54

TREAS—IRS

Long-Term Actions

2969. • SUSPENSION OF RUNNING OF PERIOD OF LIMITATION DURING A PROCEEDING TO ENFORCE OR QUASH A DESIGNATED OR RELATED SUMMONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 25 USC 6503

CFR Citation: 26 CFR 1; 26 CFR 301

Legal Deadline: None

Abstract: These regulations relate to the use of designated and related summonses and the effect on the period of limitations on assessment when a case is brought with respect to a designated or related summons.

Timetable:

Action	Date	FR Cite
NPRM	07/31/03	68 FR 44905
Final Action	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—208199—91

Drafting attorney: Elizabeth D. Rawling (202) 622—3600

Reviewing attorney: Robert A. Miller (202) 622—3600

CC:PA:CBS

Agency Contact: Elizabeth D. Rawlins, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3600

RIN: 1545—BC55

2970. • GUIDANCE UNDER SECTION 2053 REGARDING POST—DEATH EVENTS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 20

Legal Deadline: None

Abstract: These regulations relate to the amount deductible under section 2053(a)(3) of the Internal Revenue Code. The regulations will affect estates of decedents where claims exist against the decedent's estate.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG—143316—03

Drafting attorney: DeAnn K. Malone (202) 622—3112

Reviewing attorney: Melissa Liquerman (202) 622—7830

Treasury attorney: Cathy Hughes (202) 622—9407

CC:PSI

Agency Contact: DeAnn K. Malone, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3112

RIN: 1545—BC56

2971. • SECTION 1045 APPLICATION TO PARTNERSHIPS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide guidance on how the capital gains rollover provision of section 1045 applies to partnerships.

Timetable:

Action	Date	FR Cite
NPRM	12/00/04	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG—150562—03

Drafting attorney: Charlotte Chyr (202) 622—3070

Reviewing attorneys: Jian Grant (202) 622—3050 and James Quinn (202) 622—3070

Treasury attorney: Deborah Harrington (202) 622—1788

CC:PSI

Agency Contact: Charlotte Chyr, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3070

RIN: 1545—BC67

**Department of the Treasury (TREAS)
Internal Revenue Service (IRS)****Completed Actions****2972. GOLDEN PARACHUTE PAYMENTS**

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9083	08/04/03	68 FR 45745

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Erinn M. Madden

TREAS—IRS

Completed Actions

Phone: 202 622—6030

RIN: 1545—AH49

2973. RAILROAD UNEMPLOYMENT REPAYMENT TAX

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 31

Completed:

Reason	Date	FR Cite
Withdrawn	11/07/02	67 FR 67802

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kyle A. Finizio

Phone: 202 622—6040

RIN: 1545—AN40

2974. TREATMENT OF OBLIGATION—SHIFTING TRANSACTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	11/10/03	68 FR 63744

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Christina A. Morrison

Phone: 202 622—3950

RIN: 1545—AU19

2975. GUIDANCE UNDER SUBPART F RELATING TO CERTAIN HYBRID TRANSACTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	07/13/99	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Valerie A. Mark—

Lippe

Phone: 202 622—3840

RIN: 1545—AW63

2976. ALLOCATION OF RESEARCH CREDIT

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	07/29/03	68 FR 44499

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jolene J. Shiraishi

Phone: 202 622—3120

RIN: 1545—AX05

2977. STRADDLES—ONE SIDE LARGER THAN THE OTHER

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	09/04/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Charles W. Culmer

Phone: 202 622—3960

RIN: 1545—AX16

2978. ALLOCATING BASIS ADJUSTMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9059	06/09/03	68 FR 34293

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jason T. Smyczek

Phone: 202 622—3050

RIN: 1545—AX18

2979. SPECIAL RULES FOR RETROACTIVE PAYMENTS UNDER SECTION 417(A)(7)(A) FOR QUALIFIED RETIREMENT PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9076	07/16/03	68 FR 41906

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Agency Contact: Robert M. Walsh

Phone: 202 622—6090

RIN: 1545—AX34

2980. CHANGES IN ENTITY CLASSIFICATION: SPECIAL RULE FOR CERTAIN FOREIGN ELIGIBLE ENTITIES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 301

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9093	10/22/03	68 FR 60296

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Ronald M. Gootzeit

Phone: 202 622—3860

RIN: 1545—AX39

2981. COMPENSATION DEFERRED UNDER ELIGIBLE SECTION 457(B) PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9075	07/11/03	68 FR 41230

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Local, State

Agency Contact: Cheryl E. Press

Phone: 202 622—6060

Fax: 202 622—4631

RIN: 1545—AX52

2982. DEFINITION OF "PRIVATE ACTIVITY BONDS" ALLOCATION AND ACCOUNTING REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	09/04/03	

Regulatory Flexibility Analysis

Required: No

TREAS—IRS

Completed Actions

Government Levels Affected: None
Agency Contact: Gary W. Bornholdt
 Phone: 202 622—7870
RIN: 1545—AX55

2983. DISCLOSURE OF RETURN AND RETURN INFORMATION TO DESIGNEE OF TAXPAYER

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 301

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9054	04/29/03	68 FR 22598

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joseph E. Conley
 Phone: 202 622—4580

RIN: 1545—AX85

2984. INVESTMENT TYPE PROPERTY (PREPAYMENT)

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9085	08/04/03	68 FR 45772

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Agency Contact: Johanna L. Som de Cerff
 Phone: 202 622—3980

RIN: 1545—AY12

2985. USE OF TAXPAYER IDENTIFYING NUMBERS

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9082	08/05/03	68 FR 46081

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert W. Lorence

Phone: 202 622—3860
RIN: 1545—AY24

2986. DUAL CONSOLIDATED LOSS RECAPTURE EVENTS

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9084	07/30/03	68 FR 44616

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kathryn T. Holman
 Phone: 202 622—3860

Kenneth D. Allison
 Phone: 202 622—3860

RIN: 1545—AY27

2987. MODIFIED GUARANTEED CONTRACTS

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9058	05/07/03	68 FR 24349

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Ann H. Logan
 Phone: 202 622—3970

RIN: 1545—AY48

2988. QUALIFIED S ELECTION FOR TESTAMENTARY TRUSTS

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9078	07/17/03	68 FR 42251

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Deane M. Burke
 Phone: 202 622—3130

RIN: 1545—AY76

2989. TREATMENT OF COMMUNITY INCOME FOR CERTAIN INDIVIDUALS NOT FILING JOINT RETURNS

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9074	07/10/03	68 FR 41067

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robin M. Tuczak
 Phone: 202 622—4940

RIN: 1545—AY83

2990. CHARITABLE LEAD INTEREST

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9068	07/07/03	68 FR 40130

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Susan B. Hurwitz
 Phone: 202 622—3090

RIN: 1545—AY86

2991. NET GIFT TREATMENT

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 25

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9077	07/18/03	68 FR 42593

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: DeAnn K. Malone
 Phone: 202 622—3112

RIN: 1545—AY91

2992. RECEIPT OF MULTIPLE NOTICES WITH RESPECT TO INCORRECT TAXPAYER IDENTIFICATION NUMBERS

Priority: Substantive, Nonsignificant
CFR Citation: 26 CFR 31

TREAS—IRS

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9055	04/29/03	68 FR 22594

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Nancy L. Rose
Phone: 202 622—4910

RIN: 1545—BA18

2993. CATCH—UP CONTRIBUTIONS FOR INDIVIDUALS AGED 50 OR OVER

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9072	07/08/03	68 FR 40510

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John T. Ricotta
Phone: 202 622—6060

RIN: 1545—BA24

2994. AMENDMENTS TO RULES FOR ALLOCATION OF BASIS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	09/10/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jason T. Smyczek
Phone: 202 622—3050

RIN: 1545—BA32

2995. EARNED INCOME CREDIT

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9045	03/06/03	68 FR 10655

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Shoshanna Tanner
Phone: 202 622—6080

RIN: 1545—BA34

2996. SPLIT—DOLLAR LIFE INSURANCE

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Second NPRM	05/09/03	68 FR 24898
Final Action Completed by TD 9092	09/17/03	68 FR 54336

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Rebecca E. Asta
Phone: 202 622—3930

RIN: 1545—BA44

2997. TREATMENT OF FUNDED WELFARE BENEFIT PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9079	07/17/03	68 FR 42254

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Betty J. Clary
Phone: 202 622—6080

RIN: 1545—BA47

2998. USER FEES FOR OFFERS TO COMPROMISE

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9086	08/15/03	68 FR 48785

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Gene W. Beard
Phone: 202 622—3620

RIN: 1545—BA54

2999. COMPENSATORY STOCK OPTIONS UNDER SECTION 482Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9088	08/26/03	68 FR 51171

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Douglas L. Giblen
Phone: 202 435—5265

RIN: 1545—BA57

3000. CONTROLLED FOREIGN PARTNERSHIP REPORTINGPriority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9065	07/01/03	68 FR 39012

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Tasheaya Warren
Ellison
Phone: 202 622—3860

RIN: 1545—BA77

3001. FOREIGN CORPORATIONS—TREATMENT OF DISTRIBUTIONS OR LIQUIDATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9066	07/02/03	68 FR 39452

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Milton M. Cahn
Phone: 202 622—3870

RIN: 1545—BA79

TREAS—IRS

Completed Actions

3002. EARNINGS CALCULATION FOR RETURNED OR RECHARACTERIZED CONTRIBUTIONS

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9056	05/05/03	68 FR 23586

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Cathy A. Vohs
Phone: 202 622—6090

RIN: 1545—BA82

3003. TRANSFER OF NOTES OR STOCK TO PROVIDE FOR SATISFACTION OF CONTESTED LIABILITIES (TEMPORARY)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9095	11/21/03	68 FR 65634

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Norma C. Rotunno
Phone: 202 622—7900

RIN: 1545—BA91

3004. GENERATION—SKIPPING TRANSFER TAX RELIEF PROVISIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	04/30/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lian A. Mito
Phone: 202 622—7830

RIN: 1545—BA94

3005. EMPLOYMENT TAXES—FAILURE—TO—DEPOSIT PENALTY

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 31

Completed:

Reason	Date	FR Cite
Withdrawn	03/17/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Charles A. Hall
Phone: 202 622—4940

RIN: 1545—BA97

3006. DEPRECIATION OF VANS AND LIGHT TRUCKS (TEMPORARY)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9069	07/07/03	68 FR 40129

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Bernard P. Harvey
Phone: 202 622—3110

RIN: 1545—BB06

3007. DISCLOSURE OF REPORTABLE TRANSACTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	08/19/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tara P. Volungis
Phone: 202 622—3080

RIN: 1545—BB07

3008. REGISTRATION OF REPORTABLE TRANSACTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 301

Completed:

Reason	Date	FR Cite
Withdrawn	08/19/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tara P. Volungis
Phone: 202 622—3080

RIN: 1545—BB08

3009. LIST MAINTENANCE REQUIREMENT FOR REPORTABLE TRANSACTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 301

Completed:

Reason	Date	FR Cite
Withdrawn	08/19/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Tara P. Volungis
Phone: 202 622—3080

RIN: 1545—BB09

3010. INVESTIGATIVE DISCLOSURES (TEMPORARY)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 301

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9073	07/10/03	68 FR 41073

Regulatory Flexibility Analysis Required: No

Government Levels Affected: Federal

Agency Contact: Helene R. Newsome
Phone: 202 622—4570

RIN: 1545—BB17

3011. SUBSTANTIATION OF INCIDENTAL EXPENSES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9064	07/01/03	68 FR 39011

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sameera Y. Hasan
Phone: 202 622—4930

RIN: 1545—BB20

TREAS—IRS

Completed Actions

3012. AUTHORIZATION FOR IRS TO CHARGE FEES FOR COPYING EXEMPT ORGANIZATION RETURNS (TEMPORARY)

Priority: Info./Admin./Other

CFR Citation: 26 CFR 301

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9070	07/09/03	68 FR 40768

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Sarah Tate
Phone: 202 622—4590

RIN: 1545—BB22

3013. EXCLUSIONS FROM GROSS INCOME OF FOREIGN CORPORATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9087	08/26/03	68 FR 51394

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patricia A. Bray
Phone: 202 622—3880David L. Lundy
Phone: 202 622—3880

RIN: 1545—BB30

3014. FRACTIONAL PARTS OF A DOLLAR

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1; 26 CFR 301

Completed:

Reason	Date	FR Cite
Withdrawn	09/10/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marcy W.
Mendelsohn
Phone: 202 622—4940

RIN: 1545—BB35

3015. INVESTMENT ADJUSTMENT RULES AND WAIVER OF LOSS CARRYOVERS FROM SRLY YEARS—AMENDED (TEMPORARY)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9057	05/07/03	68 FR 24351

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jeffrey B. Fienberg
Phone: 202 622—7930

RIN: 1545—BB39

3016. FRACTIONAL PARTS OF A DOLLAR (TEMPORARY)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 7504; 26 CFR 301

Completed:

Reason	Date	FR Cite
Withdrawn	09/10/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marcy W.
Mendelsohn
Phone: 202 622—4940

RIN: 1545—BB42

3017. UPDATE TO SECTION 6081 REGULATIONS (TEMPORARY)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1; 26 CFR 31;
26 CFR 602**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 9061	06/11/03	68 FR 34797

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Charles A. Hall
Phone: 202 622—4940

RIN: 1545—BB55

3018. REAL ESTATE MORTGAGE INVESTMENT CONDUITS; APPLICATION OF SECTION 446 WITH RESPECT TO INDUCEMENT FEES (TEMPORARY)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	08/21/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John W. Rogers, III
Phone: 202 622—3950

RIN: 1545—BB74

3019. AVAILABILITY OF SECTION 338(H)(10) ELECTION IN MULTISTEP TRANSACTIONS (TEMPORARY)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 9071	07/09/03	68 FR 40766

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Daniel F. Heins
Phone: 202 622—7930Mary E. Goode
Phone: 202 622—7930

RIN: 1545—BB78

3020. GUIDANCE UNDER SECTION 368 REGARDING RESTRICTED STOCKPriority: Substantive, Nonsignificant.
Major status under 5 USC 801 is undetermined.

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	08/21/03	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Stephen R. Cleary
Phone: 202 622—7530

RIN: 1545—BB87

TREAS—IRS

Completed Actions

3021. DISCLOSURE OF RETURN INFORMATION TO THE DEPARTMENT OF AGRICULTURE (TEMPORARY)**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 9060	06/06/03	68 FR 33857

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Christine S. Irwin
Phone: 202 622—4570**RIN:** 1545—BB91**3022. DISTRIBUTIONS OF LOSS CORPORATION STOCK BY QUALIFIED PLANS (TEMPORARY)****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 9063	06/27/03	68 FR 38177

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Martin T. Huck
Phone: 202 622—7750**RIN:** 1545—BB99**3023. TAX EXEMPT BOND PARTNERSHIP REPORTING REGULATION (TEMPORARY)****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 9094	11/10/03	68 FR 63733

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** David A. Shulman
Phone: 202 622—3080**RIN:** 1545—BC01**3024. • OTHER ASSESSABLE PENALTIES WITH RESPECT TO THE PREPARATION OF INCOME TAX RETURNS FOR OTHER PERSONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6107; 26 USC 6061; 26 USC 6695; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** Persons who prepare income tax returns for compensation may satisfy the requirement of providing a signed copy of the return to the taxpayer by copies which are signed electronically or as otherwise prescribed by the Secretary.**Timetable:**

Action	Date	FR Cite
Final Action Completed by TD 9053	04/24/03	68 FR 20069

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—141659—02Drafting attorney: Richard C. Grosenick
(202) 622—5510Reviewing attorney: Stuart Spielman
(202) 622—5510

CC:PA:APJP

Agency Contact: Richard C. Grosenick, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—5510**RIN:** 1545—BC12**3025. • SPECIAL DEPRECIATION ALLOWANCE (TEMPORARY)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides guidance under sections 168(k) and 1400L(b) regarding the special depreciation allowance.**Timetable:**

Action	Date	FR Cite
Final Action Completed by TD 9091	09/08/03	68 FR 52986

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Undetermined**Additional Information:** REG—157164—02

Drafting attorney: Douglas Kim (202) 622—3110

Reviewing attorney: Kathleen Reed
(202) 622—3110Treasury attorney: George Manousos
(202) 622—1335

CC:PSI

Agency Contact: Douglas Kim, Attorney—Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622—3110**RIN:** 1545—BC19**3026. • TRANSFERS OF COMPENSATORY OPTIONS TO RELATED PERSONS****Priority:** Routine and Frequent**Legal Authority:** 26 USC 83**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These temporary regulations which provide that sales or dispositions of stock options to related persons will not be considered arm's length transactions for purposes of section 1.83—7.**Timetable:**

Action	Date	FR Cite
Final Action Completed by TD 9067	07/02/03	68 FR 39453

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG—116914—03

TREAS—IRS

Completed Actions

Drafting attorney: Stephen B. Tackney
(202) 622—6040

Reviewing attorney: Robert Misner
(202) 622—6030

Treasury attorney: William Bortz (202)
622—1352

CC:TEGE

Agency Contact: Stephen B. Tackney,
Attorney—Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—6040

RIN: 1545—BC21

**3027. • LIMITATION ON USE OF THE
NONACCRUAL EXPERIENCE METHOD
OF ACCOUNTING**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 448(d)(5)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations provide two
safe harbor nonaccrual experience
methods that will be presumed to
clearly reflect a taxpayer's nonaccrual
experience, and for taxpayers who wish
to compute their nonaccrual experience
using a computation or formula other
than the two safe harbors provided, the
requirements that must be met in order
to use an alternative computation or
formula to compute their nonaccrual
experience.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 9090	09/04/03	68 FR 52496

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG—
141402—02

Drafting attorney: Terrance McWhorter
(202) 622—4970

Reviewing attorney: Tom Luxner and
David Schneider (202) 622—4970

Treasury attorney: George Manousos
(202) 622—1335

CC:ITA

Agency Contact: Terrance McWhorter,
General Tax Attorney, Department of
the Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622—4970

RIN: 1545—BC31

**3028. • PROHIBITED ALLOCATION OF
SECURITIES IN AN S CORPORATION
(TEMPORARY)**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 7805; 26 USC
409(p)(7)(A)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The temporary regulations
provides guidance for employee
ownership plans holding stock of a
subchapter S Corporation concerning
the prohibition against allocations to
disqualified persons under section
409(p).

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 9081	07/21/03	68 FR 42970

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—
129709—03

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CC:TEGE

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RIN: 1545—BC33

**3029. • GUIDANCE UNDER SECTION
1502; APPLICATION OF SECTION 108
TO MEMBERS OF A CONSOLIDATED
GROUP (TEMPORARY)**

Priority: Substantive, Nonsignificant.
Major status under 5 USC 801 is
undetermined.

Legal Authority: 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The temporary regulations
under section 1502 of the Internal
Revenue Code provide guidance
concerning the application of certain
provisions of section 108 to members
of a consolidated group.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 9089	09/04/03	68 FR 52487

**Regulatory Flexibility Analysis
Required:** No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—
132760—03

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RIN: 1545—BC39

TREAS—IRS

Completed Actions

3030. • REDUCTION OF TAX ATTRIBUTES DUE TO DISCHARGE OF INDEBTEDNESS (TEMPORARY)

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805; 26 USC 108

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These temporary regulations clarify that, in the case of a transaction described in section 381(a) that ends a year in which the transferor corporation excludes COD income from gross income under section 108(a), any tax attributes to which the acquiring corporation succeeds under section 381, including the basis of property

which carry's over under section 362, shall reflect the reductions required by sections 108 and 1017.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 9080	07/18/03	68 FR 42590

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG—113112—03

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RIN: 1545—BC47

BILLING CODE 6720—01—S

Department of the Treasury (TREAS)

Prerule Stage

Office of Thrift Supervision (OTS)

3031. • RISK—BASED CAPITAL GUIDELINES; IMPLEMENTATION OF NEW BASEL CAPITAL ACCORD

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1828 (note)

CFR Citation: 12 CFR 567

Legal Deadline: None

Abstract: The Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision are setting forth for industry comment their current views on a proposed framework for implementing the New Basel Capital Accord in the United States. In particular, this advance notice of proposed rulemaking (ANPRM) describes significant elements of the

Advanced Internal Ratings—Based approach for credit risk and the Advanced Measurement Approaches for operational risk (together, the advanced approaches). The ANPRM specifies criteria that would be used to determine banking organizations that would be required to use the advanced approaches, subject to meeting certain qualifying criteria, supervisory standards, and disclosure requirements. Other banking organizations that meet the criteria, standards, and requirements also would be eligible to use the advanced approaches. Under the advanced approaches, banking organizations would use internal estimates of certain risk components as key inputs in the determination of their regulatory capital requirements.

Timetable:

Action	Date	FR Cite
ANPRM	08/04/03	68 FR 45900
ANPRM Comment Period End	11/03/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Undetermined

Government Levels Affected: None

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RIN: 1550—AB56

Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)
Proposed Rule Stage
3032. ● RISK—BASED CAPITAL GUIDELINES; CAPITAL ADEQUACY GUIDELINES; CAPITAL MAINTENANCE: ASSET—BACKED COMMERCIAL PAPER PROGRAMS AND EARLY AMORTIZATION PROVISIONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1828 (note)

CFR Citation: 12 CFR 567

Legal Deadline: None

Abstract: The Office of the Comptroller of the Currency, Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, and Office of Thrift Supervision (collectively, the Agencies) are proposing to amend their risk—based capital standards by removing a sunset provision in order to permit sponsoring banks, bank holding companies, and thrifts (collectively, sponsoring banking organizations) to continue to exclude from their risk—weighted asset base

those assets in asset—backed commercial paper (ABCP) programs that are consolidated onto sponsoring banking organizations' balance sheets as a result of a recently issued accounting interpretation, Financial Accounting Standards Board Interpretation No. 46, Consolidation of Variable Interest Entities. The Agencies also are proposing to require banking organizations to hold risk—based capital against liquidity facilities with an original maturity of one year or less that organizations provide to ABCP programs, regardless of whether the organization sponsors the program or must consolidate the program under generally accepted accounting principles. Finally, the Agencies are again proposing a risk—based capital charge for certain types of securitizations of revolving retail credit that incorporate early amortization provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/01/03	68 FR 56568
NPRM Comment Period End	11/17/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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RIN: 1550—AB81

Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)
Final Rule Stage
3033. ● RISK—BASED CAPITAL GUIDELINES; CAPITAL GUIDELINES; CAPITAL MAINTENANCE: INTERIM CAPITAL TREATMENT OF CONSOLIDATED ASSET—BACKED COMMERCIAL PAPER PROGRAM ASSETS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1828 (note)

CFR Citation: 12 CFR 567

Legal Deadline: None

Abstract: The Office of the Comptroller of the Currency, Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, and Office of Thrift Supervision are amending their risk—based capital standards by providing an interim capital treatment for assets in asset—backed commercial paper (ABCP) programs that are consolidated onto the balance sheets of sponsoring banking

organizations as a result of a recently issued accounting interpretation, FIN 46. The interim capital treatment allows sponsoring banking organizations to remove the consolidated ABCP program assets from their risk—weighted asset bases for the purpose of calculating their risk—based capital ratios. In addition, any minority interests in ABCP programs that are consolidated as a result of FIN 46 are to be excluded from sponsoring banking organizations' minority interest component of tier 1 capital and, thereby, from total risk—based capital.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/03	68 FR 56530
Interim Final Rule Effective	10/01/03	
Interim Final Rule Comment Period End	11/17/03	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

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RIN: 1550—AB79

Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)
Long-Term Actions**3034. FAIR CREDIT REPORTING****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 571**Timetable:**

Action	Date	FR Cite
NPRM	10/20/00	65 FR 63120
NPRM Comment Period End	12/04/00	
NPRM Update	03/27/01	66 FR 16624
Second NPRM	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Cindy Baltierra
Phone: 202 906—6540Paul Robin
Phone: 202 906—6648**RIN:** 1550-AB33**3035. COMMUNITY REINVESTMENT ACT****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 563e**Timetable:**

Action	Date	FR Cite
Joint ANPRM	07/19/01	66 FR 37602
Joint ANPRM Comment Period End	10/17/01	
Joint NPRM	To Be Determined	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Richard Bennett
Phone: 202 906—7409Theresa A. Stark
Phone: 202 906—7054Celeste Anderson
Phone: 202 906—7990**RIN:** 1550-AB48
Department of the Treasury (TREAS)
Office of Thrift Supervision (OTS)
Completed Actions**3036. CAPITAL RULES****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 567**Completed:**

Reason	Date	FR Cite
Merged With 1550-AB56	08/04/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Teresa Scott
Phone: 202 906—6478Michael D. Solomon
Phone: 202 906—5654David Riley
Phone: 202 906—6669**RIN:** 1550-AB11Karen Osterloh
Phone: 202 906—6639**RIN:** 1550-AB19**3038. REMOVAL, SUSPENSION, AND DEBARMENT OF ACCOUNTANTS FROM PERFORMING AUDIT SERVICES****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 513**Completed:**

Reason	Date	FR Cite
Final Rule	08/13/03	68 FR 48256
Final Rule Effective	10/01/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Christine Smith
Phone: 202 906—5740Teresa Scott
Phone: 202 906—6478**RIN:** 1550-AB53**Legal Deadline:** None**Abstract:** OTS is issuing a final rule amending its regulation governing agency offices of Federal savings associations to conform that regulation to recent changes to OTS's fiduciary activities regulations. OTS is also removing an incorrect parenthetical in 12 CFR 550.136, OTS's regulation governing the extent to which State law applies to the fiduciary activities of a Federal savings association.**Timetable:**

Action	Date	FR Cite
Final Rule	09/09/03	68 FR 53024
Final Rule Effective	09/09/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Timothy Leary, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
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Judi McCormick, Trust Specialist, Supervision Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552

3037. DIRECTORS AND OFFICERS**Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 545; 12 CFR 563**Completed:**

Reason	Date	FR Cite
Withdrawn	08/15/03	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Robyn Dennis
Phone: 202 906—5751David A. Permut
Phone: 202 906—7505**3039. ● FEDERAL SAVINGS ASSOCIATIONS—OPERATIONS, AGENCY OFFICES; FIDUCIARY POWERS OF SAVINGS ASSOCIATIONS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1828**CFR Citation:** 12 CFR 545; 12 CFR 550

TREAS—OTS

Completed Actions

Phone: 202 906—5636

RIN: 1550—AB80

3040. • CUSTOMER IDENTIFICATION PROGRAMS FOR BANKS, SAVINGS ASSOCIATIONS, AND CERTAIN NONFEDERALLY REGULATED BANKS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 12 USC 375b; 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1468; 12 USC 1817; 12 USC 1820; 12 USC 1828; 12 USC 1831o; 12 USC 3806; 31 USC 5318; 42 USC 4106

CFR Citation: 12 CFR 563

Legal Deadline: Final, Statutory, October 26, 2002, Final.

Abstract: The Secretary of the Treasury, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of Thrift Supervision, and the National Credit Union Administration issued a joint final rule implementing section 326 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001. Section 326 requires a regulation that contains minimum standards that financial institutions must implement to: 1) verify the identity of any person seeking to open an account; 2) maintain records of the information used to verify the person's identity; and 3) determine whether the person appears on any lists of known or suspected terrorists or terrorist organizations provided to the financial institution by a Government agency. The substantive requirements were codified as part of Treasury's BSA regulations located in 31 CFR part 103. In addition, OTS added a cross-reference to 12 CFR part 563 clarifying the applicability of the final rule to savings associations.

Timetable:

Action	Date	FR Cite
NPRM	07/23/02	67 FR 48290

Action	Date	FR Cite
NPRM Comment Period End	09/06/02	
Final Rule	05/09/03	68 FR 25090
Final Rule Effective	06/09/03	
Compliance Date	10/01/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1550—AB82

3041. • SAVINGS ASSOCIATIONS—OPERATIONS; TRANSACTIONS WITH AFFILIATES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1468; 12 USC 1817; 12 USC 1820; 12 USC 1828; 12 USC 1831o; 12 USC 375b; 12 USC 3806; 42 USC 4106; 44 USC 3501 et seq.

CFR Citation: 12 CFR 506; 12 CFR 559; 12 CFR 562; 12 CFR 563

Legal Deadline: None

Abstract: The Office of Thrift Supervision (OTS) revised its regulations on transactions with affiliates. This interim final rule conformed OTS' regulations to the Board of Governors of the Federal Reserve System's (FRB) final rule implementing sections 23A and 23B of the Federal Reserve Act (FRA). The FRB rule (Regulation W) combines statutory restrictions on transactions with affiliates with new and existing interpretations and exemptions.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/20/02	67 FR 77909

Action	Date	FR Cite
Interim Final Rule Comment Period End	02/18/03	
Final Rule	10/07/03	68 FR 57790
Final Rule Effective	11/06/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: The interim final rule and the final rule published in the Federal Register under RIN 1550—AB55.

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RIN: 1550—AB84

3042. REGULATORY REPORTING STANDARDS: QUALIFICATIONS FOR INDEPENDENT PUBLIC ACCOUNTS PERFORMING AUDIT SERVICES FOR VOLUNTARY AUDIT FILERS

Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 562

Completed:

Reason	Date	FR Cite
Final Rule	09/08/03	68 FR 52831
Final Rule Effective	09/08/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1550—AB85

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