

**DEPARTMENT OF THE TREASURY****31 CFR Subtitle A, Chs. I and II****Semiannual Agenda and Fiscal Year 2008 Regulatory Plan**

**AGENCY:** Department of the Treasury.

**ACTION:** Semiannual regulatory agenda and annual regulatory plan.

**SUMMARY:** This notice is given pursuant to the requirements of the Regulatory Flexibility Act and Executive Order (EO) 12866 ("Regulatory Planning and Review"), which require the publication by the Department of a semiannual agenda of regulations. EO 12866 also requires the publication by the Department of a regulatory plan for fiscal year 2008.

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

**SUPPLEMENTARY INFORMATION:** The semiannual regulatory agenda includes regulations that the Department has issued or expects to issue and rules currently in effect that are under departmental or agency review. For this edition of the regulatory agenda, the most important significant regulatory actions and a Statement of Regulatory Priorities are included in The Regulatory Plan, which appears in both the online Unified Agenda and in part II of the **Federal Register** that includes the Unified Agenda.

Beginning with the fall 2007 edition, the Internet will be the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at [www.reginfo.gov](http://www.reginfo.gov), in a format that offers users an enhanced ability to obtain information from the Agenda database. Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), Treasury's printed agenda entries include only:

- (1) Rules that are in the regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and
- (2) any rule that has been identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act's Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the Internet. In addition, for fall editions of the Agenda, the entire Regulatory Plan will continue to be printed in the **Federal Register**, as in past years, including Treasury's regulatory plan.

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).

**Dated:** August 28, 2007.

**NAME:** Bernard Knight, Jr.,  
*Assistant General Counsel for  
General Law and Ethics.*

## The 545 Regulatory Agendas

**Departmental Offices - Proposed Rule**

<b>Title</b>	<b>Regulation Identifier Number</b>
Expanded Methods of Payment of Duties, Taxes, Interest, and Fees	<a href="#">1505-AB22</a>
Uniform Rules of Origin	<a href="#">1505-AB49</a>
Revision of Outbound Redelivery Procedures and Liabilities	<a href="#">1505-AB52</a>
Centralization of the Continuous Bond Program at the CBP National Finance Center	<a href="#">1505-AB54</a>
Administrative Rulings and Protests	<a href="#">1505-AB65</a>
Foreign Repairs to American Vessels; Consolidation of Vessel Repair Units	<a href="#">1505-AB71</a>
Prohibition on Funding of Unlawful Internet Gambling	<a href="#">1505-AB78</a>
Class 9 Bonded Warehouse Procedures	<a href="#">1505-AB85</a>

**Departmental Offices - Final Rule**

<b>Title</b>	<b>Regulation Identifier Number</b>
Reporting and Procedures Regulations; Cuban Assets Control Regulations: Publication of Economic Sanctions Enforcement Guidelines	<a href="#">1505-AA95</a>
Remote Location Filing	<a href="#">1505-AB20</a>
Country-of-Origin Marking	<a href="#">1505-AB21</a>
User and Navigation Fees; Other Reimbursable Charges	<a href="#">1505-AB24</a>
African Growth and Opportunity Act and Generalized System of Preferences	<a href="#">1505-AB26</a>
United States--Caribbean Basin Trade Partnership Act and Caribbean Basin Initiative	<a href="#">1505-AB28</a>
Dog and Cat Protection Act	<a href="#">1505-AB31</a>
Trade Benefits Under the African Growth and Opportunity Act	<a href="#">1505-AB38</a>
Trade Benefits Under the Caribbean Basin Economic Recovery Act	<a href="#">1505-AB40</a>
United States--Singapore Free Trade Agreement	<a href="#">1505-AB48</a>
Recordation of Copyrights and Enforcement Procedures To Prevent Importation of Piratical Articles	<a href="#">1505-AB51</a>
Country of Origin of Textile and Apparel Products	<a href="#">1505-AB60</a>
Economic Sanctions Enforcement Procedures for Banking Institutions	<a href="#">1505-AB69</a>
Entry Of Certain Softwood Lumber Products From Canada	<a href="#">1505-AB73</a>
United States--Jordan Free Trade Agreement	<a href="#">1505-AB75</a>
United States--Morocco Free Trade Agreement	<a href="#">1505-AB76</a>
United States--Australia Free Trade Agreement	<a href="#">1505-AB77</a>
United States-Bahrain Free Trade Agreement	<a href="#">1505-AB81</a>
Haitian Hemispheric Opportunity Through Partnership Encouragement Act of 2006	<a href="#">1505-AB82</a>
Name Changes of Two DHS Component Agencies	<a href="#">1505-AB83</a>
Dominican Republic-Central America-United States Free Trade Agreement	<a href="#">1505-AB84</a>

**Departmental Offices - Long-term Action**

<b>Title</b>	<b>Regulation Identifier Number</b>
Possible Regulation of Access to Accounts at Financial Institutions Through Payment Service Providers	<a href="#">1505-AA74</a>
Financial Subsidiaries	<a href="#">1505-AA81</a>
Secretary's Determination of Real Estate Brokerage	<a href="#">1505-AA84</a>
Terrorism Risk Insurance Program; Recoupments of Federal Share of Compensation for Insured Losses	<a href="#">1505-AB10</a>
Harbor Maintenance Fee	<a href="#">1505-AB11</a>
Donated Cargo Exemption From Harbor Maintenance Fee	<a href="#">1505-AB12</a>
Reconciliation	<a href="#">1505-AB16</a>
North American Free Trade Agreement (NAFTA)--Implementation of Duty-Deferral Program Provisions	<a href="#">1505-AB17</a>

### Departmental Offices - Completed Action

<b>Title</b>	<b>Regulation Identifier Number</b>
Reimbursable Customs Inspectional Services--Increase in Hourly Rate Charge	<a href="#">1505-AB29</a>
Fees for Customs Processing at Express Consignment Carrier Facilities	<a href="#">1505-AB39</a>
NAFTA: Merchandise Processing Fee Exemption and Technical Corrections	<a href="#">1505-AB58</a>
Dominican Republic-Central America-United States Free Trade Agreement	<a href="#">1505-AB64</a>
Entry of Certain Cement Products From Mexico Requiring a Commerce Department Import License	<a href="#">1505-AB68</a>
Extension of Import Restrictions Imposed on Archaeological and Ethnological Material From Peru	<a href="#">1505-AB79</a>
Extension of Import Restrictions Imposed on Pre-Classical and Classical Archaeological Material and Byzantine Ecclesiastical and Ritual Ethnological Material From Cyprus	<a href="#">1505-AB80</a>
Extension of Import Restrictions Imposed on Archaeological Material From Mali	<a href="#">1505-AB86</a>
Extension of Import Restrictions Imposed on Archaeological Material From Guatemala	<a href="#">1505-AB87</a>

### Financial Crimes Enforcement Network - PreRule

<b>Title</b>	<b>Regulation Identifier Number</b>
Provision of Banking Services to Money Services Businesses	<a href="#">1506-AA85</a>

### Financial Crimes Enforcement Network - Final Rule

<b>Title</b>	<b>Regulation Identifier Number</b>
Amendment to the Bank Secrecy Act Regulations--Exemptions From the Requirement To Report Transactions in Currency	<a href="#">1506-AA23</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Dealers in Precious Metals, Stones, or Jewels	<a href="#">1506-AA78</a>
Final Rule to Amend the Bank Secrecy Act Regulations Regarding Financial Institutions Exempt From Establishing Anti-Money Laundering Programs.	<a href="#">1506-AA88</a>

### Financial Crimes Enforcement Network - Completed Action

<b>Title</b>	<b>Regulation Identifier Number</b>
Amendment to the Bank Secrecy Act Regulations Regarding Reporting of Cross-Border Transportation of Certain Monetary Instruments	<a href="#">1506-AA15</a>
Amendments to the Bank Secrecy Act Regulations--Special Reporting and Recordkeeping Requirements--Money Services Businesses (MSBs)	<a href="#">1506-AA19</a>
Amendment to the Bank Secrecy Act Regulations--Requirement That Nonfinancial Trades or Businesses Report Certain Currency Transactions	<a href="#">1506-AA25</a>
Customer Identification Programs for Banks, Savings Associations, and Credit Unions	<a href="#">1506-AA31</a>
Amendment to the Bank Secrecy Act Regulations--Requirement That Mutual Funds Report Suspicious Transactions	<a href="#">1506-AA37</a>
Customer Identification Programs for Travel Agents	<a href="#">1506-AA38</a>
Customer Identification Programs for Pawn Brokers	<a href="#">1506-AA39</a>
Customer Identification Programs for Loan and Finance Companies	<a href="#">1506-AA40</a>
Customer Identification Programs for Sellers of Vehicles	<a href="#">1506-AA41</a>
Imposition of Special Measures Against the Country of Nauru	<a href="#">1506-AA43</a>
Financial Crimes Enforcement: Amendments to the Bank Secrecy Act Regulations--Nomenclature Changes	<a href="#">1506-AA61</a>
Imposition of Special Measure Against First Merchant Bank OSH Ltd, Incl. Its Subsidiaries: FMB Finance Ltd, First Merchant International Inc, First Merchant Finance Ltd, and First Merchant Trust Ltd	<a href="#">1506-AA65</a>
Imposition of Special Measure Against Infobank as a Financial Institution of Primary Money Laundering Concern	<a href="#">1506-AA67</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Mutual Funds	<a href="#">1506-AA68</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Travel Agencies	<a href="#">1506-AA69</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Investment Advisors	<a href="#">1506-AA71</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Financial Institutions	<a href="#">1506-AA72</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Loan and Finance Companies	<a href="#">1506-AA73</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Money Services Businesses	<a href="#">1506-AA74</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Commodity Trading Advisors	<a href="#">1506-AA75</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Operators of a Credit Card System	<a href="#">1506-AA76</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Unregistered Investment Companies	<a href="#">1506-AA77</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Persons Involved in Real Estate Closings and Settlements	<a href="#">1506-AA79</a>
Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Businesses Engaged in Vehicle Sales, Including Automobile, Airplane, and Boat Sales	<a href="#">1506-AA80</a>
Amendment to the Bank Secrecy Act Regulations--Imposition of Special Measure Against Banco Delta Asia SARL	<a href="#">1506-AA83</a>
Amendments to Bank Secrecy Act Regulations--Casino Recordkeeping and Reporting Requirements	<a href="#">1506-AA84</a>
Threshold for the Requirement To Collect, Retain, and Transmit Information on Funds Transfer and Transmittal of Funds	<a href="#">1506-AA86</a>
Amendment to the Bank Secrecy Act Regulations--Requirement That Check Cashers Report Suspicious Transactions	<a href="#">1506-AA87</a>

#### Financial Management Service - Proposed Rule

<b>Title</b>	<b>Regulation Identifier Number</b>
Federal Government Participation in the Automated Clearing House (ACH)	<a href="#">1510-AB00</a>
Rules and Procedures for Efficient Federal-State Funds Transfers	<a href="#">1510-AB12</a>
Management of Federal Agency Disbursements	<a href="#">1510-AB13</a>
Management of Federal Agency Disbursements	<a href="#">1510-AB14</a>
Acceptance of Bonds Secured by Government Obligations in Lieu of Bonds With Securities	<a href="#">1510-AB15</a>

**Financial Management Service - Final Rule**

<b>Title</b>	<b>Regulation Identifier Number</b>
Federal Claims Collection Standard--Collection by Installments	<a href="#">1510-AA91</a>
Payment of Federal Taxes and the Treasury Tax and Loan Program	<a href="#">1510-AB01</a>
Depositories and Financial Agents of the Federal Government	<a href="#">1510-AB10</a>

**Financial Management Service - Completed Action**

<b>Title</b>	<b>Regulation Identifier Number</b>
Claims on Account of Treasury Checks	<a href="#">1510-AA51</a>
Payment of Federal Taxes and the Treasury Tax and Loan Program	<a href="#">1510-AB11</a>
Offset of Tax Refund Payments To Collect Past-Due Support	<a href="#">1510-AB16</a>
Management of Federal Agency Disbursements	<a href="#">1510-AB17</a>

**Alcohol and Tobacco Tax and Trade Bureau - PreRule**

<b>Title</b>	<b>Regulation Identifier Number</b>
Proposed Revisions to the Beer Regulations	<a href="#">1513-AB05</a>
Use of Various Winemaking Terms on Wine Labels and in Advertisements; Request for Public Comment	<a href="#">1513-AB24</a>
Proposals Related to the Application for and Certification/Exemption of Label/Bottle Approval	<a href="#">1513-AB54</a>
Standards of Fill for Wine and Distilled Spirits; Request for Public Comment	<a href="#">1513-AB56</a>

**Alcohol and Tobacco Tax and Trade Bureau - Proposed Rule**

<b>Title</b>	<b>Regulation Identifier Number</b>
Exportation of Liquors	<a href="#">1513-AA00</a>
Determination of Tax and Recordkeeping on Large Cigars	<a href="#">1513-AA16</a>
Proposed Revisions to the Distilled Spirits Plant Regulations	<a href="#">1513-AA23</a>
Proposed Addition of New Grape Variety Names for American Wines	<a href="#">1513-AA42</a>
Petition To Establish Santa Maria Bench as a New American Viticultural Area	<a href="#">1513-AA51</a>
Labeling and Advertising of Malt Beverages	<a href="#">1513-AA60</a>
Denatured Spirits, Articles, and Nonbeverage Products	<a href="#">1513-AB03</a>
Labeling and Advertising of Wines, Distilled Spirits, and Malt Beverages	<a href="#">1513-AB07</a>
Alternating Brewery Proprietors	<a href="#">1513-AB09</a>
Firearms and Ammunition Excise Taxes, Consignment Sales of Imported Articles	<a href="#">1513-AB12</a>
Use of the Word "Pure" or Its Variants in the Labeling and Advertising of Alcohol Beverages	<a href="#">1513-AB16</a>
Form TTB F 5100.51, Formula and Process for Domestic and Imported Alcohol Beverages	<a href="#">1513-AB28</a>
Proposed Expansion of the Santa Maria Valley Viticultural Area	<a href="#">1513-AB31</a>
Proposed Amendment to the Standards of Identity for Distilled Spirits	<a href="#">1513-AB33</a>
Nonbeverage Product Formulas	<a href="#">1513-AB35</a>
Modification of Mandatory Label Information for Wine	<a href="#">1513-AB36</a>
Proposed Revision of Part 9--American Viticultural Areas	<a href="#">1513-AB39</a>

Proposed Establishment of the Upper Mississippi River Valley Viticultural Area	<a href="#">1513-AB40</a>
Proposed Establishment of the Pine Mountain-Mayacmas Viticultural Area	<a href="#">1513-AB41</a>
Proposed Establishment of the Lake Chelan Viticultural Area	<a href="#">1513-AB42</a>
Proposed Expansion of the Fort Ross Seaview Viticultural Area	<a href="#">1513-AB44</a>
Proposed Establishment of the Haw River Valley Viticultural Area	<a href="#">1513-AB45</a>
Proposed Establishment of the Indiana Uplands Viticultural Area	<a href="#">1513-AB46</a>
Proposed Expansion of the Paso Robles Viticultural Area	<a href="#">1513-AB47</a>
Proposed Establishment of the Leona Valley Viticultural Area	<a href="#">1513-AB49</a>
Proposed Establishment of the Snipes Mountain Viticultural Area	<a href="#">1513-AB51</a>
Proposed Establishment of the Happy Canyon of Santa Barbara Viticultural Area	<a href="#">1513-AB52</a>
Proposed Establishment of the Tehachapi Valley Viticultural Area	<a href="#">1513-AB53</a>
Proposed Establishment of the Antelope Valley of California's High Desert Viticultural Area	<a href="#">1513-AB55</a>

### Alcohol and Tobacco Tax and Trade Bureau - Final Rule

Title	Regulation Identifier Number
Implementation of Wine Credit Provisions of Public Law 104-188	<a href="#">1513-AA05</a>
Implementation of Public Law 105-33, Section 9302, Requiring the Qualification of Tobacco Product Importers and Miscellaneous Technical Amendments	<a href="#">1513-AA10</a>
Proposal To Recognize Synonyms for Petite Sirah and Zinfandel Grape Varieties	<a href="#">1513-AA32</a>
Organic Claims in Labeling and Advertising of Alcohol Beverages	<a href="#">1513-AA46</a>
Petition To Establish the Fort Ross Seaview Viticultural Area	<a href="#">1513-AA64</a>
Petition To Establish Calistoga as an American Viticultural Area	<a href="#">1513-AA92</a>
Removal of Tobacco Products and Cigarette Papers and Tubes, Without Payment of Tax, for Use by the United States in Law Enforcement Activities	<a href="#">1513-AA99</a>
New Certification Requirements for Imported Wine	<a href="#">1513-AB00</a>
Suspension of Special (Occupational) Tax	<a href="#">1513-AB04</a>
Major Food Allergen Labeling for Wines, Distilled Spirits, and Malt Beverages	<a href="#">1513-AB08</a>
Quarterly Excise Tax Filing for Small Alcohol Excise Taxpayers	<a href="#">1513-AB17</a>
Lehigh Valley	<a href="#">1513-AB19</a>
Swan Creek	<a href="#">1513-AB20</a>
San Francisco Bay Expansion	<a href="#">1513-AB21</a>
Proposed Expansion of the Alexander Valley Viticultural Area	<a href="#">1513-AB23</a>
Proposed Establishment of the Tulocay Viticultural Area	<a href="#">1513-AB26</a>
Proposed Establishment of the Paso Robles Westside Viticultural Area	<a href="#">1513-AB27</a>
Tax Classification of Cigars and Cigarettes	<a href="#">1513-AB34</a>
Implementation of Public Law 105-33, Section 9302, Relating to Tobacco Product Minimum Manufacturing Requirements and Transfer Marking	<a href="#">1513-AB37</a>
Tobacco Products and Cigarette Papers and Tubes Shipped From Puerto Rico to the U.S.	<a href="#">1513-AB38</a>
Implementation of Public Law 103-465, Section 712, Time for Payment and Deposits of Certain Excise Taxes (No. 277)	<a href="#">1513-AB43</a>

### Alcohol and Tobacco Tax and Trade Bureau - Long-term Action

Title	Regulation Identifier Number
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)	<a href="#">1513-AA06</a>
Prohibition of Alcohol Beverage Containers and Standard of Fill for Distilled Spirits and Wine	<a href="#">1513-AA07</a>
Amended Standard of Identity for Sherry	<a href="#">1513-AA08</a>
Availability of Information	<a href="#">1513-AA98</a>

**Alcohol and Tobacco Tax and Trade Bureau - Completed Action**

Title	Regulation Identifier Number
Materials Authorized for the Treatment of Wine and Juice; Processes Authorized for the Treatment of Wine, Juice, and Distilling Material	<a href="#">1513-AA96</a>
Green Valley of Russian River Valley	<a href="#">1513-AB18</a>
Snake River Valley	<a href="#">1513-AB22</a>
Firearms Excise Tax; Exemption for Small Manufacturers, Producers, and Importers	<a href="#">1513-AB25</a>

**Internal Revenue Service - PreRule**

Title	Regulation Identifier Number
Imposition of Withholding on Certain Payments Made by Government Entities	<a href="#">1545-BG45</a>
Guidance Regarding Marketing of Refund Anticipation Loans (RALs) and Certain Other Products in Connection With the Preparation of a Tax Return	<a href="#">1545-BH12</a>

**Internal Revenue Service - Proposed Rule**

Title	Regulation Identifier Number
Income Tax--Taxpayer's Obligation To File a Notice of Redetermination of Foreign Tax and Civil Penalties for Failure To File	<a href="#">1545-AC09</a>
Outbound Transfers of Property to Foreign Corporations	<a href="#">1545-AM97</a>
Foreign Insurance Company--Domestic Election	<a href="#">1545-AO25</a>
Taxation of Global Trading	<a href="#">1545-AP01</a>
Definition of "Highly Compensated Employee"	<a href="#">1545-AQ74</a>
Integrated Financial Transaction	<a href="#">1545-AR20</a>
Application of Attribution Rules to Foreign Trusts	<a href="#">1545-AU91</a>
Rules for Sourcing Certain Transportation Income, Space, or Ocean Activity Income, and Related Foreign Base Company Shipping Income	<a href="#">1545-AX02</a>
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Definition of Passive Foreign Investment Company (PFIC) Under Section 1297	<a href="#">1545-AX78</a>
Clarification of Foreign Base Company Sales Income Rules	<a href="#">1545-AX91</a>
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Special Rules Relating to Transfers of Intangibles to Foreign Corporations	<a href="#">1545-AY41</a>

Liabilities Assumed in Certain Corporate Transactions	<a href="#">1545-AY74</a>
Disclosure of Returns and Return Information in Judicial and Administrative Tax Proceedings	<a href="#">1545-AY89</a>
Transactions Involving Obligations of Consolidated Group Members	<a href="#">1545-BA11</a>
Deductibility of Employer Contributions for Deferred Compensation	<a href="#">1545-BA13</a>
Allocation and Apportionment Rules: Guidance on Selected Issues	<a href="#">1545-BA64</a>
Allocation of New Markets Tax Credit	<a href="#">1545-BA84</a>
Accrual Rules for Creditable Foreign Taxes and Guidance on Change in Taxable Year	<a href="#">1545-BB27</a>
Amending the Low-Income Housing Tax Credit Program	<a href="#">1545-BB37</a>
Liquidation of an Interest	<a href="#">1545-BB71</a>
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Below-Market Loans	<a href="#">1545-BC78</a>
Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1974	<a href="#">1545-BC82</a>
Definition of Loss for Purposes of the Straddle Rules	<a href="#">1545-BC83</a>
Accumulated Adjustment Account and Other Corporate Separations Under Section 355	<a href="#">1545-BC98</a>
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Definition of Disqualified Person	<a href="#">1545-BD28</a>
Declaratory Judgment--Gift Tax Value	<a href="#">1545-BD67</a>
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Update and Revision of Treasury Regulation Sections 1.381(c)(4) and (5)-1	<a href="#">1545-BD81</a>
Amendments to 26 CFR Section 1.263(a)-5 Regarding Treatment of Capitalized Costs	<a href="#">1545-BD82</a>
Guidance Regarding Selected Issues Under Section 336(e)	<a href="#">1545-BD84</a>
Definition of the "Due Date" for Purposes of Calculating Overpayment Interest Under Section 301.6611(h)	<a href="#">1545-BD86</a>
Reduction of Fuel Excise Tax Evasion	<a href="#">1545-BE03</a>
Intra-Group Gross Receipts Under Section 41	<a href="#">1545-BE14</a>
Farmer and Fisherman Income Averaging Under the American Jobs Creation Act of 2004 (AJCA)	<a href="#">1545-BE23</a>
Tractors, Trailers, Trucks, and Tires	<a href="#">1545-BE31</a>
Definition of Dependent and Other Related Provisions	<a href="#">1545-BE40</a>
Research Expenditures Resulting in Inventory Property	<a href="#">1545-BE64</a>
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S Corporation Guidance Under American Jobs Creation Act of 2004	<a href="#">1545-BE95</a>
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U.S. Source Income Effectively Connected With U.S. Business	<a href="#">1545-BF77</a>
Source of Income; Source of Guarantee Fee Income	<a href="#">1545-BF78</a>
Guidance Under Section 67 Regarding Miscellaneous Itemized Deductions of a Trust or Estate	<a href="#">1545-BF80</a>
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**Office of Thrift Supervision - PreRule**

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**Office of Thrift Supervision - Proposed Rule**

Title	Regulation Identifier Number
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Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Maintenance: Domestic Capital Modifications	<a href="#">1550-AB98</a>
Procedures To Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies Under Section 312 of the Fair and Accurate Credit Transactions Act	<a href="#">1550-AC01</a>
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**Office of Thrift Supervision - Final Rule**



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Federal Savings Association Bylaws; Integrity of Directors	<a href="#">1550-AC00</a>
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Permissible Activities of Savings and Loan Holding Companies	<a href="#">1550-AC10</a>
Model Privacy Form Under the Gramm-Leach-Bliley Act	<a href="#">1550-AC12</a>
Prohibited Service at Savings and Loan Holding Companies	<a href="#">1550-AC14</a>
Optional Charter Provisions in Mutual Holding Company Structures	<a href="#">1550-AC15</a>
Personal Transactions in Securities	<a href="#">1550-AC16</a>

**Office of Thrift Supervision - Completed Action**

Title	Regulation Identifier Number
Fair Credit Reporting Affiliate Marketing Regulations	<a href="#">1550-AB90</a>
Identity Theft Detection, Prevention, and Mitigation Program for Financial Institutions and Creditors	<a href="#">1550-AB94</a>
Supplemental Standards of Ethical Conduct for Employees of the Department of Treasury	<a href="#">1550-AC03</a>
Stock Benefit Plans in Mutual-To-Stock Conversions and Mutual Holding Company Structures	<a href="#">1550-AC07</a>
Management Official Interlocks	<a href="#">1550-AC09</a>
Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks	<a href="#">1550-AC11</a>

**Comptroller of the Currency - Proposed Rule**

Title	Regulation Identifier Number
Accuracy and Integrity of Information Furnished to a Consumer Reporting Agency	<a href="#">1557-AC89</a>
Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Domestic Capital Modifications (Basel II Standardized Approach)	<a href="#">1557-AC95</a>

**Comptroller of the Currency - Final Rule**

Title	Regulation Identifier Number
Regulatory Burden Reduction and Technical Amendments	<a href="#">1557-AC79</a>
Identity Theft Detection, Prevention, and Mitigation Program for Financial Institutions and Creditors	<a href="#">1557-AC87</a>
Implementation of a Revised Basel Capital Accord (Basel II)	<a href="#">1557-AC91</a>
Risk-Based Capital Standards: Market Risk	<a href="#">1557-AC99</a>
Lending Limits Pilot Program	<a href="#">1557-AD03</a>

**Comptroller of the Currency - Long-term Action**

Title	Regulation Identifier Number
Recordkeeping Requirements for Bank Exceptions From Securities Broker or Dealer Registration	<a href="#">1557-AB93</a>
Interagency Proposal for Model Privacy Form Under the Gramm-Leach-Bliley Act	<a href="#">1557-AC80</a>

**Comptroller of the Currency - Completed Action**

Title	Regulation Identifier Number
Fair Credit Reporting: Affiliate Marketing Regulations	<a href="#">1557-AC88</a>
Management Official Interlocks	<a href="#">1557-AD01</a>
Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks	<a href="#">1557-AD02</a>

**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB22**Title:** Expanded Methods of Payment of Duties, Taxes, Interest, and Fees

**Abstract:** Amendment to expand the number of ways that the Bureau of Customs and Border Protection will accept payment of duties, taxes, fees, interest, and other charges. Currently, the regulations allow for credit or charge cards, which have been authorized by the Commissioner of the Bureau of Customs and Border Protection (Commissioner), to be used at designated customs-serviced locations with a limitation that this method of payment may only be used by noncommercial entities. Amendment allows credit and charge cards authorized by the Commissioner of CBP to be used for payment of duties, taxes, fees, interest, and other charges not related to formal consumption entries for consumption in United States commerce, warehouse withdrawals, or quarterly user fees, and by removing the limitation that these methods of payment may only be used for noncommercial entries.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 24 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 5 USC 301; 19 USC 197 to 19 USC 198; 19 USC 58a to 58c; 19 USC 66; 19 USC 1202; 19 USC 1450; 19 USC 1624; 31 USC 9701**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/17/1999	64 FR 13141
NPRM Comment Period End	05/17/1999	
Second NPRM	02/00/2008	

**Additional Information:** Transferred from RIN 1515-AC40**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Doreen Garrett

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**Department of the Treasury (TREAS)**  
**Departmental Offices ( DO )****RIN:** 1505-AB49**Title:** Uniform Rules of Origin**Abstract:** Amendment to set forth uniform rules for determining the country of origin of imported goods.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 102 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 19 USC 66; 19 USC 1202; 19 USC 1624**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Monika Rice Brenner

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**Department of the Treasury (TREAS)**  
**Departmental Offices ( DO )****RIN:** 1505-AB52**Title:** Revision of Outbound Redelivery Procedures and Liabilities

**Abstract:** Amendment of the condition in an international carrier bond regarding the unlawful disposition of merchandise in order to allow CBP to better control the exportation of merchandise and to have more control over demands for redelivery. Conditions of the bond would be amended to no longer require the merchandise to be labeled as seized and detained for the principal to be required to obtain permission from CBP prior to placing the merchandise on board a conveyance for export or otherwise disposing of the merchandise. Instead of the condition being applicable when CBP labels merchandise, the condition would be applicable when CBP notifies the principal either in writing or electronically that the merchandise has been seized or detained.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 113 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 19 USC 66; 19 USC 1623; 19 USC 1624**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Linda Shoupe

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Department of the Treasury

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB54**Title:** Centralization of the Continuous Bond Program at the CBP National Finance Center**Abstract:** Amendment to reflect CBP's planned centralization of the continuous bond program at the National Finance Center (NFC). Pursuant to this centralization, all continuous bonds would be filed at the NFC via mail, fax, or in an electronic format. The NFC would assume most of the bond functions previously performed at the port level, with the noted exception that the authority to approve single transaction bonds will remain with port directors. These changes would support CBP's bond program by ensuring an efficient and uniform approach to the approval, maintenance, and periodic review of continuous bonds.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 19 CFR 101; 19 CFR 113 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 19 USC 1623**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Bruce Ingalls

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB65**Title:** Administrative Rulings and Protests

**Abstract:** Amendments to implement the administrative rulings process as well as the filing and administrative review of protests against specific decisions of Customs and Border Protection (CBP). Amendments reflect changes to the underlying statutory authority to parts 177 and 174 of title 19 of the CFR made by the Customs Modernization Provisions of the North American Free Trade Agreement (NAFTA) Implementation Act. Proposed changes to part 174 also reflect statutory amendments made by the Miscellaneous Trade and Technical Corrections Act of 1999 regarding protests against decisions on post-importation NAFTA claims and the time required for allowing or denying an application for further review of a protest. Additional changes to part 174 are proposed to reflect statutory amendments made by the Miscellaneous Trade and Technical Corrections Act of 2004 which impact the types of matters that are subject to protest, and extend various protest time limits such as the time to file and amend a protest, the time for a surety to file a protest, and the time to file a request for accelerated disposition of a protest. Other changes proposed serve to modernize, clarify, and enhance current CBP administrative rulings and protest procedures and reflect the nomenclature changes effected by the transfer of CBP to the Department of Homeland Security and the subsequent renaming of the U.S. Customs Service as the Bureau of Customs and Border Protection.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 177; 19 CFR 174; 19 CFR 173; 19 CFR 142 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States); 19 USC 1502; 19 USC 1624; 19 USC 1625; 19 USC 1514; 19 USC 1515; 19 USC 1448; 19 USC 1484; 19 USC 1501; 19 USC 1520; ...

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Agency Contact:** William G. Rosoff

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**Department of the Treasury (TREAS)**

**Departmental Offices ( DO )**

**RIN:** 1505-AB71

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**Title:** Foreign Repairs to American Vessels; Consolidation of Vessel Repair Units

**Abstract:** This document proposes to amend the Customs and Border Protection ("CBP") regulations governing the location of CBP Vessel Repair Units ("VRUs"). VRUs are responsible for processing vessel repair entries filed by persons required to declare purchases for or repairs to certain vessels while they are outside the United States. As a result of a sustained decrease in the number of vessel repair entries filed, CBP is proposing to consolidate the VRUs by closing the VRUs located in San Francisco and New York and by requiring all vessel repair entries to be filed at the VRU in New Orleans. CBP also is proposing to amend the CBP regulations relating to the declaration, entry, and assessment of duty with regard to vessel repairs and purchases to advise that the enactment and implementation of free trade agreements between the United States and other countries may impact upon the dutiable status of vessel repair expenditures made in foreign countries that are parties to those agreements, and to require that, if a single entry bond is used for a vessel repair entry, the bond must be attached to the entry at the time of submission. In addition, this document proposes to amend the CBP regulations relating to claims for relief from the assessment of vessel repair duties to reflect a 2004 amendment to the vessel repair statute that created an exemption from vessel repair duties for the cost of certain equipment, repair parts, and materials.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 4.14 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 19 USC 1431; 19 USC 1433; 19 USC 1434; 19 USC 1624; 19 USC 2071 note; 19 USC 66; 46 USC app 3; 46 USC app 91; 5 USC 301; 19 USC 1466; 19 USC 1498

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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## Department of the Treasury (TREAS)

### Departmental Offices ( DO )

**RIN:** 1505-AB78

**Title:** Prohibition on Funding of Unlawful Internet Gambling

**Abstract:** The document implements 31 U.S.C. 5364, which requires Treasury and the Federal Reserve Board, in consultation with the Attorney General, to jointly prescribe regulations requiring designated payment systems and all participants therein to prevent or prohibit unlawful Internet gambling transactions (hereafter "restricted transactions") through the establishment and implementation of reasonably designed policies and procedures. The NPRM would: (1) Designate payment systems; (2) require designated payment systems and participants to establish and implement policies and procedures reasonably designed to prevent or prohibit restricted transactions; (3) exempt certain restricted transactions or designated payment systems; and (4) identify types of policies and procedures, including nonexclusive examples, which would be deemed to be reasonably designed to prevent or prohibit restricted transactions.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 132 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 31 USC 321; 31 USC 5361 to 5367

**Legal Deadline:**

Action	Source	Date
Other	Statutory	07/10/2007

**Timetable:**

Action	Date	FR Cite
NPRM	10/04/2007	72 FR 56680
NPRM Comment Period End	12/12/2007	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Steven D. Laughton

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB85**Title:** Class 9 Bonded Warehouse Procedures

**Abstract:** This document proposes amendments to title 19 of the Code of Federal Regulations (19 CFR), with respect to the requirements applicable to the operation of Class 9 bonded warehouses, which are also known as "duty-free sales enterprises" or "duty-free stores." The proposed amendments would extend the blanket withdrawal procedure for Class 9 bonded warehouses to cover vessel supplies under certain circumstances and expand and create a uniform time period for Class 9 proprietors to file an entry; provide written confirmation of certain shortages, overages, and damages; and to pay duties, taxes, and interest on overages and shortages. In addition, the proposed amendments would permit Class 9 warehouses to utilize technological systems more effectively. The proposed changes would facilitate the efficient operation of Class 9 warehouses and also ensure adequate records are maintained for U.S. Customs and Border Protection ("CBP") trade enforcement purposes.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 19.6; 19 CFR 19.12; 19 CFR 19.36; 19 CFR 144.37 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1624; 19 USC 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States); 19 USC 1555; 19 USC 1484; 19 USC 1557; 19 USC 1559; 19 USC 1562**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

**Agency Contact:** Gary Rosenthal

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AA95**Title:** Reporting and Procedures Regulations; Cuban Assets Control Regulations: Publication of Economic Sanctions Enforcement Guidelines**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. To the extent this proposed rule applied to "banking institutions," it is superseded by the interim final rule, "Economic Sanctions Enforcement Procedures for Banking Institutions," issued by OFAC on January 11, 2006 (71 FR 1971).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 501; 31 CFR 515 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 21 USC 1901 to 1908; 22 USC 287c; 31 USC 321(b); 50 USC 1701 to 1706; 50 USC app 1-44**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/29/2003	68 FR 4422
NPRM Comment Period End	03/31/2003	
Final Action	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Related to 1505-AB69**Agency Contact:** Chief Of Records Department of the Treasury

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB20**Title:** Remote Location Filing**Abstract:** Amendment to allow entry filers to electronically file entries of merchandise with the Bureau of Customs and Border Protection from locations other than at the port of arrival of the merchandise or the location of examination of the merchandise.



**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 111; 19 CFR 113; 19 CFR 141; 19 CFR 143 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 19 USC 66; 19 USC 1202; 19 USC 1484; 19 USC 1624; 19 USC 1641**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/23/2007	72 FR 13714
NPRM Comment Period End	05/22/2007	
Final Action	02/00/2008	

**Additional Information:** Transferred from RIN 1515-AC23**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Marla Bianchetta

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB21**Title:** Country-of-Origin Marking**Abstract:** Amendments clarify the country-of-origin marking rules set forth in part 134 of the Bureau of Customs and Border Protection Regulations. Amendments promote the concept of informed compliance by the trade and proper field administration of the statutory requirement.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 134 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1304; 19 USC 1624**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/26/2000	65 FR 4193
NPRM Comment Period End	04/26/2000	65 FR 17473
Final Action	02/00/2008	

**Additional Information:** Transferred from RIN 1515-AC32**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No

**Agency Contact:** Gail Hamill

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB24**Title:** User and Navigation Fees; Other Reimbursable Charges**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 4; 19 CFR 24; 19 CFR 101 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 19 USC 58a to 58c; 19 USC 66; 19 USC 1202; 19 USC 1431; 19 USC 1433; 19 USC 1434; 19 USC 1505; 19 USC 1624; 31 USC 9701; 46 USC 2110 to 2112**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/01/2001	66 FR 21705
NPRM Comment Period End	07/02/2001	
Final Action	02/00/2008	

**Additional Information:** Transferred from RIN 1515-AC63**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Elissa G Kay

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB26**Title:** African Growth and Opportunity Act and Generalized System of Preferences**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.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 10; 19 CFR 163 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**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**Legal Deadline:**

Action	Source	Date
Other	Statutory	10/01/2000

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/01/2000	65 FR 59668
Interim Final Rule Effective	10/05/2000	
Interim Final Rule Comment Period End	12/04/2000	
Final Action	02/00/2008	

**Additional Information:** Transferred from RIN 1515-AC72**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Cynthia Reese

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB28**Title:** United States--Caribbean Basin Trade Partnership Act and Caribbean Basin Initiative**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 10; 19 CFR 163 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**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**Legal Deadline:**

Action	Source	Date
Other	Statutory	10/01/2000

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/05/2000	65 FR 59650
Interim Final Rule Effective	10/01/2000	65 FR 59650
Interim Final Rule Comment Period End	12/04/2000	
Final Action	12/00/2007	

**Additional Information:** Transferred from RIN 1515-AC76

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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## Department of the Treasury (TREAS)

### Departmental Offices ( DO )

**RIN:** 1505-AB31

**Title:** Dog and Cat Protection Act

**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 CBP's 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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 12; 19 CFR 113; 19 CFR 151; 19 CFR 162 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

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

**Legal Deadline:**

Action	Source	Date
Other	Statutory	08/09/2001

### Timetable:

Action	Date	FR Cite
NPRM	08/10/2001	66 FR 42163
NPRM Comment Period End	10/09/2001	66 FR 42163
Final Action	02/00/2008	

**Additional Information:** Transferred from RIN 1515-AC87

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB38**Title:** Trade Benefits Under the African Growth and Opportunity Act

**Abstract:** Amendment to those provisions of the Customs and Border Protection 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.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 10 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**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**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	03/21/2003	
Interim Final Rule	03/21/2003	68 FR 13820
Interim Final Rule Comment Period End	05/20/2003	
Final Action	02/00/2008	

**Additional Information:** Transferred from RIN 1515-AD20

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

**Federalism:** No

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## Department of the Treasury (TREAS)

### Departmental Offices ( DO )

**RIN:** 1505-AB40

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**Title:** Trade Benefits Under the Caribbean Basin Economic Recovery Act

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 10 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**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

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	03/21/2003	
Interim Final Rule	03/21/2003	68 FR 13827
Interim Final Rule Comment Period End	05/20/2003	
Final Action	12/00/2007	

**Additional Information:** Transferred from RIN 1515-AD22

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

**Federalism:** No

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## Department of the Treasury (TREAS)

### Departmental Offices ( DO )

**RIN:** 1505-AB48

**Title:** United States--Singapore Free Trade Agreement

**Abstract:** Amendment to implement the preferential tariff treatment and other customs-related provisions of the Free Trade Agreement entered into by the United States and the Republic of Singapore.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 10; 19 CFR 12; 19 CFR 24; 19 CFR 163; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 19 USC 3805 note; 19 USC 1202; 19 USC 66; 19 USC 1624; ...

**Legal Deadline:**

Action	Source	Date
Other	Statutory	01/01/2005

### Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	06/11/2007	
Interim Final Rule	06/11/2007	72 FR 31990
Interim Final Rule Comment Period End	08/10/2007	
Final Action	02/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB51

**Title:** Recordation of Copyrights and Enforcement Procedures To Prevent Importation of Piratical Articles

**Abstract:** This amendment will allow CBP to be more responsive to claims of piracy. Amendment would allow sound recordings and motion pictures or similar audio-visual works to be recorded with CBP while pending registration with the U.S. Copyright Office. Amendment would also enhance the protection of all non-U.S. works by allowing recordation without requiring registration with the U.S. Copyright Office. Amendment would also set forth changes to CBP's enforcement procedures, including, among other things, enhanced disclosure provisions, protection for live musical performances, and provisions to enforce the Digital Millennium Copyright Act.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 133 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 15 USC 1124; 15 USC 1125; 17 USC 101; 17 USC 106; 17 USC 501; 19 USC 66; 19 USC 1499; 19 USC 1595a; 17 USC 1201(b); 18 USC 2319A; ...

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	10/05/2004	69 FR 59562
NPRM Comment Period End	11/04/2004	
Final Action	02/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Departmental Offices ( DO )****RIN:** 1505-AB60**Title:** Country of Origin of Textile and Apparel Products

**Abstract:** Amendment of the CBP regulations to update, restructure, and consolidate the regulations relating to the country of origin of textile and apparel products. Amendments reflect changes brought about, in part, by the expiration on January 1, 2005, of the Agreement on Textiles and Clothing and the resulting elimination of quotas on the entry of textile and apparel products from World Trade Organization members. The primary regulatory change is the elimination of the requirement that a textile declaration be submitted for all importations of textile and apparel products. In addition, to improve the quality of reporting of the manufacturer of imported textiles and apparel products, the amendments include a requirement that importers identify the manufacturer of such products through a manufacturer identification code.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 12; 19 CFR 102; 19 CFR 141; 19 CFR 144; 19 CFR 146; 19 CFR 163 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 3314; 19 USC 3592

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/05/2005	70 FR 58009
Interim Final Rule Comment Period End	12/05/2005	
Final Action	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Cynthia Reese

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**Department of the Treasury (TREAS)**  
**Departmental Offices ( DO )****RIN:** 1505-AB69**Title:** Economic Sanctions Enforcement Procedures for Banking Institutions

**Abstract:** This interim final rule supercedes the proposed rule issued by the Office of Foreign Assets Control (OFAC) on January 29, 2003 (68 FR 4422) to the extent that the proposed rule applied to "banking institutions," as defined in the interim final rule. These administrative procedures are published as an appendix to OFAC's Reporting, Procedures and Penalties Regulations (31 CFR 501).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 501 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 18 USC 2332d; 21 USC 1901 to 1908; 22 USC 287c; 22 USC 2370(a); 31 USC 321(b); 50 USC 1701 to 1706; 50 USC app 1 to 44; PL 101-410 (28 USC 2461 note); EO 9193; EO 9989; EO 12854

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/11/2006	71 FR 1971
Interim Final Rule Comment Period End	03/13/2006	
Final Action	12/00/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1505-AA95

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## Department of the Treasury (TREAS)

### Departmental Offices ( DO )

**RIN:** 1505-AB73

**Title:** Entry Of Certain Softwood Lumber Products From Canada

**Abstract:** This document adopts as a final rule, with changes, the interim rule amending title 19 of the Code of Federal Regulations (19 CFR) that was published in the Federal Register (71 FR 61399) on October 18, 2006, as Customs and Border Protection (CBP) Dec. 06-25. The interim rule amended the CBP regulations by prescribing the collection of certain entry summary information for purposes of monitoring and enforcing the Softwood Lumber Agreement (SLA 2006) between the Governments of Canada and the United States, entered into on September 12, 2006. In an effort to better enable CBP to accurately and timely fulfill its data collection and reporting obligations under the SLA 2006, this document identifies an additional entry code option that designates softwood lumber products that are specifically identified as exempt from SLA 2006 export measures pursuant to Annex 1A of the Agreement, notwithstanding the fact that the exempt goods are classifiable in residual Harmonized Tariff Schedule of the United States provisions that are listed as covered by the SLA 2006. This document also amends the list of required entry records set forth in the appendix to part 163 of title 19 of the Code of Federal Regulations (19 CFR part 163) to reflect the record-keeping requirements prescribed in CBP Dec. 06-25. Lastly, this document conforms the bond provisions applicable to certain imports of Canadian softwood lumber to reflect the softwood lumber provisions set forth in section 12.140 of title 19 of the Code of Federal Regulations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 12.140; 19 CFR 113.62; app to 19 CFR 163 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)); 19 USC 1624; ...

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	10/18/2006	
Interim Final Rule	10/18/2006	71 FR 61399
Interim Final Rule Comment Period End	12/18/2006	
Final Action	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Millie Gleason

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB75**Title:** United States--Jordan Free Trade Agreement**Abstract:** Amends title 19 of the Code of Federal Regulations (CFR) on an interim basis to implement the preferential tariff treatment and other customs-related provisions of the U.S.-Jordan Free Trade Agreement entered into by the United States and the Hashemite Kingdom of Jordan.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 10; 19 CFR 163; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 19 USC 2112 note; 19 USC 1202; 19 USC 66; 19 USC 1624; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	06/27/2007	
Interim Final Rule	06/27/2007	72 FR 35154
Interim Final Rule Comment Period End	08/27/2007	
Final Action	02/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Seth Mazze

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

RIN: 1505-AB76

**Title:** United States--Morocco Free Trade Agreement

**Abstract:** Amendment to the Customs and Border Protection regulations on an interim basis to implement the preferential tariff treatment and other customs-related provisions of the United States-Morocco Free Trade Agreement entered into by the United States and the Kingdom of Morocco.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 10, subpart M; 19 CFR 162; 19 CFR 163; 19 CFR 178; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 19 USC 3805 note; 19 USC 1202 (General Note 27); 19 USC 66; 19 USC 1624; ...

**Legal Deadline:** Section 205 of the United States-Morocco Free Trade Agreement Implementation Act, Public Law 108-302, 118 Stat. 1103 (19 USC 3805 note), August 17, 2004, requires that initial regulations shall, to the maximum extent feasible, be issued within 1 year after the date of entry into force of the Agreement. The US-MFTA entered into force on January 1, 2006.

Action	Source	Date
Other	Statutory	01/01/2007

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	06/29/2007	
Interim Final Rule	06/29/2007	72 FR 35647
Interim Final Rule Comment Period End	08/28/2007	
Final Action	02/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robert Abels

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**Department of the Treasury (TREAS)**  
**Departmental Offices ( DO )****RIN:** 1505-AB77

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**Title:** United States--Australia Free Trade Agreement**Abstract:** This rule amends title 19 of the Code of Federal Regulations on an interim basis to implement the preferential tariff treatment and other customs-related provisions of the U.S.-Australia Free Trade Agreement entered into the United States and the Commonwealth of Australia.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 19 CFR 10, subpart L; 19 CFR 24; 19 CFR 162; 19 CFR 163; 19 CFR 178 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 19 USC 1202 (General Note 28 and 3(i), Harmonized Tariff Schedule of the United States); 19 USC 66; 19 USC 1624; 19 USC 3805 note; ...**Legal Deadline:** Section 207 of the United States-Australia Free Trade Agreement Implementation Act, Public Law 108-286, 118 Stat. 919 (19 USC 3805 note), August 3, 2004, requires that initial regulations shall, to the maximum extent feasible, be issued within 1 year after the date of entry into force of the Agreement. The US-Australia Free Trade Agreement, which was signed on May 18, 2004 entered into force on January 1, 2005.

Action	Source	Date
Other	Statutory	01/01/2006

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB81**Title:** United States-Bahrain Free Trade Agreement**Abstract:** This document amends the Customs and Border Protection ("CBP") regulations on an interim basis to implement the preferential tariff treatment and other customs-related provisions of the United States-Bahrain Free Trade Agreement entered into by the United States and the Kingdom of Bahrain.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 10; 19 CFR 24; 19 CFR 162; 19 CFR 163; 19 CFR 178 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 19 USC 3805 note; 19 USC 1202 (General Note 30); 19 USC 66; 19 USC 1624; ...**Legal Deadline:** The provisions of the BFTA were adopted by the United States with the enactment of the United States-Bahrain Free Trade Agreement Implementation Act (the "Act"), Public Law 109-169, 119 Stat. 3581 (19 U.S.C. 3805 note), on January 11, 2006. Section 205 of the Act requires that regulations be prescribed as necessary within one year after the date of entry into force of the Agreement.

Action	Source	Date
Other	Statutory	08/01/2007

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	10/16/2007	
Interim Final Rule	10/16/2007	72 FR 58511
Interim Final Rule Comment Period End	12/17/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB82**Title:** Haitian Hemispheric Opportunity Through Partnership Encouragement Act of 2006**Abstract:** This document amends the Customs and Border Protection ("CBP") regulations on an interim basis to implement the duty-free provisions of the Haitian Hemispheric Opportunity through Partnership Encouragement ("HOPE") Act of 2006.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 10, subpart O; 19 CFR 163 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 19 USC 66; 19 USC 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 3314; 19 USC 2703A**Legal Deadline:** Section 5002 of the Tax Relief and Health Care Act of 2006 (HOPE Act) amended the Caribbean Basin Economic Recovery Act (codified at 19 U.S.C. 2701-2707) by adding a new section 213A, entitled "Special Rules for Haiti." Subsection (f) of section 213A provides that implementing regulations to carry out the additional trade benefits for Haiti shall be issued not later than 180 days after the date of enactment of the HOPE Act (December 20, 2006).

Action	Source	Date
Other	Statutory	06/20/2007

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	06/22/2007	
Interim Final Rule	06/22/2007	72 FR 34365
Interim Final Rule Comment Period End	08/21/2007	
Final Action	11/00/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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## Department of the Treasury (TREAS)

### Departmental Offices ( DO )

**RIN:** 1505-AB83

**Title:** Name Changes of Two DHS Component Agencies

**Abstract:** This document revises certain chapter headings of title 19 of the Code of Federal Regulations (19 CFR) to reflect name changes for two components of the Department of Homeland Security. The Bureau of Customs and Border Protection has been renamed U.S. Customs and Border Protection (CBP) and the Bureau of Immigration and Customs Enforcement has been renamed U.S. Immigration and Customs Enforcement (ICE).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Heading to Ch I; Heading to Ch IV (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 6 USC 542(a)(2)



**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
Final Action	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No**Related Agencies:** Joint : USICE**Agency Contact:** Harold M. Singer

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB84**Title:** Dominican Republic-Central America-United States Free Trade Agreement**Abstract:** This rule amends title 19 of the Code of Federal Regulations ("CFR") on an interim basis to implement the preferential tariff treatment and other customs-related provisions of the Dominican Republic-Central America-United States Free Trade Agreement.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 19 CFR 10, subpart J; 19 CFR 24; 19 CFR 162; 19 CFR 163; 19 CFR 178 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 19 USC 4001 note; 19 USC 1202 (General Note 29); 19 USC 66; 19 USC 1624; ...**Legal Deadline:** The Dominican Republic-Central America-United States Free Trade Agreement Implementation Act, PL 109-53, 119 Stat. 462 (19 USC 4001 note), August 2, 2005, requires that initial regulations shall, to the maximum extent feasible, be issued within 1 year after the date of entry into force of the CAFTA-DR for each country (Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, and Nicaragua). The CAFTA-DR entered into force for the first country, El Salvador, on March 1, 2007.

Action	Source	Date
Other	Statutory	03/01/2007

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AA74**Title:** Possible Regulation of Access to Accounts at Financial Institutions Through Payment Service Providers**Abstract:** Treasury is seeking comment on whether it should propose regulations regarding arrangements between insured financial institutions and nondepository payment service providers (e.g., check cashers) governing access to Federal electronic payments. Commenters are asked to address the question of whether these arrangements should be federally regulated and, if they should, how those regulations should be structured.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 31 CFR Ch II (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 31 USC 321; 31 USC 3332**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
ANPRM	01/08/1999	64 FR 1149
ANPRM Comment Period End	04/08/1999	

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

**Federalism:** No

**Agency Contact:** Donna Felmlee

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

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**RIN:** 1505-AA81

**Title:** Financial Subsidiaries

**Abstract:** This joint rule will be adopted by the Department of the Treasury and the Board of Governors of the Federal Reserve System to implement section 121 of the Gramm-Leach-Bliley Act. The rule will establish a portion of an indexing mechanism to adjust the maximum aggregate consolidated assets of all financial subsidiaries of a national bank permitted under the Act.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 12 USC 24a

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Departmental Offices ( DO )****RIN:** 1505-AA84**Title:** Secretary's Determination of Real Estate Brokerage

**Abstract:** The Department of the Treasury and Federal Reserve Board are jointly seeking comment on whether to determine by rule that real estate brokerage and/or real estate management are financial in nature or incidental to a financial activity, and therefore permissible activities for financial holding companies and financial subsidiaries of national banks under the Gramm-Leach-Bliley Act.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 1501.2 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5136A of the Revised Statutes, 12 USC 24a**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	01/03/2001	66 FR 307
NPRM Comment Period End	03/02/2001	
NPRM	05/01/2001	66 FR 12440

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Jeffrey C. King

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E-Mail: [jeff.king@do.treas.gov](mailto:jeff.king@do.treas.gov)**Department of the Treasury (TREAS)**  
**Departmental Offices ( DO )****RIN:** 1505-AB10**Title:** Terrorism Risk Insurance Program; Recoupments of Federal Share of Compensation for Insured Losses

**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 of 2002, title I, Public Law 107-297, and the Terrorism Risk Insurance Extension Act of 2005, Public Law 109-144, 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, 2007. 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 policy surcharges and remitting them to the Treasury.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 50 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; Terrorism Risk Insurance Act of 2002, title I, PL 107-297, 116 Stat 2322; Terrorism Risk Insurance Extension Act of 2005, PL 109-144, 119 Stat 2660**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	00/00/0000	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Howard Leikin

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB11**Title:** Harbor Maintenance Fee

**Abstract:** Amendments to the Customs and Border Protection 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 improvement and maintenance of U.S. ports and harbors.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 4; 19 CFR 24; 19 CFR 146; 19 CFR 178 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**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

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/01/1987

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/0000	
Interim Final Rule Effective	03/01/1987	
Interim Final Rule	03/30/1987	52 FR 10198
Interim Final Rule Comment Period End	05/29/1987	

**Additional Information:** Transferred from RIN 1515-AA57**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No

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

**RIN:** 1505-AB12

**Title:** Donated Cargo Exemption From Harbor Maintenance Fee

**Abstract:** Amends interim Customs and Border Protection 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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 24 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**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

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/0000	
Interim Final Rule Effective	01/08/1992	
Interim Final Rule	01/08/1992	57 FR 607
Interim Final Rule Comment Period End	03/09/1992	

**Additional Information:** Transferred from RIN 1515-AA87

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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

**RIN:** 1505-AB16

**Title:** Reconciliation

**Abstract:** Amendment to allow those elements of an entry, other than those elements relating to the admissibility of the merchandise, that are undetermined at the time an entry summary or an import activity summary is required to be submitted, to be provided to the Bureau of Customs and Border Protection at a later date.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 142; 19 CFR 159 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 19 USC 66; 19 USC 1484; 19 USC 1500; 19 USC 1624**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	00/00/0000	

**Additional Information:** Transferred from RIN 1515-AB85**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** John Leonard

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB17**Title:** North American Free Trade Agreement (NAFTA)--Implementation of Duty-Deferral Program Provisions

**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.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 181; 19 CFR 113; 19 CFR 141; 19 CFR 144; 19 CFR 10 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**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**Legal Deadline:**

Action	Source	Date
Other	Statutory	01/01/1996

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/0000	
Interim Final Rule Effective	01/01/1996	
Interim Final Rule	01/30/1996	61 FR 2908
Interim Final Rule Comment Period End	04/01/1996	

**Additional Information:** Transferred from RIN 1515-AB87

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

**Federalism:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB29

**Title:** Reimbursable Customs Inspectional Services--Increase in Hourly Rate Charge

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

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 24; 19 CFR 101 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**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

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/01/2001	66 FR 8554
NPRM Comment Period End	04/02/2001	
Second NPRM	10/09/2002	67 FR 62920
Second NPRM Comment Period End	12/09/2002	
Withdrawn	10/16/2007	

**Additional Information:** Transferred from RIN 1515-AC77

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

**Federalism:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB39

**Title:** Fees for Customs Processing at Express Consignment Carrier Facilities



**Abstract:** Amendment to implement amendments to the customs user fee statute made by section 337 of the Trade Act of 2002 and section 2004(f) of the Miscellaneous Trade and Technical Corrections Act of 2004. Statutory amendments made by section 337 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, and primarily serve to replace the annual lump sum payment procedure with a quarterly payment procedure based on a specific fee for each individual air waybill or bill of lading. Section 2004(f) amended the user fee statute to authorize, for merchandise that is formally entered at these sites, the assessment of merchandise processing fees provided for in 19 U.S.C. 58c(a)(9), in addition to the fees that are currently assessed on individual air waybills or bills of lading. Lastly, pursuant to the authority established in 19 U.S.C. 58c(b)(9)(B)(i), this document proposes to raise the existing \$0.66 fee assessed on individual air waybills or bills of lading to \$1.00 to more equitably align it with the actual costs incurred by CBP in processing these items.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 24; 19 CFR 113; 19 CFR 128 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**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

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/28/2006	71 FR 42778
NPRM Comment Period End	08/28/2006	
Final Action	06/08/2007	72 FR 31719
Final Action Effective	07/09/2007	

**Additional Information:** Transferred from RIN 1515-AD21

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB58

**Title:** NAFTA: Merchandise Processing Fee Exemption and Technical Corrections

**Abstract:** The document proposes to amend the regulations in title 19, Code of Federal Regulations (CFR), regarding claims for the exemption of the Merchandise Processing Fee (MPF). The NPRM would clarify that an importer is subject to the same declaration requirement that is established for claiming NAFTA duty preference in order to claim the exemption of the MPF for goods that meet a NAFTA rule of origin even when the goods are unconditionally free. In addition, the NPRM would make several technical corrections to the regulations, for example, the amendment clarifies that a Certificate of Origin is not required for a commercial importation for which the total value of originating goods does not exceed \$2,500.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 181 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/23/2006	71 FR 49391
NPRM Comment Period End	10/23/2006	71 FR 49391
Final Action	09/17/2007	72 FR 52780
Final Action Effective	10/17/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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#### Department of the Treasury (TREAS)

#### Departmental Offices ( DO )

**RIN:** 1505-AB64

**Title:** Dominican Republic-Central America-United States Free Trade Agreement

**Abstract:** Amendment of CBP regulations to set forth the conditions and requirements that apply for purposes of submitting requests to CBP for refunds of any excess customs duties paid with respect to entries of textile or apparel goods entitled to retroactive application of preferential tariff treatment under the Dominican Republic-Central American-United States Free Trade Agreement.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 10 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 4001

**Legal Deadline:**

Action	Source	Date
Other	Statutory	01/01/2006

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	03/07/2006	
Interim Final Rule	03/07/2006	71 FR 11304
Interim Final Rule Comment Period End	05/08/2006	
Final Action Effective	05/25/2007	
Final Action	05/25/2007	72 FR 29247

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB68**Title:** Entry of Certain Cement Products From Mexico Requiring a Commerce Department Import License

**Abstract:** This document proposes to amend title 19 of the Code of Federal Regulations to set forth special requirements for the entry of certain cement products from Mexico requiring a United States Department of Commerce import license. The cement products in question are those listed in the Agreement Between the Office of the United States Trade Representative, the United States Department of Commerce, and Mexico's Secretaria de Economia on Trade in Cement, dated March 6, 2006. The changes proposed in this document require the inclusion of an import license number on the entry summary documentation filed with Customs and Border Protection for any cement product for which the United States Department of Commerce requires under its cement licensing and import monitoring program as well as a valid Mexican export license with the entry documentation for cement covered by the Agreement on Trade in Cement.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 12.155; 19 CFR 306.201 to 205 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 1673**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/01/2006	71 FR 31125
NPRM Comment Period End	06/21/2006	
Final Action	03/06/2007	72 FR 10004
Final Action Effective	04/05/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

**RIN Information URL:** [www.ia.ita.doc.gov/download/mexico-cement/cement-final-agreement.pdf](http://www.ia.ita.doc.gov/download/mexico-cement/cement-final-agreement.pdf)

**Related RINs:** Related to 0625-AA70

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB79**Title:** Extension of Import Restrictions Imposed on Archaeological and Ethnological Material From Peru

**Abstract:** This document amends title 19 of the Code of Federal Regulations (19 CFR) to reflect the extension of the import restrictions on archaeological and ethnological materials from Peru that were imposed by Treasury Decision (T.D.) 97-50 and extended by T.D. 02-30. The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has determined that conditions continue to warrant the imposition of import restrictions. Accordingly, the restrictions will remain in effect for an additional 5 years, and title 19 of the CFR is being amended to reflect this extension until June 9, 2012. These restrictions are being extended pursuant to determinations of the United States Department of State made under the terms of the Convention on Cultural Property Implementation Act in accordance with the 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. T.D. 97-50 contains the Designated List of archaeological and ethnological materials from Peru.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 12.104g(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States); 19 USC 1624; 19 USC 2612; ...**Legal Deadline:**

Action	Source	Date
Other	Statutory	06/09/2007

**Timetable:**

Action	Date	FR Cite
Final Action Effective	06/09/2007	
Final Action	06/06/2007	72 FR 31176

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** George F. McCray

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**Department of the Treasury (TREAS)**  
**Departmental Offices ( DO )****RIN:** 1505-AB80

**Title:** Extension of Import Restrictions Imposed on Pre-Classical and Classical Archaeological Material and Byzantine Ecclesiastical and Ritual Ethnological Material From Cyprus

**Abstract:** This document amends title 19 of the Code of Federal Regulations (19 CFR) to reflect the extension of the import restrictions on archaeological and ethnological materials from Cyprus that were imposed by Treasury Decision (T.D.) 02-37 and CBP Dec. 06-22. The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has determined that conditions continue to warrant the imposition of import restrictions. Accordingly, the restrictions will remain in effect for an additional 5 years, and title 19 of the CFR is being amended to reflect this extension until July 16, 2012. These restrictions are being extended pursuant to determinations of the United States Department of State made under the terms of the Convention on Cultural Property Implementation Act in accordance with the 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. A Designated List of archaeological and ethnological materials from Cyprus is contained within the document.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 19 CFR 12.104g(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States); 19 USC 1624; 19 USC 2612; ...

**Legal Deadline:**

Action	Source	Date
Other	Statutory	07/16/2007

**Timetable:**

Action	Date	FR Cite
Final Action Effective	07/16/2007	
Final Action	07/13/2007	72 FR 38470

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB86**Title:** Extension of Import Restrictions Imposed on Archaeological Material From Mali

**Abstract:** This document amends Customs and Border Protection (CBP) regulations to reflect both continuing and new import restrictions on certain archaeological material from Mali. Import restrictions that were previously imposed by Treasury Decision (T.D.) 97-80 and extended by T.D. 02-55, that are due to expire on September 19, 2007, are extended. The Acting Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has made the requisite determination for the extension of import restrictions that previously existed and for amending the agreement so that it applies also to material from archaeological sites throughout Mali, including those of the Paleolithic Era (Stone Age), necessitating additional subcategories of stone objects in the Designated List. Accordingly, these import restrictions will remain in effect until September 19, 2012, and title 19 of the CBP regulations is being amended to reflect this amended bilateral agreement. These restrictions are being extended pursuant to determinations of the United States Department of State made under the terms of the 1970 Convention on Cultural Property Implementation Act in accordance with the 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. This document also contains the amended Designated List of Archaeological Material that describes the articles to which the restrictions apply, including the additional subcategories of stone objects.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 12.104g(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States); 19 USC 1624; 19 USC 2612; 19 USC 2602; ...**Legal Deadline:**

Action	Source	Date
Other	Statutory	09/19/2007

**Timetable:**

Action	Date	FR Cite
Final Action	09/19/2007	72 FR 53414

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** George F. McCray

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**Department of the Treasury (TREAS)****Departmental Offices ( DO )****RIN:** 1505-AB87**Title:** Extension of Import Restrictions Imposed on Archaeological Material From Guatemala

**Abstract:** This document amends title 19 of the Code of Federal Regulations, the Customs and Border Protection (CBP) regulations, to reflect the extension of import restrictions on certain archaeological material from Guatemala which were imposed by Treasury Decision (T.D.) 97-81 and extended by T.D. 02-56. The Acting Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has determined that conditions continue to warrant the imposition of import restrictions. Accordingly, the restrictions will remain in effect for an additional five years, and the CBP regulations are being amended to indicate this second extension until September 29, 2012. These restrictions are being extended pursuant to determinations of the United States Department of State made under the terms of the Convention on Cultural Property Implementation Act in accordance with the 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. T.D. 97-81 contains the Designated List of archaeological material that describes the articles to which the restrictions apply.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 19 CFR 12.104g(a) (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 301; 19 USC 66; 19 USC 1202 (General Note 3(i), Harmonized Tariff Schedule of the United States (HTSUS)); 19 USC 1624; 19 USC 2612; ...**Legal Deadline:**

Action	Source	Date
Other	Statutory	09/29/2007

**Timetable:**

Action	Date	FR Cite
Final Action Effective	09/29/2007	
Final Action	09/26/2007	72 FR 54538

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** George F. McCray

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA85**Title:** Provision of Banking Services to Money Services Businesses

**Abstract:** We are issuing this advance notice of proposed rulemaking ("Advance Notice") as a part of our ongoing effort to address, in the context of the Bank Secrecy Act, the issue of access to banking services by money services businesses. Both the banking industry and the money service business industry have expressed concerns with regard to the impact of Bank Secrecy Act regulations on the ability of money service businesses to open and maintain accounts and obtain other financial services at banks and other depository institutions. Due to the concerns about the effect of regulatory requirements on the provision of banking services to money services businesses, we, through the Non-Bank Financial Institutions and the Examinations subcommittees of the Bank Secrecy Act Advisory Group, held a fact-finding meeting on March 8, 2005, to hear directly from banks, other depository institutions, and money services businesses concerning the challenges that they face on this issue.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC PL 107-56 Bank Secrecy Act**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** [regcomments@fincen.gov](mailto:regcomments@fincen.gov)**Agency Contact:** Russell G. Stephenson

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**Department of the Treasury (TREAS)**  
**Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA23**Title:** Amendment to the Bank Secrecy Act Regulations--Exemptions From the Requirement To Report Transactions in Currency**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5330**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/28/2000	65 FR 46356
Interim Final Rule Effective	07/31/2000	
Interim Final Rule Comment Period End	09/20/2000	
Final Action	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Public Comment URL:** [regcomments@fincen.gov](mailto:regcomments@fincen.gov)**Agency Contact:** Russell G. Stephenson

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**Department of the Treasury (TREAS)**  
**Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA78**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Dealers in Precious Metals, Stones, or Jewels**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for dealers in precious metals, stones, or jewels, as defined in the Bank Secrecy Act.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 31 USC 5316(h)

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
NPRM	02/21/2003	68 FR 8480
Interim Final Rule	06/09/2005	70 FR 33702
Interim Final Rule Comment Period End	07/25/2005	70 FR 33702
Final Action	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Split From 1506-AA28

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**Department of the Treasury (TREAS)**

**Financial Crimes Enforcement Network ( FINCEN )**

**RIN:** 1506-AA88

**Title:** Final Rule to Amend the Bank Secrecy Act Regulations Regarding Financial Institutions Exempt From Establishing Anti-Money Laundering Programs.

**Abstract:** The Final Rule amends 31 CFR 103.170 ("Temporary Exemption Rule"), which defers, for certain categories of financial institutions, the application of the anti-money laundering program requirements found in section 5318(h)(1) of the Bank Secrecy Act. In the years since the Temporary Exemption Rule was published, FinCEN has promulgated a number of rules that require previously exempted categories of financial institutions to establish anti-money laundering programs, including dealers in precious metals, stones, or jewels, and insurance companies. Despite these rulemakings, the Temporary Exemption Rule has not been updated to reflect these changes. Accordingly, this rulemaking updates the Temporary Exemption Rule by removing dealers in precious metals, stones, or jewels, and insurance companies, from the list of exempted financial institutions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103.170 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** USC 5318(h)(1)

**Legal Deadline:**

Action	Source	Date
Other	Statutory	12/00/2007

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1506-AA28**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA15**Title:** Amendment to the Bank Secrecy Act Regulations Regarding Reporting of Cross-Border Transportation of Certain Monetary Instruments**Abstract:** This rule will require reporting of cross-border transportation of certain negotiable instruments.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC 5312(a)(3), Bank Secrecy Act**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/22/1997	62 FR 3249
NPRM Comment Period End	04/22/1997	
Withdrawn	08/24/2007	

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

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

**Title:** Amendments to the Bank Secrecy Act Regulations--Special Reporting and Recordkeeping Requirements--Money Services Businesses (MSBs)

**Abstract:** This rule will propose to require special currency transaction reporting and recordkeeping by certain classes of businesses.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 31 USC 5313; 31 USC 5318

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/21/1997	62 FR 27909
NPRM Comment Period End	09/30/1997	
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA25

**Title:** Amendment to the Bank Secrecy Act Regulations--Requirement That Nonfinancial Trades or Businesses Report Certain Currency Transactions

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103.30 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/26/2002

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/31/2001	66 FR 67680
NPRM	12/31/2001	66 FR 67685
NPRM Comment Period End	03/01/2002	
Other	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA31**Title:** Customer Identification Programs for Banks, Savings Associations, and Credit Unions**Abstract:** This notice of proposed rulemaking proposes to require banks, savings associations, and credit unions to establish written customer identification programs.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.121 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 31 USC 5318(l)**Legal Deadline:**

Action	Source	Date
Other	Statutory	10/25/2002

**Timetable:**

Action	Date	FR Cite
NPRM	07/23/2002	67 FR 48290
NPRM Comment Period End	09/06/2002	
NPRM	05/09/2003	68 FR 25163
Final Rule	05/09/2003	68 FR 25090
NPRM Comment Period End	06/23/2003	
Other	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA37**Title:** Amendment to the Bank Secrecy Act Regulations--Requirement That Mutual Funds Report Suspicious Transactions

**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.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.15 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5331; PL 107-56**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/21/2003	68 FR 2716
NPRM Comment Period End	03/24/2003	
Final Rule Effective	05/04/2006	71 FR 26213
Other	08/24/2007	

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

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA38**Title:** Customer Identification Programs for Travel Agents

**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.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 107-56, sec 326**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	02/24/2003	68 FR 8571
ANPRM Comment Period End	04/10/2003	
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Public Comment URL:** [regcomments@fincen.gov](mailto:regcomments@fincen.gov)**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA39**Title:** Customer Identification Programs for Pawn Brokers**Abstract:** This regulation will require pawnbrokers 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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** PL 107-56, sec 326**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Russell G. Stephenson

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA40**Title:** Customer Identification Programs for Loan and Finance Companies

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** PL 107-56, sec 326

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA41

**Title:** Customer Identification Programs for Sellers of Vehicles

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** PL 107-56, sec 326

**Legal Deadline:** None

**Timetable:**



Action	Date	FR Cite
ANPRM	02/24/2003	68 FR 8568
ANPRM Comment Period End	04/10/2003	
Withdrawn	08/23/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Public Comment URL:** [regcomments@fincen.gov](mailto:regcomments@fincen.gov)**Agency Contact:** Russell G. Stephenson

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA43**Title:** Imposition of Special Measures Against the Country of Nauru**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.184 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** PL 107-56, sec 311; 31 USC 5318A**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/17/2003	68 FR 18914
NPRM Comment Period End	05/19/2003	
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA61**Title:** Financial Crimes Enforcement; Amendments to the Bank Secrecy Act Regulations--Nomenclature Changes**Abstract:** This document amends 31 CFR part 103 to reflect changes to the structure of the Department of the Treasury.**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 31 USC 5318 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA65**Title:** Imposition of Special Measure Against First Merchant Bank OSH Ltd, Incl. Its Subsidiaries: FMB Finance Ltd, First Merchant International Inc, First Merchant Finance Ltd, and First Merchant Trust Ltd**Abstract:** This document will prohibit certain U.S. financial institutions from maintaining correspondent or payable-through accounts in the United States for, or on behalf of, a foreign bank determined to be of primary money laundering concern.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.189 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 31 USC 5318A**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/24/2004	69 FR 51979
NPRM Comment Period End	09/23/2004	
Withdrawn	09/11/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** [www.fincen.gov](http://www.fincen.gov)**Public Comment URL:** [regcomments@fincen.gov](mailto:regcomments@fincen.gov)**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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E-Mail: [koko.ives@fincen.gov](mailto:koko.ives@fincen.gov)**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA67**Title:** Imposition of Special Measure Against Infobank as a Financial Institution of Primary Money Laundering Concern**Abstract:** This document will prohibit certain U.S. financial institutions from maintaining correspondent or payable-through accounts in the United States for, or on behalf of, a foreign financial institution determined to be of primary money laundering concern.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.190 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 31 USC 5318A**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/24/2004	69 FR 51973
NPRM Comment Period End	09/23/2004	
Withdrawn	09/11/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA68**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Mutual Funds**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for mutual funds, as defined in the Bank Secrecy Act.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC 5316(h)**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/29/2002	67 FR 21117
Interim Final Rule Comment Period End	05/29/2002	
Other	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Split From 1506-AA28

**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury  
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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA69**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Travel Agencies**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for travel agencies, as defined in the Bank Secrecy Act.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 31 USC 5316(h)

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
NPRM	02/24/2003	68 FR 8571
NPRM Comment Period End	04/10/2003	68 FR 8571
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Split From 1506-AA28

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

**RIN:** 1506-AA71

**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Investment Advisors

**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for investment advisors, as defined in the Bank Secrecy Act.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 31 USC 5316(h)

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
NPRM	05/05/2003	68 FR 23646
NPRM Comment Period End	07/07/2003	68 FR 23646
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Split From 1506-AA28

**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury  
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Phone: 202 654-6400

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA72**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Financial Institutions**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for financial institutions, as defined in the Bank Secrecy Act.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC 5316(h)**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/29/2002	67 FR 21110
Interim Final Rule	11/06/2002	67 FR 67547
Correction	11/14/2002	67 FR 68935
Other	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Split From 1506-AA28

**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury  
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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA73**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Loan and Finance Companies**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for loan and finance companies, as defined in the Bank Secrecy Act.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 31 USC 5316(h)

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Split From 1506-AA28

**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)**

**Financial Crimes Enforcement Network ( FINCEN )**

**RIN:** 1506-AA74

**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Money Services Businesses

**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for money services businesses, as defined in the Bank Secrecy Act.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 31 USC 5316(h)

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/29/2002	67 FR 21114
Interim Final Rule Comment Period End	05/29/2002	67 FR 21114
Other	08/22/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Split From 1506-AA28

**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

Financial Crimes Enforcement Network

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA75**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Commodity Trading Advisors**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for commodity trading advisors, as defined in the Bank Secrecy Act.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC 5316(h)**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
NPRM	05/05/2003	68 FR 23640
NPRM Comment Period End	07/07/2003	
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Split From 1506-AA28**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA76**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Operators of a Credit Card System**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for operators of a credit card system, as defined in the Bank Secrecy Act.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC 5316(h)**Legal Deadline:**



Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/29/2002	67 FR 21121
Other	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Split From 1506-AA28

**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury  
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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA77

**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Unregistered Investment Companies

**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for unregistered investment companies, as defined in the Bank Secrecy Act.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 31 USC 5316(h)**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
NPRM	09/26/2002	67 FR 60617
NPRM Comment Period End	11/25/2002	
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Split From 1506-AA28

**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury  
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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA79

**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Persons Involved in Real Estate Closings and Settlements

**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for persons involved in real estate closings and settlements, as defined in the Bank Secrecy Act.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 31 USC 5316(h)

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
NPRM	04/10/2003	68 FR 17569
NPRM Comment Period End	06/09/2003	68 FR 17569
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Split From 1506-AA28

**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury  
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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA80

**Title:** Amendments to the Bank Secrecy Act Regulations--Anti-Money Laundering Programs for Businesses Engaged in Vehicle Sales, Including Automobile, Airplane, and Boat Sales

**Abstract:** FinCEN will issue a series of regulations regarding anti-money laundering program requirements for businesses engaged in vehicle sales, including automobile, airplane, and boat sales, as defined in the Bank Secrecy Act.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 103.65; 31 CFR 103.66; 31 CFR 103.67 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 31 USC 5316(h)

**Legal Deadline:**

Action	Source	Date
Other	Statutory	04/24/2002

**Timetable:**

Action	Date	FR Cite
ANPRM	02/24/2003	68 FR 8568
ANPRM Comment Period End	04/10/2003	68 FR 8568
Withdrawn	08/24/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Split From 1506-AA28**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA83**Title:** Amendment to the Bank Secrecy Act Regulations--Imposition of Special Measure Against Banco Delta Asia SARL**Abstract:** This document will prohibit certain U.S. financial institutions from maintaining correspondent or payable-through accounts in the United States for, or on behalf of, a foreign bank determined to be of primary money laundering concern.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC 5318A**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Notice	09/20/2005	70 FR 55214
NPRM	09/20/2005	70 FR 55217
NPRM Comment Period End	10/25/2005	
Final Action	03/19/2007	72 FR 12730

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** [www.regcomments@fincen.gov](http://www.regcomments@fincen.gov)**Agency Contact:** Office of Regulatory Policy & Programs Department of the Treasury

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA84**Title:** Amendments to Bank Secrecy Act Regulations--Casino Recordkeeping and Reporting Requirements**Abstract:** FinCEN is proposing to exclude, as reportable transactions in currency, jackpots from slot machines and video lottery terminals. We are also proposed to exclude certain transactions between (i) casinos and currency dealers or exchangers and (ii) casinos and check cashiers as reportable transactions in currency.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC PL107-56 Bank Secrecy Act**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/21/2006	71 FR 14129
NPRM Comment Period End	05/22/2006	
Final Action	06/26/2007	72 FR 35008

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** [regcomments@fincen.gov](mailto:regcomments@fincen.gov)

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA86**Title:** Threshold for the Requirement To Collect, Retain, and Transmit Information on Funds Transfer and Transmittal of Funds**Abstract:** An advanced notice concerning the \$3,000 threshold for wire transfers.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103; 12 CFR 219 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1829(B)(3); 12 USC 1829(b)(2)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	06/21/2006	71 FR 35564
ANPRM Comment Period End	08/21/2006	
Withdrawn	09/05/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Russell G. Stephenson

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**Department of the Treasury (TREAS)****Financial Crimes Enforcement Network ( FINCEN )****RIN:** 1506-AA87**Title:** Amendment to the Bank Secrecy Act Regulations--Requirement That Check Cashers Report Suspicious Transactions**Abstract:** We are proposing to amend the Bank Secrecy Act regulations to require check cashers to report suspicious transactions to the Department of the Treasury. The proposed amendment constitutes a step further in the enhancement of a comprehensive system for the reporting of suspicious transactions by major categories of financial institutions operating in the United States, as part of the anti-money laundering program of the Department of the Treasury.**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 103.20(a)(1) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 31 USC PL 5311-5314**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	08/30/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** regcomments@fincen.gov

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**Department of the Treasury (TREAS)  
Financial Management Service ( FMS )****RIN:** 1510-AB00**Title:** Federal Government Participation in the Automated Clearing House (ACH)

**Abstract:** The Department of the Treasury, Financial Management Service (FMS), periodically reviews the private sector Automated Clearing House (ACH) operating rules established by NACHA-The Electronic Payments Association and adopts or declines each rule. FMS is publishing a notice of proposed rulemaking to amend 31 CFR part 210 (Part 210) to adopt certain ACH rules, including a new ACH rule establishing a per transaction fee for the origination and receipt of ACH transactions. In addition, the proposed rule would provide two exceptions to the deposit account requirement contained in 31 CFR 210.5. Section 210.5 requires that an ACH credit entry representing a Federal payment other than a vendor payment be deposited into a deposit account at a financial institution "in the name" of the recipient. In April 2005, Treasury waived this requirement to allow some or all of the amount to be reimbursed to a Federal employee for official travel credit card charges to be disbursed directly to the credit card issuing bank. The proposed rule would codify this waiver. The proposed rule would also provide an exception from the requirements of section 210.5 in cases where a Federal payment is to be disbursed through a debit card, stored value card, or prepaid card program established by FMS. FMS is publishing the proposed rule with a 60-day comment period.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 210 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 301; 5 USC 5525; 12 USC 90; 12 USC 265 to 266; 12 USC 391; 12 USC 1767; 12 USC 1789(a); 31 USC 321; 31 USC 3122; 31 USC 3301 to 3303; 31 USC 3321; 31 USC 3325; 31 USC 3327 to 3328; 31 USC 3332; 31 USC 3335 to 3336; 31 USC 3720; 31 USC 6503

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	
NPRM Comment Period End	01/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Financial Management Service ( FMS )****RIN:** 1510-AB12**Title:** Rules and Procedures for Efficient Federal-State Funds Transfers**Abstract:** The Department of the Treasury, Financial Management Service (FMS), is proposing to amend 31 CFR part 205 to clarify the circumstances under which Federal interest liabilities accrue for certain Federal assistance programs and to make other clarifications. Additionally, changes to the procedures and timeframes for submitting Treasury-State Agreements to FMS are being contemplated.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 205 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 31 USC 6503**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; State**Small Entities Affected:** No**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** M. Fred Williams

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**Department of the Treasury (TREAS)**  
**Financial Management Service ( FMS )****RIN:** 1510-AB13**Title:** Management of Federal Agency Disbursements

**Abstract:** The Department of the Treasury, Financial Management Service (FMS), is proposing to amend 31 CFR part 208 (Part 208) to allow Federal agencies to issue part or all of an employee's travel reimbursement to the travel card issuing bank for crediting to the employee's travel card account ("split disbursement"). Currently, 31 CFR 208.6 requires that Federal electronic payments other than vendor payments be directed to a deposit account at the financial institution "in the name of" the individual. Treasury waived this requirement for split disbursement in April 2005. The proposed rule will codify the terms of the waiver in Part 208. In addition, the proposed rule would prohibit an agency from making a check payment to another agency, and would instead require that all agency-to-agency payments be made through the Intra-Governmental Payment and Collection System. FMS anticipates publishing the proposed rule with a 60-day comment period.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 208 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 301; 12 USC 90; 12 USC 265 to 266; 12 USC 1767; 12 USC 1789(a); 31 USC 321; 31 USC 3122; 31 USC 3301 to 3303; 31 USC 3321; 31 USC 3325; 31 USC 3327 to 3328; 31 USC 3332; 31 USC 3335 to 3336; 31 USC 6503; PL 104-208

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Split From 1510-AB00

**Agency Contact:** Sally Phillips

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

**RIN:** 1510-AB14

**Title:** Management of Federal Agency Disbursements

**Abstract:** The Department of the Treasury, Financial Management Service, is proposing to amend 31 CFR part 208 (Part 208). Part 208 sets forth the responsibilities of Federal agencies and recipients with respect to the electronic delivery of Federal payments and establishes the circumstances under which waivers from the electronic delivery requirement are available. The proposed rule would provide that electronic payments are required for any individual who becomes eligible on or after a certain date to receive Federal payments, unless the individual certifies in writing or otherwise attests that he or she does not have a bank account.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 208 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 301; 12 USC 90; 12 USC 265 and 266; 12 USC 1767; 12 USC 1789(a); 31 USC 321; 31 USC 3122; 31 USC 3301 to 3303; 31 USC 3321; 31 USC 3325; 31 USC 3327 to 3328; 31 USC 3332; 31 USC 3335 to 3336; 31 USC 6503; PL 104-208



**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	
NPRM Comment Period End	01/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Federalism:** No**Energy Affected:** No**Agency Contact:** Sally Phillips

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**Department of the Treasury (TREAS)****Financial Management Service ( FMS )****RIN:** 1510-AB15**Title:** Acceptance of Bonds Secured by Government Obligations in Lieu of Bonds With Securities

**Abstract:** The Department of the Treasury, Financial Management Service, is proposing to amend 31 CFR part 225 to incorporate changes required by section 901 of the Financial Services Regulatory Relief Act of 2006, which amends 31 U.S.C. 9301. This amendment includes allowing the Secretary of the Treasury to determine the types of securities that may be pledged in lieu of surety bonds.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 225 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 391; 31 USC 321; 31 USC 9301; 31 USC 9303**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Kristine Conrath

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**Department of the Treasury (TREAS)  
Financial Management Service ( FMS )****RIN:** 1510-AA91**Title:** Federal Claims Collection Standard--Collection by Installments**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, the amounts collected should be applied to that charge first. Remaining amounts are then applied to penalties, any other administrative charges, interest, and principal.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 901.9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 31 USC 3711; 31 USC 3717**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	01/00/2008	
Interim Final Rule	01/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Thomas Dungan

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**Department of the Treasury (TREAS)  
Financial Management Service ( FMS )****RIN:** 1510-AB01**Title:** Payment of Federal Taxes and the Treasury Tax and Loan Program**Abstract:** Title 31 CFR part 203 governs the processing of Federal Tax collections by financial institutions and the operation of the Treasury Tax and Loan program. This 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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 203 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 90; 12 USC 265 to 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**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/19/2007	72 FR 59177
Interim Final Rule Comment Period End	12/18/2008	

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

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**Department of the Treasury (TREAS)**  
**Financial Management Service ( FMS )****RIN:** 1510-AB10**Title:** Depositories and Financial Agents of the Federal Government

**Abstract:** The Department of the Treasury, Financial Management Service, is considering amending 31 CFR part 202 (Part 202) for clarity and consolidation. Part 202 governs the designation of financial institutions as depositories and financial agents of the United States, and their authorization to accept deposits and perform other services.

**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 202 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 12 USC 90; 12 USC 265 to 266; 12 USC 391; 12 USC 1452(d); 12 USC 1464(k); 12 USC 1789(a); 12 USC 2013; 12 USC 2122; 12 USC 3101 to 3102; 31 USC 3303; 31 USC 3336

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Financial Management Service ( FMS )****RIN:** 1510-AA51

**Title:** Claims on Account of Treasury Checks

**Abstract:** Proposed amendment of 31 CFR part 245 has been withdrawn for further development.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 245 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

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

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Withdrawn	07/30/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Federalism:** No

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**Department of the Treasury (TREAS)****Financial Management Service ( FMS )****RIN:** 1510-AB11

**Title:** Payment of Federal Taxes and the Treasury Tax and Loan Program

**Abstract:** This rulemaking action is withdrawn. The changes proposed by this rulemaking were incorporated in amendments to 31 CFR part 203 by RIN 1510-AB01.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 203 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 31 USC 323

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Withdrawn	05/01/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1510-AB01

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

**RIN:** 1510-AB16

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**Title:** Offset of Tax Refund Payments To Collect Past-Due Support

**Abstract:** The Department of the Treasury, Financial Management Service, is amending 31 CFR part 285.3, which governs the offset of federal tax refund payments to collect past-due child support obligations. We are removing the definition of Qualified Child in paragraph (a) due to a change in the statutory definition enacted as part of the Deficit Reduction Act of 2005, Public Law 109-171. This statutory change will allow for the use of the tax refund offset program to collect past-due child support on behalf of children who are no longer minors. We are also amending paragraph (c), which describes past-due support obligations that qualify for the tax refund offset program, by removing the requirement that the support be owed to or on behalf of a qualified child.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 285.3 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 5 USC 5514; 26 USC 6402; 31 USC 321; 31 USC 3701; 31 USC 3716; 42 USC 664; EO 13019, 61 FR 51763, 3 CFR, 1996 Comp, p. 216; PL 109-171

**Legal Deadline:**

Action	Source	Date
Other	Statutory	10/01/2007

**Timetable:**

Action	Date	FR Cite
Final Rule Effective	10/12/2007	
Final Rule	10/12/2007	72 FR 59480

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Financial Management Service ( FMS )****RIN:** 1510-AB17**Title:** Management of Federal Agency Disbursements

**Abstract:** The Department of Treasury, Financial Management Service, amended 31 CFR part 208 (Part 208) to facilitate the delivery of relief and assistance payments to victims of disasters or emergencies. Part 208 implements the provisions of 31 U.S.C. 3332, which generally requires that Federal payments be made by electronic funds transfer (EFT). Under 31 U.S.C. 3332, the Secretary of the Treasury must ensure that any individual required to receive a Federal payment by EFT has access to an account at a financial institution at a reasonable cost and with certain consumer protections. This amendment implements 31 U.S.C. 3332 by providing that the Department of the Treasury may establish and administer accounts for disaster victims to allow for the delivery of Federal payments by EFT.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 208 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 301; 12 USC 90; 12 USC 265 to 266; 12 USC 1767; 12 USC 1789(a); 31 USC 321; 31 USC 3122; 31 USC 3301 to 3303; 31 USC 3321; 31 USC 3325; 31 USC 3327 to 3328; 31 USC 3332; 31 USC 3335 to 3336; 31 USC 6503; PL 104-208

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Rule	08/20/2007	72 FR 46378

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Previously Reported as 1510-AB07**Agency Contact:** Sally Phillips

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E-Mail: [sally.phillips@fms.treas.gov](mailto:sally.phillips@fms.treas.gov)**Department of the Treasury (TREAS)**  
**Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB05**Title:** Proposed Revisions to the Beer Regulations

**Abstract:** The Alcohol and Tobacco Tax and Trade Bureau proposes to revise brewery regulations to reduce the regulatory burden and streamline regulatory requirements.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 25 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 5021 to 5056; 26 USC 5061 to 5064; 26 USC 5091 to 5093; 26 USC 5111 to 5114; 26 USC 5121 to 5123; 26 USC 5401 to 5403; 26 USC 5411 to 5418; ...

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	01/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1513-AA12**Agency Contact:** Ramona Hupp

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB24**Title:** Use of Various Winemaking Terms on Wine Labels and in Advertisements; Request for Public Comment

**Abstract:** The Alcohol and Tobacco Tax and Trade Bureau is considering amending the regulations concerning various winemaking terms commonly used on labels and in advertisements of wine products to provide the consumer with information about the growing and/or bottling conditions of the product. We wish to gather information by inviting comments from industry members, consumers, and other interested parties as to whether and to what extent the existing regulations should be revised.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 27 CFR 4 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Lisa M. Gesser

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB54**Title:** Proposals Related to the Application for and Certification/Exemption of Label/Bottle Approval

**Abstract:** The Alcohol and Tobacco Tax and Trade Bureau is considering two changes to the regulations relating to the issuance and use of certificates of label approval (COLAs). First, we are considering the possibility of proposing regulatory changes to impose a fee for the processing of paper COLA applications. Second, we are considering whether to propose regulatory changes providing that every COLA will expire within a specific period of time.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 13 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205; 31 USC 9701**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Marjorie D. Ruhf

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB56**Title:** Standards of Fill for Wine and Distilled Spirits; Request for Public Comment

**Abstract:** TTB is considering amending the regulations prescribing standards of fill for wine and distilled spirits. Although this issue was addressed previously in 1987 and 1993, TTB believes that recent trends in consumer preferences and marketing strategies, along with petitions recently received from industry members, warrants revisiting this issue. TTB is soliciting comments on whether the existing standards of fill for wine and distilled spirits containers should be retained, revised, or eliminated.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 4; 27 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 5301(a); 26 USC 205(e)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/2007	

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



**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Karl O. Joedicke

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA00**Title:** Exportation of Liquors**Abstract:** TTB proposes the plain language revision of 27 CFR part 28 to eliminate obsolete or unnecessary rules and forms and streamline export processing, while providing adequate protection for the revenue.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 28 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	09/08/1992	57 FR 40887
ANPRM Comment Period End	10/08/1992	
Other	10/15/1992	57 FR 47320
Other	12/07/1992	
ANPRM	08/09/1996	61 FR 41500
ANPRM Comment Period End	12/10/1996	
NPRM	08/00/2008	

**Additional Information:** Transferred from RIN 1512-AA98**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Joanne Brady

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA16**Title:** Determination of Tax and Recordkeeping on Large Cigars

**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. This notice addresses questions about determining the amount of tax for large cigars based on their sale price and gives guidance on tax adjustments for large cigars provided at no cost in connection with a sale.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 40; 27 CFR 41 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 5701; 26 USC 5702**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2008	

**Additional Information:** Transferred from RIN 1512-AC22**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Amy R. Greenberg

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA23**Title:** Proposed Revisions to the Distilled Spirits Plant Regulations

**Abstract:** TTB is proposing to amend the distilled spirits plant regulations in 27 CFR part 19. Many of these proposed revisions are the result of a petition submitted by the Distilled Spirits Council of the United States (DISCUS). Other proposed revisions are a result of TTB's own comprehensive review of the regulations in 27 CFR part 19. TTB believes that the amendments proposed in this notice will benefit the distilled spirits industry by modernizing many of the requirements for operating distilled spirits plants and thereby allow proprietors to operate in a more efficient manner.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 19 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** Transferred from RIN 1512-AC52

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Daniel J. Hiland

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA42**Title:** Proposed Addition of New Grape Variety Names for American Wines**Abstract:** TTB has received petitions proposing to add several names to the list of grape variety names used to designate American wines.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 4 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2008	

**Additional Information:** Transferred from RIN 1512-AC79**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Jennifer Berry

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA51**Title:** Petition To Establish Santa Maria Bench as a New American Viticultural Area**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 4,130 acres, with 1,754 acres planted to wine grapes, and is within the established Santa Maria and the Central Coast viticultural areas.**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/00/2008	

**Additional Information:** Transferred from RIN 1512-AC93**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Ramona L. Hupp

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA60**Title:** Labeling and Advertising of Malt Beverages**Abstract:** This project revises malt beverage labeling and advertising regulations in plain language, and updates titles and definitions to reflect the status of TTB. This revision makes no substantive changes to 27 CFR part 7.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** Transferred from RIN 1512-AC10**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Public Comment URL:** [www.ttb.gov/foia/](http://www.ttb.gov/foia/nprm_comments/notice946_comments.htm)[nprm\\_comments/notice946\\_comments.htm](http://www.ttb.gov/foia/nprm_comments/notice946_comments.htm)

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB03**Title:** Denatured Spirits, Articles, and Nonbeverage Products**Abstract:** Modernizes and clarifies regulations relating to the following activities: 1) Manufacture of articles made with specially denatured alcohol (SDA); 2) exportation of SDA and articles made with SDA; and 3) importation of denatured spirits, fuel alcohol, articles made with SDA, and nonbeverage alcoholic products.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 19 to 20; 27 CFR 27 to 28 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Steven C. Simon

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB07**Title:** Labeling and Advertising of Wines, Distilled Spirits, and Malt Beverages

**Abstract:** TTB requests public comment on possible changes to the labeling and advertising requirements of alcohol beverage products regulated by TTB. TTB has long required certain labeling, such as brand name, class and type, alcohol content (in the case of wines containing more than 14 percent alcohol by volume and distilled spirits), net contents, and in recent years has published updated standards for the use of carbohydrate and calorie claims. Because of petitions to mandate additional information, including ingredient, allergen, alcohol, calorie, and carbohydrate content and requests by some to use labels with at least some of that additional information on a voluntary basis under existing rules, TTB believes it is now appropriate to consider revising the alcohol beverage labeling and advertising regulations, and seeks public comment on several issues to assist TTB in formulating specific regulatory proposals.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 4; 27 CFR 5; 27 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	04/29/2005	70 FR 22274
Comment Period Extended	06/23/2005	70 FR 36359
ANPRM Comment Period End	09/26/2005	70 FR 36359
NPRM	07/31/2007	72 FR 41860
NPRM Comment Period End	09/20/2007	72 FR 53742
NPRM Comment Period End	01/27/2008	
Final Action	06/00/2008	

### Regulatory Flexibility Analysis

**Required:** Undetermined

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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### Department of the Treasury (TREAS)

#### Alcohol and Tobacco Tax and Trade Bureau (TTB)

**RIN:** 1513-AB09

**Title:** Alternating Brewery Proprietors

**Abstract:** TTB is establishing guidelines for the establishment of alternating proprietors at brewery premises. These guidelines will provide standards for the establishment of an alternating proprietorship at a brewery premises, and will provide guidelines for the operations of these premises by separate established brewers. They will give guidance on operations, tax payment, recordkeeping, reporting, and segregation of products made by separate brewers.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 25 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 5051; 26 USC 5401

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Ramona L. Hupp

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB12**Title:** Firearms and Ammunition Excise Taxes, Consignment Sales of Imported Articles**Abstract:** TTB is amending the regulations relating to the payment of excise taxes on firearms and ammunition. The proposed amendment will clarify the tax liability of a domestic consignee who sells imported firearms or ammunition on behalf of a resident of a foreign country.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 53.121 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 4181 to 4182; 26 USC 4216 to 4219; 26 USC 4221 to 4223; 26 USC 4225; 26 USC 6001; 26 USC 6011; 26 USC 6020 to 6021; 26 USC 6061; 26 USC 6071; 26 USC 6081; 26 USC 6091; 26 USC 6101 to 6104; 26 USC 6109; 26 USC 6151; 26 USC 6155; 26 USC 6161; 26 USC 6301 to 6303; 26 USC 6311; 26 USC 6402; 26 USC 6404; 26 USC 6416; 26 USC 7502; 26 USC 7805**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	01/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Public Comment URL:** nprm@ttb.gov

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB16**Title:** Use of the Word "Pure" or Its Variants in the Labeling and Advertising of Alcohol Beverages**Abstract:** TTB is considering amending the regulations concerning the use of the word "pure" or its variants in the labeling and advertising of alcohol beverages. We wish to gather information by inviting comments from the public and industry as to whether the existing regulations should be revised.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 4 to 5; 27 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	12/07/2005	70 FR 72731
ANPRM Comment Period End	02/06/2006	
Comment Period Extended	02/16/2006	71 FR 8228
ANPRM Comment Period End	03/20/2006	
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Lisa M. Gesser

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB28**Title:** Form TTB F 5100.51, Formula and Process for Domestic and Imported Alcohol Beverages



**Abstract:** This project replaces existing forms used for the submission of formulas for wine and distilled spirits with a single, new form, TTB F 5100.51, Formula and Process for Domestic and Imported Alcohol Beverages, to be used by all producers and importers of alcohol beverages. This new form also replaces the existing letterhead formulas used for submission of beer formulas. Use of this new form will allow all alcohol beverage producers to use the same form and submit the same information for the production and importation of any kind of alcohol beverage.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 5; 27 CFR 7; 27 CFR 19; 27 CFR 24 to 26 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205; 26 USC 5222 to 5223; 26 USC 5232; 26 USC 5386; 26 USC 5401; 26 USC 5555

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB31

**Title:** Proposed Expansion of the Santa Maria Valley Viticultural Area

**Abstract:** The Santa Maria Valley viticultural area (27 CFR 9.28) lies within the larger Central Coast viticultural area of California. The proposed expansion to the Santa Maria Valley viticultural area boundary line extends to the south and west of the current boundaries, within Santa Barbara County, California. Distinguishing features include terrain, climate, soils, and the Santa Maria River watershed. The proposed expansion area includes vineyards and wineries.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205(e)

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB33**Title:** Proposed Amendment to the Standards of Identity for Distilled Spirits**Abstract:** TTB has received a petition to establish Cachaça as a distinctive product of Brazil. TTB proposes to amend the regulations governing standards of identity for distilled spirits accordingly.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 5.22 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205(e)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Daniel J. Hiland

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB35**Title:** Nonbeverage Product Formulas

**Abstract:** TTB is amending 27 CFR part 17 to allow manufacturers to self-certify that their products meet the legal requirements for nonbeverage drawback. A temporary rule will allow this new procedure as an optional alternative, and a concurrent notice of proposed rulemaking (NPRM) will propose making the new procedure mandatory. Thereafter, the changes proposed in the NPRM may be made permanent by a final rule.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 17 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/00/2008	
NPRM	03/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Steven C. Simon

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E-Mail: [steven.simon@ttb.gov](mailto:steven.simon@ttb.gov)**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB36**Title:** Modification of Mandatory Label Information for Wine

**Abstract:** This proposed regulatory change would permit alcohol content information to appear on any label affixed to a wine container. Current regulations require alcohol content to appear on the brand label.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 4.32 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/11/2007	72 FR 51732
NPRM Comment Period End	11/13/2007	

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

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Maria E. Mahone

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB39**Title:** Proposed Revision of Part 9--American Viticultural Areas**Abstract:** TTB is proposing to revise 27 CFR part 9. Through this revision, we will streamline, clarify, and modernize the requirements for submitting American viticultural area petitions to TTB.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Rita D. Butler

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB40**Title:** Proposed Establishment of the Upper Mississippi River Valley Viticultural Area

**Abstract:** TTB proposes to establish the 29,914-square mile "Upper Mississippi River Valley" viticultural area in portions of southeast Minnesota, southwest Wisconsin, northwest Illinois, and northeast Iowa. The Upper Mississippi River Wildlife and Fish Refuge Act of 1924 provides an historical perspective in support of the Upper Mississippi River Valley viticultural area. The boundary closely follows Major Land Resource Area 105, managed by the Natural Resources Conservation Service, under the U.S. Department of Agriculture.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB41

**Title:** Proposed Establishment of the Pine Mountain-Mayacmas Viticultural Area

**Abstract:** The 4,600-acre "Pine Mountain-Mayacmas" proposed viticultural area lies approximately 90 miles north-northwest of San Francisco, California, off U.S. Route 101 in Sonoma and Mendocino Counties, on the western side of the Mayacmas range. Distinguishing features include mountainous soils, steep topography with high elevations, and a growing season climate that contrasts to the valley floor below. Also, the Pine Mountain vineyards, 5 to 20-acre small plots with flat or gently sloping terrains, nestle among the steep mountainous terrains.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB42**Title:** Proposed Establishment of the Lake Chelan Viticultural Area**Abstract:** The 30,440-acre Lake Chelan proposed viticultural area lies east-northeast of Seattle, Washington, on the east side of the Cascade range in Chelan County. Distinguishing features include the alpine valley setting, lake-moderated climate, and soils rich in volcanic pumice.**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB44**Title:** Proposed Expansion of the Fort Ross Seaview Viticultural Area**Abstract:** The proposed expansion to the Fort Ross Seaview viticultural area would add an additional 15,726 acres along its northern-most boundary line. The Fort Ross Seaview viticultural area is located in western Sonoma County, California, just east of the Pacific coastline.**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB45

**Title:** Proposed Establishment of the Haw River Valley Viticultural Area

**Abstract:** The proposed 868-square mile Haw River Valley viticultural area lies in the north-central Piedmont area of North Carolina on both sides of the Haw River. Distinguishing features include its geology, soils, elevation, and climate. The Haw River watershed plays a significant role in the determination of the proposed boundary.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB46**Title:** Proposed Establishment of the Indiana Uplands Viticultural Area

**Abstract:** The proposed 4,800-square mile Indiana Uplands viticultural area in south-central Indiana includes 150 acres of vineyards and nine wineries. It partially overlaps with the Ohio River Valley viticultural area (27 CFR 9.78). Distinguishing features of the proposed Indiana Uplands viticultural area include its non-glaciated plateau geology, thin residual soil and loess cover, variable topography, and a unique growing climate.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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E-Mail: [nancy.sutton@ttb.gov](mailto:nancy.sutton@ttb.gov)**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB47**Title:** Proposed Expansion of the Paso Robles Viticultural Area

**Abstract:** The proposed southward expansion to the established Paso Robles viticultural area includes a region with similar distinguishing and viticultural features. Also, the current boundary line divides a large vineyard with acreage on both sides of the line. The expansion included a portion of the historic Santa Margarita land grant omitted from the Paso Robles viticultural area.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	



**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB49**Title:** Proposed Establishment of the Leona Valley Viticultural Area

**Abstract:** Mr. Ralph Jens Carter, on behalf of the Antelope Valley Winegrowers Association, Leona Valley Vineyards, and Donato Vineyards, submitted the 8,600-acre Leona Valley viticultural area petition. The region currently includes 20 vineyard acres with more under development. The "Leona Valley" name comes from early Nebraska settlers of the area. The proposed boundary reflects the valley floor and some side slopes with potential or established viticulture. Distinguishing features include the physical characteristics of the San Andreas Fault system and a fault-controlled valley terrain surrounded by significantly higher mountain elevations. Also, the geology, soil, and climate distinguish the region from areas beyond the proposed boundary.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB51

**Title:** Proposed Establishment of the Snipes Mountain Viticultural Area

**Abstract:** The 5,068-acre proposed Snipes Mountain viticultural area has 535 acres of commercial vineyards. It lies totally within Yakima County, and also in the Yakima Valley and Columbia Valley viticultural areas. The primary distinguishing features include the single, large, protruding mountainous landform rising from the floor of the Yakima Valley and the geologic events responsible for its rocky soils.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB52

**Title:** Proposed Establishment of the Happy Canyon of Santa Barbara Viticultural Area

**Abstract:** The 23,941-acre proposed Happy Canyon of Santa Barbara American viticultural area (AVA) has 492 acres of commercial vineyards. It lies totally within Santa Barbara County in California, and also in the Santa Ynez and Central Coast AVAs. The primary distinguishing features include the topography, climate, and soils.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB53**Title:** Proposed Establishment of the Tehachapi Valley Viticultural Area

**Abstract:** TTB received a petition to establish the 42,100-acre Tehachapi Valley viticultural area in south central Kern County, California. Approximately 75 miles inland from the Pacific Ocean, Tehachapi Valley lies 120 miles north of the Los Angeles metropolitan area and 300 miles south of San Francisco. Distinguishing features of the proposed Tehachapi Valley viticultural area include a four-season climate, and valley topography at 3,760 to 4,600 feet in elevation surrounded by mountains peaking as high as 8,000 feet in elevation. The distinctive soils, derived from erosion of the granite in the surrounding mountains, covers the alluvial fans and terrace of the valley floor.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB55**Title:** Proposed Establishment of the Antelope Valley of California's High Desert Viticultural Area

**Abstract:** The proposed 425,620-acre Antelope Valley of California's High Desert viticultural area is approximately 50 miles north and inland of Los Angeles. The area encompasses 90 acres of producing commercial vineyards and two bonded wineries. Distinguishing features include climate, soils, geology, and topography. The proposed viticultural area does not overlap with any other petitioned for or established American viticultural area.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA05

**Title:** Implementation of Wine Credit Provisions of Public Law 104-188

**Abstract:** TTB is amending wine regulations to implement a change in the law that allows certain transferees in bond to deduct the tax credit for small wine producers. Changes to bond calculations are also included in this regulation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 24.278 to 24.279 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 552(a); 26 USC 5041

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/02/1997	62 FR 29663
NPRM	06/02/1997	62 FR 29681
NPRM Comment Period End	08/01/1997	
Final Rule	11/00/2007	

**Additional Information:** Transferred from RIN 1512-AB65

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA10**Title:** Implementation of Public Law 105-33, Section 9302, Requiring the Qualification of Tobacco Product Importers and Miscellaneous Technical Amendments**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 41 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 5712 to 5713**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/22/1999	64 FR 71947
NPRM	12/22/1999	64 FR 71955
Interim Final Rule Effective	01/01/2000	
NPRM Comment Period End	02/22/2000	
Interim Final Rule Comment Period End	05/03/2000	65 FR 17477
Final Rule	12/00/2007	

**Additional Information:** Transferred from RIN 1512-AC07**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Kara T. Fontaine

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA32**Title:** Proposal To Recognize Synonyms for Petite Sirah and Zinfandel Grape Varieties

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 4 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/10/2002	67 FR 17312
NPRM Comment Period Extended	06/06/2002	67 FR 38915
NPRM Comment Period End	10/08/2002	
Final Rule	08/00/2008	

**Additional Information:** Transferred from RIN 1512-AC65

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AA46

**Title:** Organic Claims in Labeling and Advertising of Alcohol Beverages

**Abstract:** TTB amended its alcohol beverage labeling rules to cross-reference the U.S. 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.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 4; 27 CFR 5; 27 CFR 7; 27 CFR 13 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Other	10/08/2002	67 FR 62856
NPRM	10/08/2002	67 FR 62860
NPRM COmment Period Reopened	12/27/2002	67 FR 79011
NPRM COmment Period Reopened	05/09/2003	68 FR 24903
Final Rule	08/00/2008	

**Additional Information:** Transferred from RIN 1512-AC87

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA64

**Title:** Petition To Establish the Fort Ross Seaview Viticultural Area

**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. TTB is considering an interim ruling to allow use of the AVA name within the originally petitioned boundaries, while opening for public comments an adjacent proposed area located immediately north of the original boundary line.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/12/2005	70 FR 25000
NPRM Comment Period End	06/08/2005	
Final Rule	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA92**Title:** Petition To Establish Calistoga as an American Viticultural Area

**Abstract:** In response to a petition, the Alcohol and Tobacco Tax and Trade Bureau proposed to establish the Calistoga viticultural area in Calistoga, Napa Valley, California. We designate viticultural areas to allow bottlers to better describe the origin of wines and allow consumers to better identify the wines they may purchase. We invited comments on this proposed addition to our regulations, particularly from bottlers who use brand names similar to Calistoga.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/31/2005	70 FR 16451
NPRM Comment Period End	05/31/2005	
Final Rule	04/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Amy R. Greenberg

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA99

**Title:** Removal of Tobacco Products and Cigarette Papers and Tubes, Without Payment of Tax, for Use by the United States in Law Enforcement Activities



**Abstract:** The Department of the Treasury and the Alcohol and Tobacco Tax and Trade Bureau propose to amend the regulations relating to the removal of tobacco products and cigarette papers and tubes, without payment of tax, for use by the United States in law enforcement activities. Specifically, we propose to allow manufacturers of tobacco products and cigarette papers and tubes to remove these articles without payment of tax for use by Federal agencies in their law enforcement activities, and to exempt packages of those removed products from the tax-exempt labeling requirement. We take this action to timely meet the needs of Federal law enforcement operations, particularly investigations involving tobacco diversion and cigarette smuggling.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 45.31 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 5703 to 5705; 26 USC 5723; 26 USC 5741; 26 USC 5751; 26 USC 5762 to 5763; 26 USC 6313; 26 USC 7212; 26 USC 7342; 26 USC 7606; 26 USC 7805; 44 USC 3504(h)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	04/15/2005	
Interim Final Rule	04/15/2005	70 FR 19888
Interim Final Rule Comment Period End	06/15/2005	
Final Rule	12/00/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB00

**Title:** New Certification Requirements for Imported Wine

**Abstract:** TTB is amending the wine regulations to implement new certification requirements for imported wine required by the Miscellaneous Trade and Technical Corrections Act of 2004.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 4; 27 CFR 24; 27 CFR 27 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** PL 108-429, sec 202

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	08/24/2005	
NPRM	08/24/2005	70 FR 49516
Interim Final Rule	08/24/2005	70 FR 49479
Final Rule	02/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jennifer Berry

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB04**Title:** Suspension of Special (Occupational) Tax**Abstract:** Implements section 246 of the American Jobs Creation Act of 2004 (Pub. L. 208-357), which provides that for the 3-year period from July 1, 2005 through June 30, 2008, the rate of special (occupational) tax on certain specified occupations shall be zero.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 17; 27 CFR 19; 27 CFR 24 to 27; 27 CFR 194 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 108-357, sec 246; 26 USC 5148**Legal Deadline:**

Action	Source	Date
Other	Statutory	07/01/2005

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	07/01/2005	
NPRM	10/31/2005	70 FR 62258
Interim Final Rule	10/31/2005	70 FR 62238
NPRM Comment Period End	12/30/2005	
Final Rule	06/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Alcohol and Tobacco Tax and Trade Bureau ( TTB )**

**RIN:** 1513-AB08

**Title:** Major Food Allergen Labeling for Wines, Distilled Spirits, and Malt Beverages

**Abstract:** Pursuant to the House Committee Report accompanying the Food Allergen Labeling and Consumer Protection Act of 2004 (Pub. L. 108-282), TTB will consider how to appropriately apply allergen labeling to beverage alcohol products. We will consider how allergen labeling for these products will operate within our existing labeling regulations and with FDA regulations.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 4.32; 27 CFR 5.32; 27 CFR 7.22 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 27 USC 205(e)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	04/29/2005	70 FR 22274
ANPRM Comment Period End	09/26/2005	70 FR 22274
Interim Final Rule Effective	07/26/2006	
Interim Final Rule	07/26/2006	71 FR 42260
NPRM	07/26/2006	71 FR 42329
Commend Period Extended	09/20/2006	71 FR 54943
NPRM Comment Period End	09/25/2006	
Comment Period End	12/26/2006	
Final Rule	06/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1513-AB07

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB17**Title:** Quarterly Excise Tax Filing for Small Alcohol Excise Taxpayers**Abstract:** Implementation of the quarterly excise tax payment procedure for small alcohol excise taxpayers contained in section 11127 of Public Law 109-59, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, which amended section 5061 of the Internal Revenue Code of 1986.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 19; 27 CFR 24; 27 CFR 25; 27 CFR 26; 27 CFR 70; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 5061 as amended by PL 109-59**Legal Deadline:**

Action	Source	Date
NPRM	Statutory	01/01/2006

**Timetable:**

Action	Date	FR Cite
Other	01/01/2006	
NPRM	02/02/2006	71 FR 5629
Other	02/02/2006	71 FR 5598
NPRM Comment Period End	04/03/2006	
Final Rule	02/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Kara T. Fontaine

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB19**Title:** Lehigh Valley**Abstract:** The Lehigh Valley Wine Trail Appellation Committee proposed the establishment of the Lehigh Valley viticultural area, which includes 1,888 square miles and 220 vineyard acres, north of Philadelphia, in Lehigh, Northampton, Berks, Schuylkill, Carbon, and Monroe counties in Pennsylvania. Distinguishing features include climate, soil, and terrain.**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/08/2006	71 FR 65437
NPRM Comment Period End	01/08/2007	
Final Rule	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB20

**Title:** Swan Creek

**Abstract:** Raffaldini Vineyards submitted a petition to establish the 96,000-acre Swan Creek viticultural area on behalf of the Vineyards of Swan Creek Trade Association, a group of vineyards and wineries in northwest North Carolina. At the time of the petition, the proposed boundaries of the agricultural and rural area include three wineries and 75 acres of vineyards. Portions of Wilkes, Yadkin, and Iredell counties are in the proposed boundaries, as is approximately 60 percent of the established Yadkin Valley viticultural area (27 CFR 9.174).

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/12/2006	71 FR 53612
NPRM Comment Period End	11/13/2006	
Final Rule	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB21**Title:** San Francisco Bay Expansion

**Abstract:** Hestan Vineyards proposes to expand the San Francisco Bay viticultural area northward into Solano County, California. This 56,280-acre expansion will include two acres of vineyards and portions of the Carquinez Strait in the City of Vallejo. The distinguishing features include climate, soil, and terrain.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/05/2006	71 FR 70472
NPRM Comment Period End	02/05/2007	
Final Rule	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB23**Title:** Proposed Expansion of the Alexander Valley Viticultural Area

**Abstract:** The petitioner proposes to expand the Alexander Valley viticultural area by 1,300 acres, in a region along Hiatt Road adjacent to the current diagonal northwestern boundary. The proposed expansion area, south-southwest of Cloverdale, resembles an east-facing triangle that joins the diagonal northwestern boundary line. The current diagonal boundary line divides a vineyard, leaving about 10 acres outside of the established Alexander Valley viticultural area. Expansion of the boundary line would correct this vineyard problem and allow for another vineyard to be included in the viticultural area.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/17/2006	71 FR 40465
NPRM Comment Period End	09/15/2006	
Final Rule	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB26

**Title:** Proposed Establishment of the Tulocay Viticultural Area

**Abstract:** The petitioner proposes to establish the 11,200-acre Tulocay viticultural area. The Tulocay region is totally within the established Napa Valley viticultural area and the larger, multi-county North Coast viticultural area in California. The distinguishing features of the proposed viticultural area include a unique microclimate and geography.

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205(e)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/08/2006	71 FR 65432
NPRM Comment Period End	01/08/2007	
Final Rule	08/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB27**Title:** Proposed Establishment of the Paso Robles Westside Viticultural Area

**Abstract:** The proposed 179,622-acre Paso Robles Westside viticultural area is located in California about 30 miles inland from the Pacific Ocean and 180 miles south of San Francisco. The proposed viticultural area is totally within San Luis Obispo County, the Paso Robles viticultural area, and the multi-county Central Coast viticultural area. The establishment of the proposed Paso Robles Westside viticultural area would not affect the existing, larger Paso Robles viticultural area. Distinguishing features of the proposed Paso Robles Westside viticultural area include climate, soils, and topography.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205(e)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/24/2007	72 FR 3088
Comment Period Extended	03/23/2007	72 FR 13720
NPRM Comment Period End	03/26/2007	
Comment Period End	04/24/2007	
Final Rule	08/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB34**Title:** Tax Classification of Cigars and Cigarettes

**Abstract:** TTB is proposing changes to the regulations that govern the classification and labeling of cigars and cigarettes for Federal excise tax purposes under the Internal Revenue Code of 1986. The proposed regulatory changes address concerns that TTB has regarding the adequacy of the current regulatory standards for distinguishing between cigars and cigarettes. The document also summarizes and responds to three petitions received by TTB requesting rulemaking action regarding the classification of cigars and cigarettes, with particular reference to the distinction between little cigars and cigarettes. The proposals contained in this document clarify the application of existing statutory definitions and update and codify administrative policy to provide clearer and more objective product classification criteria.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 40.11 to 40.13; 27 CFR 41.11 to 41-13; 27 CFR 44.11 to 4-13; 27 CFR 45.11 to 45-13 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 5142 to 5143; 26 USC 5146; 26 USC 5701; 26 USC 5703 to 5705; 26 USC 5711 to 5713; 26 USC 5721 to 5723; 26 USC 5731; 26 USC 5741; 26 USC 5751; 26 USC 5753 to 5754; 26 USC 5761 to 5763; 26 USC 6061; 26 USC 6065; 26 USC 6109; 26 USC 6151; 26 USC 6301 to 6302; 26 USC 6311; 26 USC 6313; 26 USC 6402; 26 USC 6404; 26 USC 6423; 26 USC 6676; 26 USC 6806; 26 USC 7011; 26 USC 7212; 26 USC 7325; 26 USC 7342; 26 USC 7502 to 7503; 26 USC 7606; 26 USC 7805; 31 USC 9301; 31 USC 9303 to 9304; 31 USC 9306; 18 USC 2342; 26 USC 5708; 26 USC 7101; 26 USC 7651 to 7652; 44 USC 3504(h)

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/25/2006	71 FR 62506
Comment Period Extended	12/05/2006	71 FR 70476
NPRM Comment Period End	12/26/2006	
Comment Period End	03/26/2007	
Final Rule	04/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Amy R. Greenberg

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB37

**Title:** Implementation of Public Law 105-33, Section 9302, Relating to Tobacco Product Minimum Manufacturing Requirements and Transfer Marking

**Abstract:** The Alcohol and Tobacco Tax and Trade Bureau (TTB) is adopting as a final rule, with some editorial changes, the temporary regulations implementing (1) several provisions of the Balanced Budget Act of 1997 relating to minimum manufacturing requirements for tobacco product manufacturers to qualify for a permit and transfer of tobacco products, and (2) miscellaneous administrative changes that update references to TTB form numbers and recordkeeping requirements under the tobacco program.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 40.61(b); 27 CFR 40.183; 27 CFR 40.213; 27 CFR 40.233; 27 CFR 41.1; 27 CFR 41.11; 27 CFR 41.71; 27 CFR 44.11; 27 CFR 44.61 to 44.61a; 27 CFR 44.62; 27 CFR 44.142 to 44.143; 27 CFR 44.147; 27 CFR 44.152 to 44.154; 27 CFR 44.181; 27 CFR 44.198 to 44.208; 27 CFR 44.210; 27 CFR 44.213; 27 CFR 44.256 to 44.267 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 5702 to 5703; 26 USC 5704(b); 26 USC 5712 to 5713; 26 USC 5741; 26 USC 5754; 26 USC 5761(c)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Rule	12/00/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1512-AB99

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB38

**Title:** Tobacco Products and Cigarette Papers and Tubes Shipped From Puerto Rico to the U.S.

**Abstract:** The Alcohol and Tobacco Tax and Trade Bureau (TTB) is adopting as a final rule, with some editorial changes, the temporary regulations concerning TTB onsite supervision of, and TTB forms for, certain tobacco products and cigarette papers and tubes manufactured in Puerto Rico and shipped from Puerto Rico to the United States. The temporary regulations eliminated TTB supervision and related forms when taxes are determined. Companies in Puerto Rico who currently ship Puerto Rican tobacco products from Puerto Rico to the United States are required to use commercial records to document such shipments.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 41.11; 27 CFR 41.29; 27 CFR 41.105 to 41.106; 27 CFR 41.110 to 41.111; 27 CFR 41.114; 27 CFR 41.121 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 5703; 26 USC 57.11; 26 USC 5641

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Rule	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1513-AA17; Related to 1512-AC24**Agency Contact:** Amy R. Greenberg

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB43**Title:** Implementation of Public Law 103-465, Section 712, Time for Payment and Deposits of Certain Excise Taxes (No. 277)**Abstract:** TTB is finalizing a temporary rule which implements the Uruguay Round Agreement Act Public Law 103-465, section 712, Time for Payment and Deposits of Certain Excise Taxes.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 19.522, 19.523; 27 CFR 24.271; 27 CFR 25.163, 25.164; 27 CFR 26.112; 27 CFR 26.164; 27 CFR 40.163-165; 27 CFR 40.355; 27 CFR 41.114; 27 CFR 53.11; 27 CFR 53.21-24; 27 CFR 53.142; 27 CFR 53.151, 53.152; 27 CFR 53.157, 53.158; 27 CFR 70.306 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 5061(d)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kara T. Fontaine

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA06

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**Title:** 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)

**Abstract:** TTB is issuing changes to the wine regulations as a result of the enactment of the Taxpayer Relief Act of 1997 and the Internal Revenue Service Reconstruction and Reform Act of 1998. This amendment informs interested parties of changes by these acts that provide for a refund of the tax for all wine returned to bond, rather than exclusively for unmerchantable or domestic wine returned to bond.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 24.66; 27 CFR 24.295; 27 CFR 24.312 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 5044; 26 USC 5361; 26 USC 5367; 26 USC 5371

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	00/00/0000	

**Additional Information:** Transferred from RIN 1512-AB74

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA07

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**Title:** Prohibition of Alcohol Beverage Containers and Standard of Fill for Distilled Spirits and Wine

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 4 to 5; 27 CFR 7 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/09/1999	64 FR 6486
NPRM Comment Period End	04/12/1999	
Other	04/00/2009	
Other	04/00/2009	

**Additional Information:** Transferred from RIN 1512-AB89

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

**Federalism:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AA08

**Title:** Amended Standard of Identity for Sherry

**Abstract:** TTB is considering a petition to allow certain types of wine to be labeled as "sherry" rather than "light sherry."

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 4 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 27 USC 205

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/0000	

**Additional Information:** Transferred from RIN 1512-AB96

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

**Small Entities Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA98**Title:** Availability of Information

**Abstract:** TTB is revising and consolidating in one new part of its regulations all regulatory provisions that deal with the availability of information. This new part will include rules regarding the disclosure of information pursuant to the Freedom of Information Act and the Privacy Act of 1974 and in connection with litigation or other legal proceedings. TTB is also revising 27 CFR 70.701(d) to change the publication of the TTB Bulletin. Rather than publishing our bulletin quarterly in print form, we are changing it to be published as a monthly online bulletin. All content of the bulletin as currently prescribed by regulation will remain the same.

**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 70 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 5 USC 552; 5 USC 552(a); 26 USC 301; 26 USC 6103; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kara T. Fontaine

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AA96

**Title:** Materials Authorized for the Treatment of Wine and Juice; Processes Authorized for the Treatment of Wine, Juice, and Distilling Material

**Abstract:** TTB is revising its lists of approved wine treating materials and processes to add several new materials and processes and revise existing limitations for a few others.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 24 CFR 246; 24 CFR 248 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 5381 to 5382; 26 USC 5385 to 5387**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/19/2004	69 FR 67639
Interim Final Rule Comment Period End	01/18/2005	
Final Action	09/11/2007	72 FR 51707

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jennifer Berry

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau (TTB)****RIN:** 1513-AB18**Title:** Green Valley of Russian River Valley

**Abstract:** The Winegrowers and Vintners of Sonoma County's Green Valley group proposes to rename the "Sonoma County Green Valley" viticultural area (27 CFR 9.57) as the "Green Valley of Russian River Valley" viticultural area, with the size and boundaries remaining unchanged. The group explains the name change is warranted because the region is commonly referred to as "Green Valley," without the Sonoma County modifier. They add that the Sonoma County Green Valley viticultural area is considered as a sub-appellation of the Russian River Valley viticultural area by virtue of location and similar climate.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/02/2006	71 FR 25795
NPRM Comment Period End	07/03/2006	
Final Rule	03/23/2007	72 FR 13690
Final Rule Effective	04/23/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB22**Title:** Snake River Valley

**Abstract:** The wine grape growers of the Snake River Valley in Idaho, the Idaho Grape Growers and Wine Producers Commission, and the Idaho Department of Commerce and Labor submitted a petition to establish the 8,263-square mile Snake River Valley viticultural area. The area includes portions of western Idaho and eastern Oregon. The proposed boundaries include 15 wineries, 46 vineyards, and 1,107 acres of commercial vineyard production.

**Priority:** Routine and Frequent**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 27 CFR 9 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 27 USC 205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/17/2006	71 FR 40458
NPRM Comment Period End	09/15/2006	
Final Rule	03/09/2007	72 FR 10598
Final Rule Effective	04/09/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Nancy Sutton

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**Department of the Treasury (TREAS)****Alcohol and Tobacco Tax and Trade Bureau ( TTB )****RIN:** 1513-AB25**Title:** Firearms Excise Tax; Exemption for Small Manufacturers, Producers, and Importers



**Abstract:** This final rule amends the regulations administered by the Alcohol and Tobacco Tax and Trade Bureau to reflect the small manufacturers excise tax exemption contained in section 5241 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users. Section 5241 of this Act amended section 4182 of the Internal Revenue Code of 1986 to exempt any pistol, revolver, or firearm from the tax imposed by section 4181 if it was manufactured, produced, or imported by a person who manufactures, produces, or imports less than an aggregate of 50 such articles during the calendar year.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 27 CFR 53.62 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 4181 to 4182; 26 USC 4216 to 4219; 26 USC 4221 to 4223; 26 USC 4225; 26 USC 6001; 26 USC 6011; 26 USC 6020 to 6021; 26 USC 6071; 26 USC 6081; 26 USC 6091; 26 USC 6101 to 6104; 26 USC 6109; 26 USC 6151; 26 USC 6155; 26 USC 6161; 26 USC 6301 to 6303; 26 USC 6311; 26 USC 6402; 26 USC 6404; 26 USC 6416; 26 USC 7502; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Action	09/11/2007	72 FR 51710

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG45

**Title:** Imposition of Withholding on Certain Payments Made by Government Entities

**Abstract:** Section 3402(t) was enacted by the Tax Increase Prevention & Reconciliation Act of 2005 to require certain governmental entities to withhold on certain payments for ervice property.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** PreRule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 24.3402(t) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 3402(t); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	12/00/2007	

**Additional Information:** REG-158747-06 Drafting attorney: Stephen J. Coleman (202) 622-3228 Reviewing attorney: James Gibbons (202) 622-4910 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Energy Affected:** No**Agency Contact:** Stephen J. Coleman

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E-Mail: [stephen.j.coleman@irs.counsel.treas.gov](mailto:stephen.j.coleman@irs.counsel.treas.gov)**Government Levels Affected:** Federal; Local; State**Federalism:** Undetermined**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH12**Title:** Guidance Regarding Marketing of Refund Anticipation Loans (RALs) and Certain Other Products in Connection With the Preparation of a Tax Return

**Abstract:** This advance notice of proposed rulemaking describes rules that the Treasury Department and the IRS are considering proposing, in a notice of proposed rulemaking, regarding the disclosure and use of tax return information by tax return preparers. The proposed rules would apply to the marketing of refund anticipation loans (RALs) and certain other products in connection with the preparation of a tax return. As an exception to the general principle that taxpayers should have control over their tax return information that is reflected in final regulations under section 7216 that are being issued concurrently with the advance proposed regulations, the proposed rules would provide that a tax return preparer may not obtain a taxpayer's consent to disclose or use tax return information for the purpose of soliciting taxpayers to purchase such products.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** PreRule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.7216 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	06/00/2008	

**Additional Information:** REG-136596-07 Drafting attorney: Dillon J. Taylor (202) 622-4940 Reviewing attorney: Ashton P. Trice (202) 622-4940 CC: PA: Branch 2

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AC09

**Title:** Income Tax--Taxpayer's Obligation To File a Notice of Redetermination of Foreign Tax and Civil Penalties for Failure To File

**Abstract:** The regulations will establish procedures for taxpayers by which they must notify the IRS of a change in foreign tax liability for a taxable year for which they claimed the foreign tax credit. In addition, the regulations set forth deadlines for compliance with the notification requirements; failure to meet those deadlines may result in the imposition of penalties.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 301; 26 CFR 602 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 905; 26 USC 6689

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/23/1988	53 FR 23659
Second NPRM	12/00/2007	

**Additional Information:** REG-209020-86 (INTL-061-86) Drafting attorney: Teresa B. Hughes (202) 622-3850 Reviewing attorney: Ginny Y. Chung (202) 622-3850 Treasury attorney: Jesse Eggert (202) 622-1540 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AM97

**Title:** Outbound Transfers of Property to Foreign Corporations

**Abstract:** The income tax regulations under section 367(a) will be amended 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."

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 367

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-209006-89 (INTL-089-89) Drafting attorney: Daniel M. McCall (202) 622-3860 Reviewing attorney: Charles P. Besecky (202) 622-3860 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-A025

**Title:** Foreign Insurance Company--Domestic Election

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 953

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-208980-89 (INTL-765-89) Drafting attorney: Ethan A. Atticks (202) 622-3840 Reviewing attorney: Phyllis Marcus (202) 622-3840 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AP01**Title:** Taxation of Global Trading**Abstract:** These regulations will improve the taxation of global trading.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 864; 26 USC 482; 26 USC 863**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	08/28/1990	55 FR 35152
NPRM	03/06/1998	63 FR 11177
NPRM Comment Period End	06/04/1998	
Hearing	07/14/1998	
Second NPRM	12/00/2007	

**Additional Information:** REG-208299-90 (INTL-70-90) Drafting attorney: Mark Erwin (202) 622-3870 Reviewing attorney: Paul S. Epstein (202) 622-3870 Treasury attorney: Jesse Eggert (202) 622-1540 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Mark Erwin

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AQ74**Title:** Definition of "Highly Compensated Employee"**Abstract:** The regulations define the term "highly compensated employee" under section 414(q) of the Internal Revenue Code (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).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 414**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/19/1988	53 FR 4999
NPRM Comment Period End	04/19/1988	
Other	06/27/1994	59 FR 32911
NPRM	12/00/2007	

**Additional Information:** REG-209558-92 Drafting attorney: Christopher A. Crouch (202) 622-6090 Reviewing attorney: E. Preston Rutledge (202) 622-6090 Treasury attorney: W. Thomas Reeder (202) 622-1341 CC: TEGE**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Small Entities Affected:** No**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Christopher A. Crouch

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AR20**Title:** Integrated Financial Transaction**Abstract:** The regulation addresses whether funding raised for a securities dealing and/or trading operation, and whether matched book sale and repurchase transactions conducted by securities dealers qualify as integrated financial transactions under section 1.861-10(c).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 864**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-209604-93 (INTL-001-93) Drafting attorney: Theodore D. Setzer (202) 622-3870 Reviewing attorney: Paul S. Epstein (202) 622-3870 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AU91

**Title:** Application of Attribution Rules to Foreign Trusts

**Abstract:** The regulations will provide attribution rules for foreign trusts with respect to foreign personal holding companies, foreign passive investment companies, and controlled foreign corporations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-252774-96 Drafting attorney: M. Grace Fleeman (202) 622-3880 Reviewing attorney: Elizabeth Karzon (202) 622-3880 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** Undetermined

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AX02

**Title:** Rules for Sourcing Certain Transportation Income, Space, or Ocean Activity Income, and Related Foreign Base Company Shipping Income

**Abstract:** The regulation provides guidance for application of the source rules for transportation income under section 863 (c).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-115557-98 Drafting attorney: Patricia A. Bray (202) 622-3880 Reviewing attorney: Edward R. Barret (202) 622-3880 Treasury attorney: Jesse Eggert (202) 622-1540 CC:INTL**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Patricia A. Bray

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AX12**Title:** Guidance on Cost Recovery in the Entertainment Industry**Abstract:** This regulation relates to the application of the income forecast method under section 167(g) of the Internal Revenue Code.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/31/2002	67 FR 38025
Second NPRM	12/00/2007	

**Additional Information:** REG-103823-99 Drafting attorney: Bernard P. Harvey, III (202) 622-4930 Reviewing attorney: Kathleen Reed (202) 622-4930 Treasury attorney: Dennis Tingey (202) 622-1335 CC: ITA**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No



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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-AX40

**Title:** Inspection of Written Determinations

**Abstract:** This regulation amends Treasury Regulation sections 301.6110-1 through 301.6110-7 relating to written determinations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-113129-98 Drafting attorney: Deborah C. Lambert-Dean (202) 622-4570 Reviewing attorney: Donald Squires (202) 622-4570 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 6

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-AX46

**Title:** Awarding of Costs and Certain Fees

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 7430

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-111833-99 Drafting attorney: Ronald J. Goldstein (202) 622-3620 Reviewing attorneys: Susan T. Mosley (202) 622-7950 and Henry S. Schneiderman (202) 622-3400 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 7

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AX77

**Title:** Modification to Section 367(a) Stock Transfer Regulations

**Abstract:** This regulation will modify section 367(a), stock transfer regulations, to address the use of the check-the-box regulations and the use of convertible stock.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 602 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 367; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-116053-99 Drafting attorney: Daniel M. McCall (202) 622-3860 Reviewing attorney: Charles Besecky (202) 622-3860 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AX78**Title:** Definition of Passive Foreign Investment Company (PFIC) Under Section 1297

**Abstract:** This regulation defines a passive foreign investment company (PFIC) under section 1297(a) and the terms "passive income" and "passive asset" under section 1297(b). The regulation will also set forth the exceptions to the terms "passive income" and "passive asset," and provide guidance on the applicability of the look-through rule under section 1297(c), in cases involving PFICs that own 25 percent or more of a lower-tier foreign subsidiary. In addition, the regulation will provide guidance under section 1297(e), regarding the overlap rule between a controlled foreign corporation and a PFIC.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 1297**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-100427-00 Drafting attorney: Ethan A. Atticks (202) 622-3840 Reviewing attorney: Valerie A. Mark Lippe (202) 622-3840 Treasury attorney: David Ernack (202) 622-1754 CC:INTL

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Ethan A. Atticks

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AX91**Title:** Clarification of Foreign Base Company Sales Income Rules

**Abstract:** This regulation will clarify application of the manufacturing exception in the foreign base company sales rules.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 954

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-106356-00 Drafting attorney: Ethan A. Atticks (202) 622-3840 Reviewing attorney: Phyllis E. Marcus (202) 622-3840 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AY18

**Title:** Authorized Placement Agency

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 152; 26 USC 7805

**Legal Deadline: None**

**Timetable:**

Action	Date	FR Cite
NPRM	11/30/2000	65 FR 71277
Second NPRM	07/00/2008	

**Additional Information:** REG-107279-00 Drafting attorney: Victoria J. Driscoll (202) 622-4920 Reviewing attorney: Donna J. Welsh (202) 622-4920 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE40

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AY30

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**Title:** Taxable Years of Controlled Foreign Corporations (CFCs)**Abstract:** This regulation will provide definitions and rules for determining the required year for certain CFCs.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 898**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-108523-00 Drafting attorney: Jeffrey L. Vinnik (202) 622-3840 Reviewing attorney: Phyllis Marcus (202) 622-3840 CC:INTL

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AY41

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**Title:** Special Rules Relating to Transfers of Intangibles to Foreign Corporations**Abstract:** The regulations will address the income tax consequences relating to the transfer of intangibles to foreign corporations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 367**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-106877-00 Drafting attorney: David B. Bailey (202) 622-3860 Reviewing attorney: Thomas D. Beem (202) 622-3860 Treasury attorney: David Ernack (202) 622-1754 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** Undetermined

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AY74

**Title:** Liabilities Assumed in Certain Corporate Transactions

**Abstract:** These proposed regulations relate to the assumption of liabilities in certain corporate transactions under section 357 of the Internal Revenue Code, and affect corporations and their shareholders.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 357; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	05/06/2003	68 FR 23931
NPRM	06/00/2008	

**Additional Information:** REG-100818-01 Drafting attorney: Douglas C. Bates (202) 622-7550 Reviewing attorney: Debra Carlisle (202) 622-7550 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AY89**Title:** Disclosure of Returns and Return Information in Judicial and Administrative Tax Proceedings**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).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 6103; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-120297-01 Drafting attorney: Sarah Tate (202) 622-4570 Reviewing attorney: Charles B. Christopher (202) 622-4570 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 7**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sarah Tate

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BA11**Title:** Transactions Involving Obligations of Consolidated Group Members**Abstract:** The proposed regulations are regarding to intercompany obligations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 1502**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-107592-00 Drafting attorney: Frances L. Kelly (202) 622-7072 Reviewing attorney: Michael J. Wilder (202) 622-3393 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

**Related RINs:** Related to 1545-AW30

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BA13

**Title:** Deductibility of Employer Contributions for Deferred Compensation

**Abstract:** These regulations will update and clarify the general rules for deductibility of employer contributions to qualified retirement plans and other deferred compensation arrangements.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BA64

**Title:** Allocation and Apportionment Rules: Guidance on Selected Issues

**Abstract:** This regulation provides guidance with respect to the allocation and apportionment under section 861 of selected deductions, for example, disaster losses and research and experimentation expenses.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )



**Legal Authority:** 26 USC 7805; 26 USC 863

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-128240-01 Drafting attorney: Teresa B. Hughes (202) 622-3850 Reviewing attorney: Anne O. Devereaux (202) 622-3850 Treasury attorney: John Harrington (202) 622-0589 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BA84

**Title:** Allocation of New Markets Tax Credit

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 45D; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-131999-02 Drafting attorney: Richard T. Probst (202) 622-3060 Reviewing attorney: James A. Quinn (202) 622-3070 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BB27

**Title:** Accrual Rules for Creditable Foreign Taxes and Guidance on Change in Taxable Year

**Abstract:** These proposed regulations will clarify the rules for determining when a creditable foreign tax accrues and may be claimed as a credit, and will provide guidance for determining the allowable foreign tax credit upon a change in the U.S. taxable year.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-144597-02 Drafting attorney: Teresa B. Hughes (202) 622-3850 Reviewing attorney: Barbara A. Felker (202) 622-3850 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BB37

**Title:** Amending the Low-Income Housing Tax Credit Program

**Abstract:** These regulations are amendments to the general public use requirements in the low-income housing tax credit program.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 42; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Additional Information:** REG-151145-02 Drafting attorney: Jack Malgeri (202) 622-3040 Reviewing attorney: Paul Handleman (202) 622-3040 Treasury attorney: Sharon Kay (202) 622-0865 CC:PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jack Malgeri

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BB71**Title:** Liquidation of an Interest**Abstract:** This regulation relates to additional rules for determining when restrictions on liquidation are disregarded in valuing an interest under section 2704 of the Internal Revenue Code.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 25 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 2704(b); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-163113-02 Drafting attorney: John D. MacEachen (202) 622-3090 Reviewing attorney: George Masnik (202) 622-3090 Treasury attorney: Catherine Hughes (202) 622-9407 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC48

**Title:** Additional Guidance Regarding Mark-to-Market Accounting for Traders in Securities and/or Commodities, Including Foreign Currency Instruments

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 988(a)(1)(B)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-135660-03 Drafting attorney: Camille B. Evans (202) 622-3800 Reviewing attorney: Paul S. Epstein (202) 622-3870 Treasury attorney: Michael Novey (202) 622-1339 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC55

**Title:** Suspension of Running of Period of Limitation During a Proceeding To Enforce or Quash a Designated or Related Summons

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 25 USC 6503; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/31/2003	68 FR 44905
NPRM	12/00/2007	

**Additional Information:** REG-208199-91 Drafting attorney: Elizabeth D. Rawlins (202) 622-3600 Reviewing attorney: Peter J. Devlin (202) 622-3600 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 5**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Elizabeth D. Rawlins

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC78**Title:** Below-Market Loans**Abstract:** The proposed regulations relate to the Federal income tax consequences of certain below-market loans.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 7872(h)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-209226-84 Drafting attorney: Shawn R. Tetelman (202) 622-3930 Reviewing attorney: William E. Coppersmith (202) 622-3930 Treasury attorney: Michael Novey (202) 622-1339 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC82

**Title:** Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1974

**Abstract:** Regulations governing the performance of actuarial service under the Employee Retirement Income Security Act of 1974 (ERISA). The regulations will cover the qualifications required for enrollment, continuing education requirements for enrolled actuaries, professional standards for the performance of actuarial services under ERISA, the grounds for disciplinary action against an enrolled actuary, and the procedures to be followed in taking disciplinary actions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 20 CFR 901 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 29 USC 1241; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-159704-03 Drafting attorney: Michael J. Roach (202) 622-6090 CC:TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC83

**Title:** Definition of Loss for Purposes of the Straddle Rules

**Abstract:** The regulation will govern the definition of the term "loss" for purposes of sections 1092 and 263(g).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 1092

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-159869-03 Drafting attorney: Mary J. Brewer (202) 622-3960 Reviewing attorney: Christina A. Morrison (202) 622-3950 Treasury attorneys: Michael Novey (202) 622-1339 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC98

**Title:** Accumulated Adjustment Account and Other Corporate Separations Under Section 355

**Abstract:** These proposed regulations will amend the current regulations under section 1.1368-2 in order to address the proper treatment of an S corporation's accumulated adjustment account in a section 355 transaction not preceded by a section 368(a)(1)(D) reorganization.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline: None**

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-168722-03 Drafting attorney: Deane M. Burke (202) 622-3070 Reviewing attorney: James Quinn (202) 622-3070 CC:PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BD15**Title:** Definition of Qualified Foreign Corporation

**Abstract:** Notice 2003-79, section 5, published on December 15, 2003, states that the IRS intends to issue regulations, for years after 2003, that provide procedures for a foreign corporation to certify that it is a qualified foreign corporation for purposes of IRC section 1(h)(11)(C). (Temporary rules provided in Notice 2003-79 were subsequently extended by Notice 2004-71, published on November 8, 2004, and by Notice 2006-3, published January 17, 2006.) The regulations will also provide procedures for certifying that a security that is not a common or ordinary share is equity rather than debt; that a foreign company is entitled to benefits under a comprehensive income tax treaty where a security is not readily tradable on a recognized U.S. stock exchange; and that the foreign corporation is not a PFIC in the taxable year in which a dividend is paid, or in the preceding taxable year. The regulations are also expected to address the meaning of the requirement in the legislative history that to qualify under a treaty for purposes of 1(h)(11) "substantially all of ...[the foreign corporation's] income in the taxable year in which the dividend is paid" must qualify for treaty benefits.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 26 USC 7805(a); 26 USC 1**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-107420-04 Drafting attorney: Ana C. Guzman (202) 622-3880 Reviewing attorney: Edward R. Barret (202) 622-3880 CC:INTL

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Ana C. Guzman

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BD21**Title:** Payments for Which No Return of Information Is Required Under Section 6041**Abstract:** This proposed regulation will remove section 1.6041-3(g) of the Income Tax Regulations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule



**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 6041; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-147136-03 Drafting attorney: Timothy S. Sheppard (202) 622-4910 Reviewing attorney: James C. Gibbons (202) 622-7085 Treasury attorney: John Parcell (202) 622-2578 CC: PA: Branch 1**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Timothy S. Sheppard  
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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BD28**Title:** Definition of Disqualified Person**Abstract:** These proposed regulations provide certain changes to the definition of a disqualified person under section 1.1031-1(k) of the income tax regulations to facilitate the ability of banks and bank affiliates to act as qualified intermediaries in section 1031 exchanges.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-160005-03 Drafting attorney: Brendan P. O'Hara (202) 622-4920 Reviewing attorney: Steven Toomey (202) 622-4920 CC: ITA**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-BD67

**Title:** Declaratory Judgment--Gift Tax Value

**Abstract:** Proposed regulations relating to the redetermination of value of certain gifts in a declaratory judgment action.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7477; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-143716-04 Drafting attorney: Juli Ro Kim (202) 622-3090 Reviewing attorney: George L. Masnik (202) 622-3090 Treasury attorney: Catherine Hughes (202) 622-9407 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Small Entities Affected:** No

**Federalism:** Undetermined

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-BD71

**Title:** Regulations Under Section 706 Regarding Determination of Distributive Shares When a Partner's Interest Changes

**Abstract:** This regulation will provide rules regarding the determination of a partner's distributive share when the partner's interest changes.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 706; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-144689-04 Drafting attorney: Laura C. Fields (202) 622-3050 Reviewing attorney: Dianna K. Miosi (202) 622-3050 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD81

**Title:** Update and Revision of Treasury Regulation Sections 1.381(c)(4) and (5)-1

**Abstract:** The proposed amendments will focus on how to determine the principal accounting method; how taxpayers will procedurally change their accounting methods when they're not permitted to use or prefer not to use the principal accounting method; how taxpayers will reflect the difference in computing taxable income when they change their accounting methods; reconciling Treasury Regulation section 1.381(c)(4) language, terms, and conditions with Treasury Regulation section 1.381(c)(5); and reordering, simplifying, and indexing Treasury Regulation sections 1.381 (c)(4) and (5).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 381(c)(4); 26 USC 381(c)(5); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-151884-03 Drafting attorney: Cheryl L. Oseekey (202) 622-4970 Reviewing attorney: Jeffery G. Mitchell (202) 622-4970 Treasury attorney: Sharon Kay (202) 622-0865 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BD82**Title:** Amendments to 26 CFR Section 1.263(a)-5 Regarding Treatment of Capitalized Costs**Abstract:** The IRS and Treasury Department intend to propose regulations to address the treatment of amounts that facilitate certain tax-free and taxable transactions and other restructurings and that are required to be capitalized under section 263(a) and section 1.263(a)-5.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 263(a); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-143640-04 Drafting attorney: Angella L. Warren (202) 622-4950 Reviewing attorney: Glenn Bogdonoff (202) 622-4950 Treasury attorneys: Sharon Kay (202) 622-0865 CC: ITA**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Angella L. Warren

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BD84**Title:** Guidance Regarding Selected Issues Under Section 336(e)**Abstract:** The proposed regulations will address the circumstances in which a corporation that owns stock in another corporation, meeting the requirements of section 1504(a)(2), and sells, exchange, or distributes such an interest may elect to treat the transaction as a disposition of the assets of such other corporation.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 336; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-143544-04 Drafting attorney: Mark Weiss (202) 622-7795 Reviewing attorney: Ken Cohen (202) 622-7790 CC: CORP

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Mark Weiss

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD86**Title:** Definition of the "Due Date" for Purposes of Calculating Overpayment Interest Under Section 301.6611(h)**Abstract:** These regulations will amend 26 CFR section 301.6611-1(h) to clarify the allowance for overpayment interest in cases in which an overpayment is credited against an underpayment.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 6611; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-148576-04 Drafting attorney: Timothy S. Sheppard (202) 622-4910 Reviewing attorney:

Pamela W. Fuller (202) 622-4910 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Timothy S. Sheppard

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE03**Title:** Reduction of Fuel Excise Tax Evasion**Abstract:** Changes to tax on aviation grade kerosene and other excise taxes related to taxable fuels.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 48 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2008	

**Additional Information:** REG-153838-04 Drafting attorney: Deborah J. Karet (202) 622-3130 Reviewing attorneys: Frank K. Boland (202) 622-3130 and Curt G. Wilson (202) 622-3000 Treasury attorney: John Parcell (202) 622-2578 CC: PSI**Regulatory Flexibility Analysis****Government Levels Affected:** Undetermined**Required:** Undetermined**Federalism:** Undetermined**Agency Contact:** Deborah J. Karet

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E-Mail: [deborah.j.karet@irs.counsel.treas.gov](mailto:deborah.j.karet@irs.counsel.treas.gov)**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE14**Title:** Intra-Group Gross Receipts Under Section 41**Abstract:** The proposed regulations will address the treatment of intra-group transactions in the determination of a controlled group's gross receipts for purposes of the section 41 research credit.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 41; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-159420-04 Drafting attorney: Jaime C. Park (202) 622-3110 Reviewing attorney: Brenda M. Stewart (202) 622-3110 Treasury attorney: Sharon Kay (202) 622-0865 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BE23

**Title:** Farmer and Fisherman Income Averaging Under the American Jobs Creation Act of 2004 (AJCA)

**Abstract:** The project will amend the farm income averaging regulations under section 1.1301-1 to include the concept of fishing business.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1301; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-161695-04 Drafting attorney: Amy J. Pfalzgraf (202) 622-4960 Treasury attorney: John Parcell (202) 622-2578 CC: ITA

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Federalism:** No

**Related RINs:** Related to 1545-BE39

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BE31

**Title:** Tractors, Trailers, Trucks, and Tires

**Abstract:** This project will provide guidance on trucks, tractors, trailers, and tires in light of legislative changes and litigation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 48 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-103380-05 Drafting attorney: Celia A. Gabrysh (202) 622-3130 Reviewing attorneys: Frank K. Boland (202) 622-3130 and Curt G. Wilson (202) 622-3000 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )**

**RIN:** 1545-BE40

**Title:** Definition of Dependent and Other Related Provisions

**Abstract:** This project will update regulations under sections 2, 151, 152, and other sections of the Internal Revenue Code that refer to the definition of "dependent" in section 152, as amended by the Working Families Tax Relief Act of 2004.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 152

**Legal Deadline: None**

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2008	

**Additional Information:** REG-106682-05 Drafting attorney: Victoria J. Driscoll (202) 622-4920 Reviewing attorney: Donna J. Welsh (202) 622-4920 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE64**Title:** Research Expenditures Resulting in Inventory Property**Abstract:** The regulations will address the treatment, under section 174, of amounts paid or incurred for the direct labor and materials used to construct property to be sold to third parties.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 174; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-124148-05 Drafting attorney: Jaime C. Park (202) 622-3110 Reviewing attorney: Joseph H. Makurath (202) 622-3110 Treasury attorney: Sharon Kay (202) 622-0865 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jaime C. Park

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E-Mail: [jaime.park@irs.counsel.treas.gov](mailto:jaime.park@irs.counsel.treas.gov)**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE69**Title:** Section 401(a)(4) Guidance**Abstract:** This regulation will provide additional guidance on satisfying the section 401(a)(4) nondiscrimination requirement with respect to benefits or contributions.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 401; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-127586-05 Drafting attorney: Linda S. Marshall (202) 622-6090 Reviewing attorney: Linda S. Marshall (202) 622-6090 Treasury attorney: Harlan Weller (202) 622-1001 CC: TEGE**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BE73

**Title:** Information Reporting on Real Estate Transactions

**Abstract:** This regulation amends 26 CFR section 1.6045-4 of the Income Tax Regulations by providing that a sale or exchange of an interest in timber for an outright or a lump sum amount is subject to information reporting under 26 U.S.C. section 6045(e).

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6011; 26 USC 6045; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-155669-04 Drafting attorney: Julie Hanlon-Bolton (202) 622-7028 Reviewing attorney: James C. Gibbons (202) 622-4910 Treasury attorney: John Parcell (202) 622-2578 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BE77

**Title:** Start-Up and Organizational Expenditures

**Abstract:** The proposed regulations implement the changes to sections 195, 248, and 709 of the Internal Revenue Code, made by section 902 of the American Jobs Creation Act of 2004 (Pub. L. No. 108-357). Under the Act, a corporate taxpayer may elect to deduct up to \$5000 of start-up expenditures and \$5000 of organizational expenditures in the taxable year in which the trade or business begins. The remainder of the start-up or organizational expenditures are allowed as deductions ratably over the 180-month period beginning with the month the corporation begins business. Similar rules are provided for organizational and syndication fees for partnerships.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 195; 26 USC 248; 26 USC 709; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-164965-04 Drafting attorney: Grace K. Matuszeski (202) 622-7900 Treasury attorney: Sharon Kay (202) 622-0865 CC: ITA**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Grace Matuszeski

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE80**Title:** Abandonment of Stock and Other Securities**Abstract:** Guidance is needed regarding the Federal income tax consequences of the surrender of stock, securities, or debt for no consideration where the surrender is not a gift or contribution. Since these interpretive regulations will clarify current law, a cost/benefit analysis is not necessary.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 165(g); 26 USC 166; 26 USC 7805; 26 USC 332**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-101001-05 Drafting attorney: Sean M. Dwyer (202) 622-5020 Reviewing attorney: Andrew M. Irving (202) 622-5020 CC: ITA**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE89**Title:** Targeted Populations Under Section 45D(e)(2) for the New Market Tax Credit**Abstract:** The regulation provides guidance under section 45D regarding how an entity meets the requirements to be a qualified active low-income community business for purposes of the new markets tax credit when its activities involve targeted populations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 450; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-142339-05 Drafting attorney: Lauren R. Taylor (202) 622-3040 Reviewing attorney: Susan Reaman (202) 622-3040 Treasury reviewer: Sharon Kay (202) 622-0865 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Lauren R. Taylor

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE95**Title:** S Corporation Guidance Under American Jobs Creation Act of 2004**Abstract:** This regulation revises S corporation regulations under section 1361 and other affected code sections to reflect provisions of (AJCA) "American Jobs Creation Act of 2004" & (GOZA) Gulf Opportunity Zone Act, including family shareholder rules under Act section 231; also updates or replaces obsolete references in regulations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1361; 26 USC 1362; 26 USC 1366; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-143326-05 Drafting attorney: Bradford R. Poston (202) 622-3060 Reviewing attorney: John T. Hines (202) 622-3060 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE96

**Title:** Capital Costs Incurred To Comply With EPA Sulfur Regulations

**Abstract:** This regulation provides guidance under section 179B of the Internal Revenue Code relating to EPA sulfur regulations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-143453-05 Drafting attorney: Nicole R. Cimino (202) 622-3110 Reviewing attorney: Charles B. Ramsey (202) 622-3110 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE97

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE98**Title:** Disallowance of Partnership Loss Transfers and Basis Reduction in Stock of a Corporate Partner**Abstract:** These proposed regulations intend to provide guidance under sections 704, 734, 743, and 755 as amended by the American Jobs Creation Act of 2004 regarding the disallowance of certain partnership loss transfers, and no reduction of basis in stock held by a partnership in a corporate partner.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 704; 26 USC 734; 26 USC 743; 26 USC 755; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-144468-05 Drafting attorneys: Sean I. Kahng (202) 622-3050 Tim J. Leska (202) 622-3050 Steven A. Schmoll (202) 622-3050 CC:PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Sean I. Kahng

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BE99

**Title:** Section 704(c) and 737 Regulations Update Regarding Partnership Mergers

**Abstract:** This proposed rule will modify regulations under sections 704 and 737 consistent with Notice 2005-15 to address the income tax consequences of property following partnership mergers.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 704; 26 USC 737

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-143397-05 Drafting attorney: Laura C. Fields (202) 622-3050 Reviewing attorney: Beverly Katz (202) 622-3050 Treasury attorney: William Bowers (202) 622-5721 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF00

**Title:** Cafeteria Plans

**Abstract:** Proposed regulations on cafeteria plans (employee welfare benefit plans allowing employees to choose between taxable benefits and nontaxable benefits (for example, employer-provided accident and health plans, group term life insurance, or dependent care assistance programs)).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 125; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-142695-05 Drafting attorney: Mireille Khoury (202) 622-6080 Reviewing attorney: Harry Beker (202) 622-6080 Treasury attorney: Kevin Knopf (202) 622-2329 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BF01

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF05

**Title:** Election To Expense Certain Refineries

**Abstract:** These regulations provide guidance under section 179C of the Internal Revenue Code relating to expense certain refineries.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 179C

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-146895-05 Drafting attorney: Philip Tiegerman (202) 927-9524 Reviewing attorney: Brenda M. Stewart (202) 622-4443 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No



**Related RINs:** Related to 1545-BF06

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF07

**Title:** Credit Card Claims

**Abstract:** These regulations relate to refunds of excise taxes on exempt sales of fuel by credit card.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 48 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 6416

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-147282-05 Drafting attorney: Taylor Cortright (202) 622-3130 Reviewing attorneys: Frank Boland (202) 622-3130 and Curt Wilson (202) 622-3000 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF08

**Title:** Nuclear Decommissioning Cost

**Abstract:** Proposed regulations under the Energy Tax Incentives Act of 2005 concerning nuclear decommissioning costs.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-147290-05 Drafting attorney: Patrick S. Kirwan (202) 622-3110 Reviewing attorney: Peter C. Friedman (202) 622-3110 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BF09

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF11

**Title:** Clean Renewable Energy Bonds

**Abstract:** Section 54 of the Code allows certain specified entities to issue Clean Renewable Energy Bonds. Taxpayers who purchase these bonds are entitled to a credit against income tax in lieu of receiving interest payments from the Clean Renewable Energy Bond issuers. These regulations explain the requirements for issuing the bonds and for claiming the tax credit.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** PL 109-58 sec 1303(d); 26 USC 54; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-148071-05 Drafting attorney: Aviva M. Roth (202) 622-3816 Reviewing attorney: Timothy L. Jones (202) 622-3701 Treasury attorney: John Cross (202) 622-1322 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State; Tribal

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF12

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF13**Title:** Federal Income Tax Consequences of Transfers Between an Individual Debtor and the Bankruptcy Estate in Cases Under Chapters 7 and 11 of Title 11 of the United States Code**Abstract:** The proposed notice of proposed rulemaking designates as non-taxable certain asset transfers between individual debtors and their bankruptcy estates that occur at the commencement of the bankruptcy case, after commencement and before termination of the bankruptcy estate, and upon the termination of the estate. The regulations provide specific rules governing the succession of tax attributes by the estate and the debtor in connection with these non-taxable transfers. The regulations also define the section 1398 phrase "termination of the estate."**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.1398 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 1398**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-116372-03 Drafting attorney: Laurence K. Williams (202) 622-3600 Reviewing attorney: Pamela W. Fuller (202) 622-3600 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 4**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Laurence K. Williams

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF17**Title:** Alcohol Fuel and Biodiesel**Abstract:** Sections 40A, 6426, and 6427(e) were added to the Internal Revenue Code (Code) by the American Jobs Creation Act of 2004 (Pub. L. 108-357)(ACT). The Act also amended section 40 of the Code. These Code provisions relate to credits for alcohol and biodiesel used as a fuel and credits and payments for alcohol fuel and biodiesel mixtures. The regulations will provide guidance on these Code sections.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 48 CFR 6426; 48 CFR 6427 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 6426; 26 USC 6427(e); 26 USC 40 A; 26 USC 40; 26 USC 34; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-155087-05 Drafting attorney: Susan Athy (202) 622-3130 Reviewing attorney: Frank Boland (202) 622-3130 and Curt Wilson (202) 622-3000 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

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**Department of the Treasury (TREAS)**

**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF19

**Title:** Credit for Production From Advanced Nuclear Power Facilities

**Abstract:** These regulations will provide guidance for implementation of new section 45J; in particular, the regulations will provide a certification process for approval and allocation of the National Megawatt Limitation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 45J

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-157616-05 Drafting attorney: Patrick S. Kirwan (202) 622-3110 Reviewing attorney: Peter Friedman (202) 622-3110 Treasury attorney: John Parcell (202) 622-2578 CC:PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Small Entities Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BF20

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**Department of the Treasury (TREAS)**

**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF27

**Title:** Debt Satisfied by a Partnership Interest

**Abstract:** Proposed regulations to address partnership issues relating to the satisfaction of a debt with a partnership interest.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 108; 26 USC 704; 26 USC 752; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-164370-05 Drafting attorney: Megan A. Stoner (202) 622-3070 Reviewing attorney: Mary Beth Collins (202) 622-3070 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF33

**Title:** Taxpayer Assistance Orders

**Abstract:** Proposed amendments to Treasury Regulation section 301.7811-1 to ensure that the regulation reflects amendments to section 7811 of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 42 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7811 (a); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-152166-05 Drafting attorney: Janice R. Feldman (202) 622-8488 Reviewing attorney: Judith M. Wall (202) 622-8131 Treasury attorney: Anita Soucy (202) 622-1766 CC: NTA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF39

**Title:** Failure To Maintain List of Advisees With Respect to Reportable Transactions

**Abstract:** This is a proposed regulation regarding the penalty imposed under section 6708 for a person required to maintain a list under section 6112 who fails to make the list available upon the request of the Secretary.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.6708-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-160873-04 Drafting attorney: Lawrence E. Mack (202) 622-4940 Reviewing attorney: Nancy M. Galib (202) 622-8523 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 2

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF40

**Title:** Accuracy-Related Penalties

**Abstract:** These are proposed regulations regarding the new provisions and amendments made to code sections 6662, 6662A, and 6664 by the American Jobs Creation Act of 2004, the Gulf Opportunity Zone Act of 2005, and the Pension Protection Act of 2006.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.6662A; 26 CFR 1.6662; 26 CFR 1.6664 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** USC 6662A; USC 6662; USC 6664; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-160870-04 Drafting attorney: Laura U. Daly (202) 622-3600 Reviewing attorney: Ashton P. Trice (202) 622-4940 Treasury attorney: Mike Desmond (202) 622-1981 CC: PA: Branch 3

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

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF42

**Title:** Taxation of Fringe Benefits and Exclusions From Gross Income of Certain Fringe Benefits

**Abstract:** This proposed regulation contains proposed amendments to the fringe benefit regulations. Income Tax Regulation section 1.61-21(k)(6)(B) is amended by removing a reference to section 414(q)(1)(C) of the Internal Revenue Code (Code) that no longer exists and replacing it with a reference to regulation section 1.61-21(f)(5)(i).

**Priority:** Routine and Frequent

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.61-21-(k)(6)(B) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/2008	

**Additional Information:** REG-162699-05 Drafting Paralegal: Eboni P. Stokes (202) 622-4783 Reviewing Branch Chief: Lynne A. Camillo (202) 622-6040 CC: TEGE

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

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF43

**Title:** Limitation on Importation of Built-In Losses

**Abstract:** These proposed regulations will provide guidance in adjusting basis to avoid the importation of built-in losses.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1.362-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 362(e); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Additional Information:** REG-161948-05 Drafting attorney: Joanne M. Fay (202) 622-8877 Reviewing attorney: Filiz A. Serbes (202) 622-3703 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF50

**Title:** Further Guidance Regarding Application of Section 409A

**Abstract:** Regulations regarding the measurement of income inclusion and calculation of applicable taxes under section 409A of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 409A

**Legal Deadline:** None



**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-148326-05 Drafting attorney: Stephen B. Tackney (202) 622-6030 Treasury attorney: Helen Morrison (202) 622-1357 CC: TEGE

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )**

**RIN:** 1545-BF51

**Title:** Requirements for Reorganizations Qualifying Under Section 368(a)(1)(E) or (F)

**Abstract:** This regulation is intended to provide guidance regarding the requirements of a reorganization under section 368 (a)(1)(F), the tax consequences of such a reorganization, and give examples of transactions so qualifying.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-148532-05 Drafting attorney: Douglas C. Bates (202) 622-7550 Reviewing attorney: Debra L. Carlisle (202) 622-7550 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Split From 1545-BD31

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF53**Title:** 475 Held for Investment**Abstract:** This is a notice of proposed rule-making relating to whether a security is held for investment and excluded from the application of section 475(a) of the Internal Revenue Code.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR Part 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 475(b)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-253307-96 Drafting attorney: Lauren J. Medovoy (202) 622-3920 Reviewing attorney: Elizabeth Handler (202) 622-3920 Treasury attorney: Michael Novey (202) 622-1339 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Lauren J. Medovoy

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF59**Title:** Section 6707 and the Failure To Furnish Information Regarding Reportable Transactions**Abstract:** These are proposed regulations regarding the imposition of penalties under section 6707 of the Internal Revenue Code on material advisors who fail to file a return under section 6111(a) or file false or incomplete information with respect to a reportable transaction.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.6707-1; 26 CFR 1.6091-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-160872-04 Drafting attorney: Matthew S. Cooper (202) 622-4940 Reviewing attorney: Ashton Trice (202) 622-4940 CC: PA: Branch 2**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Matthew S. Cooper  
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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF61**Title:** Section 6707A and the Failure To Include on any Return or Statement Any Information Required To Be Disclosed Under Section 6011 With Respect to a Reportable Transaction**Abstract:** These are proposed regulations regarding the imposition of penalties under section 6707A of the Internal Revenue Code for the failure to include on any return or statement any information required to be disclosed under section 6011 with respect to a reportable transaction.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.6707A-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-160868-04 Drafting attorney: Dillon J. Taylor (202) 622-4940 Reviewing attorney: Ashton P. Trice (202) 622-4940 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 2**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BF62

**Agency Contact:** Dillon J. Taylor

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BF63**Title:** Activities Customarily Performed by States and Local Governments

**Abstract:** The advanced notice of proposed rulemaking provides that the Internal Revenue Service and the Department of Treasury expect to issue guidance providing that for purposes of tax exempt bonds issued by Indian tribal governments under sections 103(a) and 7871(a)(4) of the Internal Revenue Code. Plan activity will be considered an activity customarily performed by State and local governments with general taxing power within the meaning of section 7871(e) only if: (1) The activity is one conducted by a requisite number of State or local governments, (2) the activity has been conducted by States or local governments for a requisite period of time and (3) the activity is not a commercial or industrial activity.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.7871(e) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7871(e); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	08/09/2006	71 FR 45474
ANPRM Comment Period End	11/07/2006	
NPRM	12/00/2007	

**Additional Information:** REG-118788-06 Drafting attorney: Aviva M. Roth (202) 622-3816 Reviewing attorney: Timothy L. Jones (202) 622-3701 Treasury attorney: John J. Cross III (202) 622-1322 CC: FIP

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Tribal**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Aviva M. Roth

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BF65

**Title:** Clarification of Section 6411 Regulations Relating to Tentative Carryback Allowance

**Abstract:** These proposed amendments to the regulations clarify that, after being computed under the terms of the section 1.6411-2 regulations, a tentative carryback allowance may be reduced under section 1.6411-3 by unassessed amounts. In order to account for the IRS's current organizational structure, the proposed regulations remove the title.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.6411-2 (Revision); 26 CFR 1.6411-3 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6411; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/27/2007	72 FR 48952
NPRM Comment Period End	11/26/2007	
Final Action	12/00/2007	

**Additional Information:** REG-118886-06 Drafting attorney: Cynthia A. McGreevy (202) 622-4910 Reviewing attorneys: Pamela W. Fuller (202) 622-3600 and Curtis G. Wilson (202) 622-7800 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF66

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF72

**Title:** Applying Section 1(h) to Capital Gain Dividends of RICS and REITS

**Abstract:** The proposed regulations will contain rules determining the amounts that a regulated investment company (RIC) or real estate investment trust (REIT) may designate for various purposes under section 1(h) and 871(k)(2).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-119739-06 Drafting attorney: Sonja Kotlica (202) 622-6295 CC: FIP

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

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF74

**Title:** Multiple Annuity Starting Date Limitations on Benefits Under Qualified Plans

**Abstract:** The proposed regulation would provide guidance with respect to determining the annual benefit under a defined benefit plan for the purpose of applying the limitations of section 415 in cases where there has been more than one annuity starting date.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805(e)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-122142-06 Drafting attorneys: Vernon S. Carter (202) 622-6060 and Linda S. Marshall (202) 622-6090 Treasury attorney: Harlan Weller (202) 622-1001 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State; Tribal

**Small Entities Affected:** No

**Federalism:** Yes

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF76

**Title:** Guidance on Determination of Interest Expense Allocable in a Global Dealing Operation

**Abstract:** This regulation will address guidance on determination of interest expense allocable in a global dealing operation; coordination of interest expense allocable to global dealing operation with interest allocation rules of section 861, and determination of interest deduction of foreign corporations under section 882.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 0882; 26 USC 0861; 26 USC 0864

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-125604-06 Drafting attorney: Margaret K. Harris (202) 622-3870 Reviewing attorney: Paul S. Epstein (202) 622-3870 Treasury attorney: Jesse Eggert (202) 622-1540 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF77

**Title:** U.S. Source Income Effectively Connected With U.S. Business

**Abstract:** This regulation provides rules determining when income from stock or securities in the active conduct of a banking financing or similar business will be treated as effectively connected with a United States business.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 0864

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-125594-06 Drafting attorney: Margaret K. Harris (202) 622-3870 Reviewing attorney: Paul S. Epstein (202) 622-3870 Reviewing attorney: Jesse Eggert (202) 622-1540 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF78

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**Title:** Source of Income; Source of Guarantee Fee Income**Abstract:** This regulation provides rules relating to the source of income from financial guarantee fees, letters of credit, and other interest equivalents with respect to similar financial instruments.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 0863**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-125599-06 Drafting Attorney: Margaret K. Harris (202) 622-3870 Reviewing Attorney: Paul S. Epstein (202) 622-3870 CC:INTL

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF80

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**Title:** Guidance Under Section 67 Regarding Miscellaneous Itemized Deductions of a Trust or Estate**Abstract:** These regulations provide guidance that will address the application of IRC section 67 to the permissible itemized deductions of a trust or estate.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 67; 26 USC 7805**Legal Deadline:** None



**Timetable:**

Action	Date	FR Cite
NPRM	07/27/2007	72 FR 41243
NPRM Comment Period End	10/25/2007	
Public Hearing	11/14/2007	
Final Action	06/00/2008	

**Additional Information:** REG-128224-06 Drafting attorney: Jennifer Keeney (202) 622-3060 Reviewing attorney: Bradford R. Poston (202) 622-3060 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Organizations

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF81

**Title:** Regulation To Delete the Tort Type Rights Test From the Section 104(a)(2) Regulations

**Abstract:** These proposed regulations will amend section 1.104(c) of the Income Tax Regulations to reflect the amendments made to section 1.104(a)(2) by sections 1605(a) and (b) of the Small Business Job Protection Act of 1996. The regulations are also amended to delete the requirement that damages qualify for exclusion from gross income under 104(a)(2) of the Code only if the legal suit, action, or settlement agreement in which the damages are received is based upon tort or tort type rights.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.104-1(c) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1; 26 USC 7805

**Legal Deadline:**

Action	Source	Date
NPRM	Statutory	06/30/2006

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-127270-06 Drafting attorney: Sheldon A. Iskow (202) 622-4920 Reviewing attorney: Michael J. Montemurro (202) 622-4920 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF93**Title:** Withholding and Reporting Obligations Under Section 1441 Regarding Tender Offers**Abstract:** The proposed regulations provide guidance for U.S. financial institutions to satisfy their withholding, reporting, and deposit obligations under chapter 3 of the Code with respect to payments made to foreign account holders pursuant to a self-tender offer made by a publicly traded corporation.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1; 26 CFR 1441 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-140206-06 Drafting attorney: Kathryn T. Holman (202) 622-3840 Reviewing attorney: Carl M. Cooper (202) 622-3840 Treasury attorney: David Sotos (202) 622-0851 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Agency Contact:** Kathryn T. Holman

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF96**Title:** Circular 230--Review of Section 10.35 et seq.**Abstract:** Proposed regulations modifying the standards for covered opinions and other written advice.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 10.35; 31 CFR 10.36; 31 CFR 10.37; 31 CFR 10.38 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 31 USC 330; 5 USC 301; 5 USC 500; 5 USC 551 to 559; 26 USC 7805; ...

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-138367-06 Drafting attorney: Matthew S. Cooper (202) 622-4940 Reviewing attorney: Brinton Warren (202) 622-7800 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 2

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

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG01

**Title:** Extensions of Time To File Entity Classification Elections

**Abstract:** These proposed regulations provide rules for entities seeking extensions of time to file entity classification elections.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7701; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-143705-06 Drafting attorney: Richard T. Probst (202) 622-3060 Reviewing attorney: James A. Quinn (202) 622-3070 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG03**Title:** Built-In Gains and Losses Under Section 382(h)**Abstract:** The IRS is issuing temporary regulations relating to the treatment of prepaid income under the built-in gain provisions of section 382(h).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-162992-03 Drafting attorney: Keith E. Stanley (202) 622-3152 Reviewing attorney: Mark S. Jennings (202) 622-7750 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG04**Title:** Revision to Regulations Relating to Withholding of Tax on Certain U.S. Source Income Paid to Foreign Persons and Revision of Information Reporting Regulations**Abstract:** The proposed regulations provide guidance regarding the documentation requirements under section 1441 and the treatment of certain obligations issued in bearer form.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1441 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-144021-06 Drafting attorney: Kathryn T. Holman (202) 622-3840 Reviewing attorney: Carl M. Cooper (202) 622-3840 Treasury attorney: David Sotos (202) 622-0851 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kathryn T. Holman

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG05**Title:** Electronic Payment System Mailbox Rule**Abstract:** These are proposed and temporary regulations extending the time by which a taxpayer may initiate an electronic tax payment and still have such payment be considered a timely payment.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 6302-1(h)(6); 31 CFR 6311-2(b) (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 6302; 26 USC 6311; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-145147-05 Drafting attorney: Natasha M. Mulleneaux (202) 622-4604 Reviewing attorney: Charles A. Hall (202) 622-4940 CC: PA: Branch 2**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BG07**Title:** Allocation of Costs Under the Simplified Methods**Abstract:** These proposed regulations deal with the simplified options available to taxpayers for allocating additional section 263A costs.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.263A-1; 26 CFR 1.263A-2; 26 CFR 1.263A-3 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/00/2008	

**Additional Information:** REG-126770-06 Drafting attorney: W. Thomas McElroy (202) 622-4970 Reviewing attorney: John P. Moriarty (202) 622-4930 Treasury attorney: Sharon Kay (202) 622-0865 CC: ITA**Regulatory Flexibility Analysis****Government Levels Affected:** No**Required:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** W. Thomas McElroy Jr.

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BG11**Title:** Guidance Regarding Foreign Base Company Sales Income

**Abstract:** The proposed regulations provide guidance relating to the manufacturing exception from foreign base company sales income (FBCSI), as defined in section 954(d), with respect to arrangements where the property sold by a controlled foreign corporation (CFC) is manufactured, produced, or constructed pursuant to a contract manufacturing arrangement. These regulations also provide two new manufacturing rules that address a CFC's use of multiple branches that engage in manufacturing, producing, constructing, growing, or extracting activities either with two different items of property or with respect to the same item of property. In addition, these regulations clarify the proper scope and application of the treaty purchasing or selling activities performed by or through a branch or similar establishment as being performed on behalf of the CFC. Finally, the regulations clarify the relationship between the reporting of sales income and "sales activity." These regulations, in general, will affect United States shareholders of controlled foreign corporations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 6038; 26 CFR 0954 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 0954

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-124590-07 Drafting attorney: Ethan A. Atticks (202) 622-3840 Reviewing attorney: Phyllis Marcus (202) 622-3840 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG12

**Title:** Medical and Accident Insurance Benefits Under Qualified Plans

**Abstract:** These are proposed regulations under section 402(a) of the Internal Revenue Code regarding the tax treatment of payments by qualified plans for medical or accident insurance. The regulations also contain proposed conforming amendments to the regulations. These regulations would affect administrators of, and participants and beneficiaries in, qualified plans.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 402; 26 USC 7805; PL 109-280, sec 845

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-148393-06 Drafting attorney: Pamela R. Kinard (202) 622-8358 Reviewing attorney: Lisa Mojiri-Azad (202) 622-6080 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** Business; Governmental Jurisdictions

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG13

**Title:** Withdrawal of Regulations Under Old Section 6323(B)(10)

**Abstract:** The proposed regulations provide guidance on the deletion of dollar limits and other references to make regulation conform to current version of 26 USC 6323.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.6323(b)-1(j); 26 CFR 301.6323(g)-1(c)(1)(3) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6323; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-141998-06 Drafting attorney: Debra Kohn (202) 622-3600 Reviewing attorney: Pamela W. Fuller (202) 622-3600 CC: PA: Branch 3

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG16



**Title:** Section 7508A Regulations

**Abstract:** These are proposed regulations relating to the postponement of certain tax-related deadlines by reason of Presidentially Declared Disaster Area.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.7508A-1 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7508; 26 USC 7508A; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2008	

**Additional Information:** REG-142680-06 Drafting attorney: Melissa C. Quale (202) 622-4570 Reviewing attorney: Robin M. Tuczak (202) 622-4570 CC: PA: Branch 7

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG17

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG21

**Title:** Section 751(b) Update for Certain Distributions Treated as Sales or Exchanges

**Abstract:** These are revised regulations under section 751(b).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.751-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 751(b); 26 USC 7605

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-151416-06 Drafting attorneys: Allison R. Carmody (202) 622-3070 and Frank J. Fisher (202) 622-3070 Reviewing attorney: James A. Quinn (202) 622-3070 Treasury attorney: William Bowers (202) 622-5721 CC: PSI

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** Business**Federalism:** No**Agency Contact:** Allison R. Carmody

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG36**Title:** Hybrid Retirement Plans

**Abstract:** The proposed regulations provide guidance with respect to sections 411(a)(13) and 411(b)(5) of the Code. Section 411(a)(13) provides rules relating to vesting and payment of benefits under tax-qualified hybrid defined benefit plans. Section 411(b)(5) provides age discrimination rules for tax-qualified defined benefit plans, including hybrid defined benefit plans.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 26 CFR sec 1.411(a)(13)-1; 26 CFR sec 1.411(b)(5)-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 411(a)(13); 26 USC 411(b)(5); 26 USC 702 of Pension Protection Act of 2006; PL 109-280, 120 Stat 780; 26 USC 7805

**Legal Deadline:**

Action	Source	Date
NPRM	Statutory	08/16/2007

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-104946-07 Drafting attorney: Lauson C. Green (202) 622-3051 Reviewing attorney: Marjorie Hoffman (202) 622-3421 Treasury attorney: Harlan Weller (202) 622-1001 CC: TEGE

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal**Small Entities Affected:** Business; Organizations**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG37

**Title:** Notification Requirement for Entities Not Currently Required To File

**Abstract:** The proposed regulations will describe the time and manner in which certain tax exempt organizations not currently required to file are to provide an annual electronic notice including information set forth in the statute.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** PL 109-208, 120 Stat 1090 (2006) sec 1223; 26 USC 6033(i)(1); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2008	

**Additional Information:** REG-104942-07 Drafting attorney: Monice L. Rosenbaum (202) 622-6070 Reviewing attorney: James Brokaw (202) 622-6070 Treasury attorneys: Susan Brown (202) 622-0999 Eric San Juan (202) 622-0224 CC: TEGE

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Small Entities Affected:** Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG38

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG39

**Title:** Calculating and Apportioning the Section 11(b)(1) Additional Tax Under Section 1561 for Controlled Groups

**Abstract:** The regulation will provide guidance to component members of a controlled group in calculating and apportioning the section 11(b)(1) additional tax.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.7805 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-104713-07 Drafting attorney: Grid R. Glycer (202) 622-7324 Reviewing attorney: Steven Hankin (202) 622-7930 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG40**Agency Contact:** Grid R. Glycer

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E-Mail: [grid.r.glycer@irs.counsel.treas.gov](mailto:grid.r.glycer@irs.counsel.treas.gov)**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG42**Title:** Interest on Overpayments**Abstract:** The amendments to Treasury Regulation 301.6611-1 Interest on Overpayments will explain the dates interest starts to accrue on refunds of overpayments claimed by corporations in four fact patterns: Refunds of withheld taxes claimed by foreign corporations that are subject to taxation but not required to file tax returns, refunds of withheld taxes claimed by foreign corporations not subject to taxation, refunds of estimated payments claimed by corporations not subject to taxation, and refunds of estimated payments claimed by corporations subject to taxation that have income excludible from gross income. The amendments will clarify the Service's position on the decisions in Overseas Thread Industries, Ltd. v. United States, 48 Cl. Ct. 221 (2000) and MNOPF Trustees, Ltd. v. United States, 123 F. 3d 1460 (Fed. Cir. 1997).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.6611-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6611; 26 USC 6513; 26 USC 7805; Overseas Thread Industries, Ltd v United States, 48 Cl Ct 221 (2000); MNOPF Trustees, Ltd v United States, 123 F 3d 1460 (Fed Cir 1997)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-143889-06 Drafting attorney: Ronald J. Goldstein (202) 622-3620 Reviewing attorney: G. William Beard (202) 622-3620 CC: PA: Branch 5**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No

**Small Entities Affected:** Business; Organizations**Federalism:** No**Energy Affected:** No**Agency Contact:** Ronald J. Goldstein

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG43**Title:** Determination of Governmental Plan Status**Abstract:** The proposed regulations provide guidance relating to the determination of whether a plan is a governmental plan within the meaning of section 414(d) of the Internal Revenue Code. There proposed regulations would affect sponsors of, and participants and beneficiaries in, employee benefit plans that are determined to be governmental plans.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR sec 1.414(d)-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 26 USC 414(d); sec 906 of Pension Protection Act of 2006, PL 109-280, 120 Stat 780; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-157714-06 Drafting attorney: Pamela R. Kinard (202) 622-8358 Reviewing attorney:

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**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State**Small Entities Affected:** Governmental Jurisdictions**Federalism:** No**Energy Affected:** No**Agency Contact:** Pamela R. Kinard

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG48**Title:** Notice Requirements for Certain Pension Plan Amendments Significantly Reducing the Rate of Future Benefit Accrual

**Abstract:** The proposed regulations would provide guidance relating to the interaction of the requirements under section 4980F of the Internal Revenue Code with a plan amendment that is permitted to reduce benefits accrued before the plan amendment's applicable amendment date. The proposed regulations would also reflect changes made to section 4980F of the Code by the Pension Protection Act of 2006, Public Law 109-780 (120 Stat. 780).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.411(d)-3(a)(1); 26 CFR 54.4980F-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 4980F; 26 USC 7805; secs 103(b)(1)(B), 111, 113(a)(1)(B), 402, 502, 1107 of Pension Protection Act of 2006, PL 109-280, 120 Stat 780

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-110136-07 Drafting attorney: Pamela R. Kinard (202) 622-8358 Reviewing attorney: Marjorie Hoffman (202) 622-6060 Treasury attorney: William Bortz (202) 622-1352 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG50

**Title:** Employment Tax Adjustments

**Abstract:** These are proposed amendments of section 31.6205-1, section 31.6413(a)-1, and section 31.6413(a)-2 of the Employment Tax Regulations to provide guidance for employers and employees relating to the adjustment process for employment taxes.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 31.6205-1; 26 CFR 31.6413(a)-1; 26 CFR 31.6413(a)-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6205; 26 USC 6413; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-111583-07 Drafting attorney: Ligeia M. Donis (202) 622-0047 Reviewing attorney: Janine Cook (202) 622-0047 Treasury attorney: Kevin Knopf (202) 622-2329 CC: TEGE

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG51**Agency Contact:** Ligeia M. Donis

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG53**Title:** Information Reporting and Backup Withholding for Payment

**Abstract:** The proposed regulations allow a merchant to opt out of the QPCA program by giving notice to a QPCA, however, the QPCA would be required to inform the cardholder that the payee is not a participant in the QPCA program and is nonparticipating payee. In addition, the QPCA must advise the cardholder/payor of the cardholder/payor's obligations. The TIN of a nonparticipating merchant /payee to which it makes a reportable. The proposed regulations also provide that QPCAs may furnish the required notifications electronic including by posting a secure website.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 3406 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6041; 26 USC 3406; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/13/2007	72 FR 38534
NPRM Comment Period End	10/09/2007	72 FR 38534
Hearing	11/07/2007	72 FR 38534
Final Action	12/00/2007	

**Additional Information:** REG-163195-05 Drafting attorney: Michael E. Hara (202) 622-7419 Reviewing attorney: James C. Gibbons (202) 622-4910 Treasury attorney: John Parcell (202) 622-2578 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Federal; Local; State; Tribal**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG54**Title:** Reduction of Separate Foreign Tax Credit Limitation Categories**Abstract:** The American Jobs Creation Act of 2004 amended the foreign tax credit limitation rules under section 904(d) by reducing the number of separate limitation categories to two categories, effective for taxable years beginning after December 31, 2006. These regulations would provide guidance needed to comply with these changes, including transition rules.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-114126-07 Drafting attorney: Ginny Y. Chung (202) 622-3850. CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Related to 1545-BG55**Agency Contact:** Ginny Y. Chung

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG57**Title:** Compensation for Labor or Personal Services--Compensation From Performance of Personal Services at Specific Events**Abstract:** This regulation will address proposed changes to existing final regulations regarding the source of compensation for labor or personal services. The proposed changes are needed to clarify the determination of source of compensation of an individual, including an artist or athlete, who is compensated for labor or personal services performed at specific events. These proposed regulations affect such an individual.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Proposed Rule



**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-114125-07 Drafting attorney: David Bergkuist (202) 622-3850 Reviewing attorney: Richard Chewning (202) 622-3850 Treasury attorney: John Harrington (202) 622-0589 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Related RINs:** Related to 1545-AO72**Agency Contact:** David F. Bergkuist

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG60**Title:** Public Inspection of Material Relating to Tax Exempt Organizations**Abstract:** The proposed regulations clarify what documents relating to a tax-exempt organization the IRS may make available for public inspection.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.6104(a)-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 6104; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/14/2007	72 FR 45394
NPRM Comment Period End	11/13/2007	

**Additional Information:** REG-116215-07 Drafting attorney: David L. Marshall (202) 622-1124 Reviewing attorney: Robin J. Ehrenberg (202) 622-1124 CC: TEGE**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG61**Title:** Stripped Interests in Bond and Preferred Stock Funds

**Abstract:** The proposed regulations provide guidance to taxpayers about the proper treatment of stripped interests in accounts or entities substantially all the assets of which consist of bonds, preferred stock, or a combination thereof. Under the proposed regulations, basis will be allocated among the stripped interests based upon relative fair market value. The proposed regulations also provide rules requiring current recognition of income and basis adjustments by all holders of stripped interests.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1286(f)-1 to 6(new) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 1286(f); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-116402-07 Drafting attorney: Pamela Lew (202) 622-3950 Reviewing attorney: Christina A. Morrison (202) 622-3950 CC: FIP

**Regulatory Flexibility Analysis****Government Levels Affected:** No**Required:** Undetermined**Federalism:** No**Related RINs:** Related to 1545-BG62

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG63**Title:** Highway Use Tax

**Abstract:** Consequences of failing to file electronically, if required by section 4481(e).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 41.4481(e) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-116699-07 Drafting attorney: Taylor Cortright (202) 622-7055 Reviewing attorneys: Frank K. Boland (202) 622-3130 Curtis G. Wilson (202) 622-6909 Treasury attorney: John Parcell (202) 622-2578 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** Business**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Taylor Cortright  
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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG67**Title:** Guidance Under Section 4051**Abstract:** These proposed regulations will move the operative provisions of sections 48.4061 and 145.4051T into section 48.4051; remove sections 48.4061 and 145.4051T; and incorporate applicable rules from revenue rulings issued under section 4061 into section 48.4051.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 48 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-118837-07 Drafting attorney: DeAnn K. Malone (202) 622-3112 Reviewing attorney: Barbara B. Franklin (202) 622-3130 Treasury attorney: John Parcell (202) 622-2578 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Energy Affected:** Undetermined

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG68**Title:** Solid Waste Transformation

**Abstract:** Section 103 and 142(a)(6) allow a deduction for interest on state or local bonds issued to finance solid waste disposal facilities. Proposed regulations under section 1.142(a)(6)-1 [REG-140492-02, RIN 1545-BD04] provide that a facility is a solid waste disposal facility to the extent it performs as a solid waste disposal function which includes a transformation process. These proposed regulations define what constitutes a transformation process for purposes of section 1.142(a)(6)-1.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.142(a)(6)-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 142; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-119167-07 Drafting attorney: Aviva M. Roth (202) 622-3816 Reviewing attorney: Rebecca L. Harrigal (202) 622-3980 CC: FIP

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Federalism:** No**Related RINs:** Related to 1545-BD04**Agency Contact:** Aviva M. Roth

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG69**Title:** Certain Payments Made Pursuant to a Securities Lending Transaction or a Sale-Repurchase Transaction

**Abstract:** The proposed regulations will provide guidance with respect to substitute payments. Credits under sections 33 and 1462 are coordinated in the withholding and reporting applications to provide integrated rules for administering the imposition of substantive liabilities under sections 971 and 872 with the procedural imposition and satisfaction of tax liabilities under sections 1441 and 1442.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1441; 26 CFR 871; 26 CFR 881 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 7701(l)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-119686-07 Drafting attorney: Kathryn T. Holman (202) 622-3840 Reviewing attorney: Paul Epstein (202) 622-3870 Treasury attorney: Jesse Eggert (202) 622-1540 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kathryn T. Holman

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG70**Title:** Rules for Home Construction Contracts**Abstract:** Proposed amendments to the rules regard accounting for long-term construction contracts that qualify as home construction contracts under 26 USC 460(e)(6).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.460-3 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-120844-07 Drafting attorney: Brendan P. O'Hara (202) 622-4920 Reviewing attorney: George F. Wright (202) 622-4960 Treasury attorney: Sharon Kay (202) 622-0865 CC: ITA**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG72**Title:** Benefit Restrictions for Underfunded Pension Plans**Abstract:** These proposed regulations provide guidance regarding the use of certain funding balances maintained for defined benefit pension plans and regarding benefit restrictions for certain underfunded defined benefit pension plans.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.430(f)-1; 26 CFR 1.436-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 436; 26 USC 430(f); 26 USC 7701; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-113891-07 Drafting attorney: Lauson C. Green (202) 622-6090 Reviewing attorney: Linda S. Marshall (202) 622-6090 Treasury attorney: Harlan Weller (202) 622-1001 CC: TEGE**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business; Organizations**Federalism:** No**Energy Affected:** No**Agency Contact:** Lauson C. Green

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG73**Title:** Disclosure of Return Information in Connection With Contractual Arrangements Between the IRS and Whistleblowers**Abstract:** The proposed regulations rule on disclosure of return information in connection with contractual arrangements between the IRS and whistleblowers.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.6103(n)-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7623; 26 USC 6103(n); 26 USC 7805

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-114942-07 Drafting attorney: Helene R. Newsome (202) 622-7950 Reviewing attorney: Donald M. Squires (202) 622-7950 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 6

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

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG74

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG75

**Title:** Application of Section 6404(g) Suspension Provisions

**Abstract:** The proposed regulations are meant to clarify the types of cases in which interest and penalties are suspended for the IRS's failure to issue a notice alerting taxpayers of their liability and the basis therefore within the statutory period.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-149036-04 Drafting attorney: Stuart Spielman (202) 622-3620 Reviewing attorney: Brinton T. Warren (202) 622-4940 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 5

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business; Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE07; Related to 1545-BG64

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG76**Title:** Patented Tax Strategy Transactions

**Abstract:** These proposed regulations provide rules relating to the disclosure of reportable transactions under 26 U.S.C. 6011. These proposed regulations add the patented transactions category of reportable transaction. The regulations affect taxpayers participating in the patented transactions category of reportable transactions under 26 U.S.C. 6011, material advisors responsible for disclosing reportable transactions under section 26 U.S.C. 6111, and material advisors responsible for keeping lists under 26 U.S.C. 6112.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6011; 26 USC 6111; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-129916-07 Drafting attorney: Michael H. Beker (202) 622-7755 Reviewing attorney: Christine E. Ellison (202) 622-3070 Treasury attorney: Anita Soucy (202) 622-1766 CC: PSI

**Regulatory Flexibility Analysis****Government Levels Affected:** Undetermined**Required:** Undetermined**Federalism:** No**Related RINs:** Related to 1545-BG78**Agency Contact:** Michael H. Beker

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG80**Title:** Automatic Contribution Arrangements



**Abstract:** The proposed regulations will provide guidance on how a qualified cash or deferred arrangement can become a qualified automatic contribution arrangement and avoid the ADP test of section 401(k)(3)(A)(ii). The proposed regulations will also provide guidance on how an eligible contribution arrangement can permit an employee to make withdrawals from an eligible automatic contribution arrangement that he did not wish to have the employer make.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.401(k)-3; 26 CFR 1.401(m)-3; 26 CFR 1.414 (w)-1; 26 CFR 54.4979-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 401(k)(13); 26 USC 401(m)(12); 26 USC 414 (w); 26 USC 4679(f); 26 USC 7805; ...

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-133300-07 Drafting attorney: William D. Gibbs (202) 622-7631 Reviewing attorney: Lisa Mojiri-Azad (202) 622-6080 Treasury attorney: Helen Morrison (202) 622-6080 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG81

**Title:** S Corporation Back-To-Back Loans

**Abstract:** The proposed regulations will provide guidance to taxpayers regarding S corporations and back-to-back loan transactions under section 1367 of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 1367

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-134042-07 Drafting attorney: Michael H. Beker (202) 622-7755 Reviewing attorney: Christine E. Ellison (202) 622-3070 Treasury attorney: William Bowers (202) 622-6721 CC: PSI

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Agency Contact:** Michael H. Beker

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG83

**Title:** Preparer Penalties Under Section 6694

**Abstract:** The Internal Revenue Service will issue proposed regulations that revise the definition of "tax return preparer" consistent with section 8246 of the Small Business and Work Opportunity Tax Act of 2007, Public Law No. 110-28. The proposed regulations will also alter the standards of conduct that preparers must meet to avoid imposition of penalties for preparing a return where there is an understatement of tax and the tax preparer knew, or reasonably should have known, of the tax treatment of a return position.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6060; 26 USC 6107; 26 USC 6109; 26 USC 6694; 26 USC 6695; 26 USC 6696; 26 USC 7701(a)(36); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-129243-07 Drafting attorney: Michael E. Hara (202) 622-7419 Reviewing attorney: James C. Gibbons (202) 622-4910 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Organizations

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG85

**Title:** Treatment Under Sections 892 and 897(h)(1) of Distributions to Foreign Governments From Qualified Investment Entities

**Abstract:** This regulation contains proposed changes to existing final regulations regarding taxation of foreign governments and distributions from real estate investment trusts (REITs) and other qualified investment entities. The proposed changes are needed to clarify that distributions received by a foreign government from such qualified investment entities are not exempt from taxation under section 892 but are treated under section 897(h)(1) as gain recognized by a foreign government shareholder from the sale or exchange of a United States real property interest described in section 897(c)(1)(A)(i).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.892-3T; 26 CFR 1.897-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 0892; 26 USC 0897

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-130395-07 REG-130395-07 Drafting attorneys: David A. Juster (202) 622-3850 and Margaret A. Hogan (202) 622-3860 Reviewing attorneys: Richard Chewning (202) 622-3850 and Charles Besecky (202) 622-3860 Treasury attorney: Jesse Eggert (202) 622-3860 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BG86

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG87

**Title:** Application of At-Risk Rules to Deficit Restoration Obligations of Limited Liability Company Members

**Abstract:** These regulations provide rules regarding whether the inclusion of a deficit restoration obligation (DRO) in the operating agreement of a limited liability company (LLC) is sufficient to provide at-risk basis to members of the LLC for liabilities of the LLC, for purposes of section 465 of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 465 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 465; 26 USC 704; 26 USC 752; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-135675-07 Drafting attorney: William M. Kostak (202) 622-3060 Reviewing attorney: James A. Quinn (202) 622-3070 Treasury attorney: William Bowers (202) 622-3070 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG89

**Title:** GST Section 6011 Regulations

**Abstract:** The proposed regulations create the rules relating to the disclosure of reportable transactions and listed transactions under section 6011.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 26 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-136563-07 Drafting attorney: Tolsun N. Waddle (202) 622-6195 Reviewing attorney: Tara P. Volungis (202) 622-3070 Treasury attorney: Anita Soucy (202) 622-1766 CC: PSI

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG90**Title:** Failure To Deposit Employment Taxes**Abstract:** The proposed rule relates to Federal tax deposit rules for taxes under the Federal Insurance Contributions Act (FICA) and collection on Income Tax at Source. The proposed rule also provides guidance concerning the application of the penalty imposed by section 6656.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 31.6302 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 6302**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-144901-04 Drafting attorney: Jason A. Bremer (202) 622-4570 Reviewing attorney: Robin M. Tuczak (202) 622-4570 CC: PA: Branch 07**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jason A. Bremer

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E-Mail: [jason.a.bremer@irs.counsel.treas.gov](mailto:jason.a.bremer@irs.counsel.treas.gov)**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG91**Title:** Public Approval Requirements for Private Activity Bonds**Abstract:** These regulations will create a new section 1.147(f)-1 under section 1.147(f) of the Code relating to the public approval requirement applicable to private activity bonds. Since the Temporary regulations under section 103(k) of the 1954 Code relating to the public approval requirement applicable to industrial development bonds (not to qualified mortgage bonds, qualified student loan bonds, and qualified 501(c)(3) bonds) were published, several questions have arisen regarding the proper application of the public approval requirement under certain types of tax-exempt bond financings.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.147(f)-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 1301; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-128841-07 Drafting attorney: David E. White (202) 622-3980 Reviewing attorney: Rebecca L. Harrigal (202) 622-3449 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** Governmental Jurisdictions

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG92

**Title:** Travel Expenses of State Legislators

**Abstract:** The proposed regulations provide rules relating to travel expenses of state legislators. The regulations affect state legislators who make the election under section 162(h) of the Internal Revenue Code to treat their residences in their legislative districts as their tax homes.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 301; 26 CFR 602 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 162(h)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-119518-07 Drafting attorney: Ronald M. Kelley (202) 622-7900 Reviewing attorney: Donna M. Crisalli (202) 622-7900 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG93

**Title:** Unitary Basis Rule

**Abstract:** These proposed regulations under section 1502 provide guidance regarding the determination and adjustment of subsidiary stock owned by another member.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1502; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-134924-07 Drafting attorney: Marcie P. Barese (202) 622-7790 Reviewing attorney: Theresa A. Abell (202) 622-7700 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG94

**Title:** Clarification of Controlled Group Rules of Section 1.1563-1

**Abstract:** This regulation will clarify that all corporations that satisfy the definition of one of the types of controlled groups described in section 1563(a) are members of that controlled group, whether they are classified as component members, additional members, or excluded members of such group (within the meaning of section 1563(b)).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.7805 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-135005-07 Drafting attorney: Grid R. Glycer (202) 622-7324 Reviewing attorney: Gerald B. Fleming (202) 622-7770 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG96

**Title:** Regulations Implementing Notices 2006-85 and 2007-48

**Abstract:** These regulations implement the rules announced in Notices 2006-85 (issued September 22, 2006) and 2007-48 (issued May 31, 2007). These notices announced that Treasury and the IRS would issue regulations under section 367(b) to address transactions where foreign or domestic corporations seek to avoid treating as a dividend the amount of property that a subsidiary transfers to its parent or its parent's shareholders in exchange for parent stock, which the subsidiary then uses to acquire the stock or assets of another corporation in a triangular reorganization.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 1.367(b)-14T (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 0367

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-136020-07 Drafting attorney: Daniel M. McCall (202) 622-3860 Reviewing attorney: Charles Besecky (202) 622-3860 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG97

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---

**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG98

**Title:** Modifications to Subpart F Treatment of Aircraft and Vessel Leasing Income



**Abstract:** This regulation will amend regulations relating to the subpart F treatment of aircraft and vessel leasing income under sections 954 and 956 of the Internal Revenue Code and the transfer of tangible property incorporated in aircraft and vessels that are used predominantly outside the United States under section 367 of the Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 0954; PL 109-357 sec 415

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/00/2008	

**Additional Information:** REG-138355-07 Drafting attorney: Paul J. Carlino (202) 622-3840 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BH03

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG99

**Title:** REG-137204-07: Section 3121(a)(5)(D) Regulation (Salary Reduction Agreement)

**Abstract:** The proposed regulations define the term salary reduction agreement within the meaning of section 3121(a)(5)(D) as a plan or arrangement whereby payment will be made by an employer to an annuity described in section 403(b) if an employee elects to reduce his compensation or if an employee agrees as a condition of employment to make a mandatory contribution that reduces his compensation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 31 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 6302

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-137204-07 Drafting attorney: Neil D. Sheppard (202) 622-6040 Reviewing attorney: John B. Richards (202) 622-6040 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** Governmental Jurisdictions;  
Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BD50; Related to 1545-BB64; Related to 1545-BH00

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH01

**Title:** Circular 230--Revision of Section 10.34

**Abstract:** The proposed regulations modify the standards with respect to tax returns under section 10.34 of Circular 230.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 31 CFR 10.34 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 31 USC 330; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-138637-07 Drafting attorney: Matthew S. Cooper (202) 622-4940 Reviewing attorney:

Richard S. Goldstein (202) 622-3400 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 2

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH02

**Title:** Unrelated Business Income Tax on Charitable Remainder Trusts

**Abstract:** The regulations relate to the recent change in section 664 to impose a 100 percent tax on the unrelated business taxable income (UBTI) of charitable remainder trusts (CRTs).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 664; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-127391-07 Drafting attorney: Cynthia D. Morton (202) 622-3060 Reviewing attorneys: Melissa C. Liquerman (202) 622-3060 Beverly Katz (202) 622-3000 Treasury attorney: Catherine Hughes (202) 622-9407 CC: PSI

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Cynthia D. Morton

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E-Mail: [cynthia.d.morton@irs.counsel.treas.gov](mailto:cynthia.d.morton@irs.counsel.treas.gov)**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BH04**Title:** Diversification Requirements for Certain Defined Contribution Plans**Abstract:** The proposed regulations will provide guidance on the implementation of the new diversification requirements for certain defined contribution plans.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 401(a)(35)-1; 26 USC 901 of Pension Protection Act of 2006, PL 109-280, 120 Stat 780; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-136701-07 Drafting attorney: Dana A. Barry (202) 622-7424 Reviewing attorney: Lisa Mojiri-Azad (202) 622-6080 Treasury attorney: William Bortz (202) 622-1352 CC: TEGE

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BH06

**Title:** Application of Section 470 to Controlled Foreign Corporations

**Abstract:** These regulations would set forth rules for applying the loss suspension rule of section 470 to income and deductions attributable to leases entered into by controlled foreign corporations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 470; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-138638-07 Drafting attorney: Edward C. Schwartz (202) 622-4960 Reviewing attorney: John M. Aramburu (202) 622-4960 Treasury attorney: William Bowers (202) 622-4960 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BH07**Title:** Measurement of Liabilities and Assets for Pension Funding Purposes**Abstract:** These regulations will provide guidance on the determination of benefit liabilities and assets for purposes of the funding requirements that apply to single employer defined benefit pension plans.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.430(d)-1; 26 CFR 1.430(h)-2; 26 CFR 1.430(i)-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7701; 26 USC 430; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-139236-07 Drafting attorney: Lauson C. Green (202) 622-6090 Reviewing attorney: Linda S. Marshall (202) 622-6090 CC: TEGE**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business; Organizations**Federalism:** No**Energy Affected:** No**Agency Contact:** Lauson C. Green

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BH08**Title:** Non-Accrual Experience Method of Accounting**Abstract:** These regulations deal with the type of methodology taxpayers that should be allowed to use as a self-test for purposes of the non-accrual experience method of accounting. The current regulations contain a reserve section dealing with this self-test requirement. In addition, the regulations deals with the definition and rules surrounding "undue burden" in reference to tracing recoveries under a non-accrual experience method.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.448-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 448**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-137868-07 Drafting attorney: W. Thomas McElroy (202) 622-4970 Reviewing attorney: Roy A. Hirschhorn (202) 622-4970 Treasury attorney: Sharon Kay (202) 622-0865 CC: ITA

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

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH10

**Title:** Interest on Deferred Tax Liability for Contingent Payment Sales Under Section 453A

**Abstract:** These proposed regulations will provide rules under section 453A(c) to compute the interest on the deferred tax liability for contingent payment sales.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 453A(c)(6); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-137603-07 Drafting attorney: Shareen S. Pflanz (202) 622-4920 Reviewing attorney: Michael J. Montemurro (202) 622-4920 Treasury attorney: Dennis Tingey (202) 622-1335 CC: ITA

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

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH13

**Title:** Treatment of Overall Foreign and Domestic Losses

**Abstract:** Section 402 of the American Jobs Creation Act of 2004 enacted a new section 904(g) providing for the recharacterization of U.S. source income as foreign source income where a taxpayer's foreign tax credit limitation has been reduced as a result of an overall domestic loss. The regulation will provide rules for maintaining and recapturing overall domestic loss accounts relating to such recharacterization. The regulation will also include some revisions of the existing regulations regarding overall foreign loss recapture under section 904(f).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 25 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2007	

**Additional Information:** REG-141399-07 Drafting Attorney: Jeffrey L. Parry (202) 622-3850 Reviewing Attorney: Unassigned Treasury Attorney: Unassigned CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BH14

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH31

**Title:** Regulations Revising Section 1.1502-77 Regarding Agency for a Consolidated Group

**Abstract:** This notice of proposed rulemaking will clarify and update current final regulations under section 1.1502-77. Section 1.1502-77 provides rules for determining which entity is the agent for a consolidated tax group.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.1502-77 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 1502

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/2008	

**Additional Information:** REG-142561-07 Drafting attorney: Richard M. Heinecke (202) 622-7930 Reviewing attorney: Gerald B. Fleming (202) 622-7770 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AJ93

**Title:** Information From Passport and Immigration Applicants

**Abstract:** The regulation will prescribe under section 6039E the information to be gathered by the State Department and Immigration and Naturalization Service on passport and green card applicants and the penalties to be imposed on such applicants if they do not supply the information.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 6039E

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/24/1992	57 FR 61373
Final Action	12/00/2007	

**Additional Information:** REG-208274-86 (INTL-978-86) Drafting attorney: Quyen Huynh (202) 622-3880 Reviewing attorney: Elizabeth U. Karzon (202) 622-3880 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AK74

**Title:** Foreign Corporations



**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 Internal Revenue Code (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 or business, stock transfers, transfers of intangible assets, and transfers of branch operations that have operated at a loss.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 367

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/16/1986	51 FR 17990
Final Action	12/00/2007	

**Additional Information:** REG-209042-86 (INTL-610-86) Drafting attorney: Thomas D. Beem (202) 622-3860 Reviewing attorney: Charles P. Besecky (202) 622-3860 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AK79

**Title:** Nonrecognition of Corporate Distributions and Reorganizations Under the Foreign Investment in Real Property Tax Act

**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. The 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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 897

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/05/1988	53 FR 16233
Hearing	03/01/1989	54 FR 1189
Final Action	12/00/2007	

**Additional Information:** REG-209039-87 (INTL-491-87) Drafting attorney: Jeffrey P. Cowan (202) 622-3860 Reviewing attorney: Charles P. Besecky (202) 622-3860 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AM12

**Title:** Computation of a Branch's Taxable Income; Taxation of Exchange Gain or Loss on Branch Remittances

**Abstract:** This regulation relates to branch rules and how to translate branch income, and the taxation of exchange gain or loss on branch remittances.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/25/1991	56 FR 48457
Second NPRM	09/07/2006	71 FR 52876
NPRM	09/07/2006	71 FR 52876
Final Action	12/00/2007	

**Additional Information:** REG-208270-86 (INTL-965-86) Drafting attorney: Margaret K. Harris (202) 622-3870 Reviewing attorney: Jeffrey Dorfman (202) 622-3870 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-A024**Title:** Earnings Stripping Payments**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/18/1991	56 FR 27907
Hearing	09/25/1991	
Final Action	12/00/2007	

**Additional Information:** REG-209059-89 (INTL-870-89) Drafting attorney: Theodore D. Setzer (202) 622-3870  
Reviewing attorney: Jeffrey L. Dorfman (202) 622-3870 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Theodore D. Setzer

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-AP33**Title:** Registration Required Obligations**Abstract:** This regulation will finalize all outstanding proposed regulations under section 1.163-1(b)(2).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 165**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/21/1993	58 FR 5316
Final Action	12/00/2007	

**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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AT46

**Title:** Straddles--Miscellaneous Issues

**Abstract:** This regulation clarifies the circumstances in which common stock may be personal property for purposes of section 1092.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 1092

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/02/1995	60 FR 21482
Final Action	12/00/2007	

**Additional Information:** REG-209768-95 (FI-21-95) Drafting attorney: Mary J. Brewer (202) 622-3960 Reviewing attorney: Christina A. Morrison (202) 622-3950 Treasury attorney: Michael Novey (202) 622-1339 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AU49

**Title:** Recomputation of Life Insurance Reserves

**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).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 816

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/02/1997	62 FR 71
Final Action	01/00/2008	

**Additional Information:** REG-246018-96 Drafting attorney: James A. Polfer (202) 622-8499 Reviewing attorney: Sheryl B. Flum (202) 622-6282 Treasury attorney: Mark S. Smith (202) 622-0180 CC:FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AU97

**Title:** Agreements for Payment of Tax Liabilities in Installments

**Abstract:** Section 6159 of the Internal Revenue Code allows the IRS to enter into agreements with taxpayers for the payment of tax liabilities in installments. The principal purpose of this project is to update the regulations under section 6159 to reflect various amendments to that section and related statutes. The proposed regulations govern the acceptance and rejection of installment agreements, the terms of those agreements and when they may be modified or terminated by the Service, and appeal procedures when the Service makes a rejection or termination decision.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6159; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/31/1997	62 FR 68241
Second NPRM	01/21/1998	63 FR 3186
Other	03/05/2007	72 FR 9712
NPRM	03/05/2007	72 FR 9712
NPRM Comment Period End	06/04/2007	
Final Rule	12/00/2007	

**Additional Information:** REG-100841-97 Drafting attorney: G. William Beard (202) 622-3620 Reviewing attorney: Lawrence Schattner (202) 622-3620 CC: PA: Branch 5

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AW06

**Title:** Mark-to-Market Accounting for Dealers in Commodities and Traders in Securities and Commodities

**Abstract:** This regulation provides guidance concerning mark-to-market accounting for securities traders and commodities dealers and traders.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 475; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/28/1999	64 FR 4374
Final Action	06/00/2008	

**Additional Information:** REG-104924-98 Drafting attorney: Marsha A. Sabin (202) 622-3950 Reviewing attorney: Robert B. Williams (202) 622-3950 Treasury attorney: Michael Novey (202) 622-1339 CC:FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AW30

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**Title:** Intercompany Obligations**Abstract:** The regulation provides clarification of the tax treatment of certain transfers of intercompany obligations by or to a member of a consolidated group.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 1502; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/21/1998	63 FR 70354
NPRM Comment Period End	03/22/1999	
Final Action	12/00/2007	

**Additional Information:** REG-105964-98 Drafting attorney: Frances L. Kelly (202) 622-7072 Reviewing attorney: Michael J. Wilder (202) 622-3393 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BA11**Agency Contact:** Frances L. Kelly

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AX92

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**Title:** Capitalization of Interest and Carrying Charges Properly Allocable to Straddles

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 263; 26 USC 1092

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/18/2001	66 FR 4746
NPRM Comment Period End	05/01/2001	
Final Action	12/00/2007	

**Additional Information:** REG-105801-00 Drafting attorney: Mary J. Brewer (202) 622-3960 Reviewing attorney: Christina A. Morrison (202) 622-3950 Treasury attorney: Michael Novey (202) 622-1339 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AY54

**Title:** Previously Taxed Earnings and Profits Under Subpart F

**Abstract:** This regulation will address the determination of previously taxed earnings and profits under subpart F.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 959

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/29/2006	71 FR 51155
NPRM Comment Period End	11/27/2006	
Final Action	12/00/2007	

**Additional Information:** REG-121509-00 Drafting attorney: Ethan A. Atticks (202) 622-3840 Reviewing attorney: Phyllis E. Marcus (202) 622-3840 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No



**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Ethan A. Atticks

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AY75**Title:** Normalization**Abstract:** These regulations relate to the sale or deregulation of generation assets.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 167; 26 USC 168; 26 USC 46**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/21/2005	70 FR 75762
Final Action	12/00/2007	

**Additional Information:** REG-104385-01 Drafting attorney: Patrick S. Kirwan (202) 622-3110 Reviewing attorney: Peter Friedman (202) 622-3110 Treasury attorney: John Parcell (202) 622-2578 CC:PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Patrick S. Kirwan

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BA09**Title:** Consolidated Returns; Nonapplicability of Section 357(c)**Abstract:** The regulations make amendments to section 1.1502-80(d) of the consolidated return regulations dealing with the scope of the nonapplicability of section 357(c) in a consolidated group.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 1502

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/14/2001	66 FR 57021
Public Hearing	03/21/2002	
Final Action	12/00/2007	

**Additional Information:** REG-137519-01 Drafting attorney: Thomas I. Russell (202) 622-7550 Reviewing attorney: Alfred Bishop (202) 622-7930 Treasury attorney: None CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BA10

**Title:** Reductions of Accruals and Allocations Because of Increased Age

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 411

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Hearing	12/11/2002	67 FR 76123
NPRM	12/11/2002	67 FR 76123
Public Hearing	01/17/2003	68 FR 2466
Final Action	12/00/2007	

**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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business; Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BB79

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BA31

**Title:** 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

**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 the Tax Reform Act of 1986. This regulation is a continuation of the regulation project previously numbered at REG-208225-88.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7603; 26 USC 7609; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/21/2006	71 FR 41377
NPRM Comment Period End	10/09/2006	
Final Action	12/00/2007	

**Additional Information:** REG-153037-01 Drafting attorney: Elizabeth D. Rawlins (202) 622-3600 Reviewing attorney: Peter J. Devlin (202) 622-3600 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 5

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BA53

**Title:** Noncompensatory Partnership Options

**Abstract:** This regulation will describe the tax treatment of noncompensatory partnership options.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 704; 26 USC 721; 26 USC 761; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/22/2003	68 FR 2930
Final Action	02/00/2008	

**Additional Information:** REG-103580-02 Drafting attorneys: Joy C. Spies (202) 622-3050 and Jonathan E. Cornwell (202) 622-4504 Reviewing attorney: Audrey W. Ellis (202) 622-3050 Treasury attorney: William Bowers (202) 622-5721 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BA72

**Title:** Circular 230--Phase 2 Nonshelter Revisions

**Abstract:** These regulations propose amendments to the rules governing practice before the Internal Revenue Service.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 31 USC 330

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	12/19/2002	67 FR 77724
ANPRM Comment Period End	02/18/2003	
NPRM	02/08/2006	71 FR 6421
Final Action	12/00/2007	

**Additional Information:** REG-122380-02 Drafting attorney: Matthew S. Cooper (202) 622-4940 Reviewing attorney: Richard S. Goldstein (202) 622-7820 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 2

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BA86

**Title:** Guidance on Reporting of Deposit Interest Paid to Nonresident Aliens

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 31 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/02/2002	67 FR 50386
Hearing	12/05/2002	67 FR 50386
Final Action	12/00/2007	

**Additional Information:** REG-133254-02 Drafting attorney: Ethan A. Atticks (202) 622-3840 Reviewing attorney: Valerie Mark Lippe (202) 622-3840 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BA96**Title:** Guidance To Facilitate Electronic Tax Administration**Abstract:** This regulation will facilitate electronic tax administration.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/08/2005	70 FR 72954
Final Action	12/00/2007	

**Additional Information:** REG-137243-02 Drafting attorney: Dillon Taylor (202) 622-4940 Reviewing attorney: Ashton P. Trice (202) 622-4940 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 2**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Dillon J. Taylor

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BB18**Title:** Toll Telephone Service--Definition**Abstract:** This regulation provides amendments to regulations relating to the definition of toll telephone service.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 49 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	04/01/2003	68 FR 15690
Hearing	09/10/2003	68 FR 35828
Final Action	12/00/2007	

**Additional Information:** REG-141097-02 Drafting attorney: Taylor Cortright (202) 622-3130 Reviewing attorneys: Frank Boland (202) 622-3130 and Curt Wilson (202) 622-3000 Treasury attorney: John Parcell (202) 622-2578 CC:PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB23

**Title:** Mixed-Use Output Facilities

**Abstract:** This regulation describes rules relating to mixed use output facilities.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline: None**

**Timetable:**

Action	Date	FR Cite
ANPRM	09/23/2002	67 FR 59767
NPRM	09/26/2006	71 FR 56072
NPRM Comment Period End	12/26/2006	
Public Hearing	01/11/2007	
Final Action	06/00/2008	

**Additional Information:** REG-142599-02 Drafting attorney: Zoran Stojanovic (202) 622-3980 Reviewing attorney: Johanna Som de Cerff (202) 622-3980 Treasury attorney: John Cross (202) 622-1322 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Merge with 1545-BC07

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BB28**Title:** Application of Separate Limitations to Dividends From Noncontrolled Section 902 Corporation**Abstract:** The American Jobs Creation Act of 2004 amended the foreign tax credit limitation rules under section 904(d) and extended lookthrough treatment to dividends paid by a 10/50 lookthrough corporation, generally effective retroactively for 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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 904(d)(6)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-144784-02 Drafting attorney: Ginny Y. Chung (202) 622-3850 Reviewing attorney: Barbara Felker (202) 622-3850 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BF46**Agency Contact:** Ginny Y. Chung

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BB31**Title:** Treatment of Services Under Section 482**Abstract:** These final regulations amend the rules for allocation of income and deductions with respect to services between members of a group of controlled entities, pursuant to section 482.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule



**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 482**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/10/2003	68 FR 53447
Second NPRM	08/04/2006	71 FR 44247
NPRM Comment Period End	11/02/2006	
Final Action	12/00/2007	

**Additional Information:** REG-146893-02 Drafting attorney: Carol Tan (202) 435-5265 Reviewing attorney: John M. Breen (202) 435-5265 Treasury attorney: David Ernick (202) 622-1754 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BC52; Related to 1545-AY38**Agency Contact:** Carol Tan

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB41**Title:** Amendment to Section 6724 Relating to Failure To File Correct Information Returns**Abstract:** Amended regulations to provide an electronic alternative procedure to when the filing of a correction is considered prompt for purposes of section 6724.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6724; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/09/2003	68 FR 40857
Final Action	12/00/2007	

**Additional Information:** REG-141669-02 Drafting attorney: Matthew P. Howard (202) 622-4910 Reviewing attorney: Blaise Dusenberry (202) 622-4910 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 1**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-BB61

**Title:** Loss on Subsidiary Stock

**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. The regulations will provide rules relating to the loss allowed on a disposition of subsidiary and stock, to the reduction of the subsidiary's attributes.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 337(d); 26 USC 7805; 26 USC 1502

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/23/2007	72 FR 2964
NPRM Comment Period End	04/23/2007	
Final Action	06/00/2008	

**Additional Information:** REG-157711-02 Drafting attorney: Marcie P. Barese (202) 622-7790 Reviewing attorney: Theresa A. Abell (202) 622-7700 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-BB82

**Title:** Notional Principal Contracts; Contingent Nonperiodic Payments

**Abstract:** These regulations relate to the character and the inclusion into income and deduction of contingent nonperiodic payments made pursuant to a notional principal contract.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1; 26 CFR 602 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/26/2004	69 FR 8886
NPRM Comment Period End	05/04/2004	
Final Action	12/00/2007	

**Additional Information:** REG-166012-02 Drafting attorney: Anna H. Kim (202) 622-3920 Reviewing attorney: Kathleen A. Sleeth (202) 622-3920 Treasury attorney: Michael Novey (202) 622-1339 CC:FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Anna H. Kim Department of the Treasury

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E-Mail: [anna.h.kim@irscounsel.treas.gov](mailto:anna.h.kim@irscounsel.treas.gov)**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB84**Title:** Real Estate Mortgage Investment Conduit (REMIC) Residuals--Timing of Income for Foreign Holders

**Abstract:** These proposed regulations cross-reference temporary regulations that address transactions in which partnerships with foreign partners were being used in an attempt to avoid tax on some Real Estate Mortgage Investment Conduit (REMIC) excess inclusions. That avoidance would have violated Congress's clear intention that excess inclusion income should always produce some tax liability. Under the regulations, if a domestic partnership holds REMIC residual interests and allocates excess inclusions from those interests to foreign partners, the foreign partners' recognition of the excess inclusion income is accelerated for purposes of the withholding rules, and the partnership is required to withhold on the income, even in the absence of distributions of cash or property to the foreign partners.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 860G(b); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/01/2006	71 FR 43398
NPRM Comment Period End	10/30/2006	
Final Action	12/00/2007	

**Additional Information:** REG-159929-02 Drafting attorney: Arturo Estrada (202) 622-3900 Treasury attorney: Michael Novey (202) 622-1339 CC: FIP**Regulatory Flexibility Analysis****Government Levels Affected:** No**Required:** Undetermined

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Arturo Estrada

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB85**Title:** Predecessors or Successors Under Section 355(e)**Abstract:** These regulations under section 355(e) set forth whether a transferor or a transferee of distributing or controlled assets is a predecessor or successor.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 355; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/22/2004	69 FR 67873
Final Action	12/00/2007	

**Additional Information:** REG-145535-02 Drafting attorney: Ross E. Poulsen (202) 622-7790 Reviewing attorney: Stephen Fattman (202) 622-7700 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Ross E. Poulsen

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB92**Title:** Partnership Equity for Services**Abstract:** This regulation will describe the tax treatment of partnership equity issued in connection with the performance of services.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 721; 26 USC 83; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/24/2005	70 FR 29675
Public Hearing	10/05/2005	70 FR 29676
Final Action	02/00/2008	

**Additional Information:** REG-105346-03 Drafting attorneys: Joy C. Spies (202) 622-3050 and Jonathan E. Cornwell (202) 622-4504 Reviewing attorney: Audrey W. Ellis (202) 622-3050 Treasury attorney: William Bowers (202) 622-5721 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB94

**Title:** Accrual for Certain Real Estate Mortgage Investment Conduit (REMIC) Regular Interests

**Abstract:** The regulations provide guidance on the accrual of original issue discount on certain REMIC regular interests.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/25/2004	69 FR 52217
Final Action	12/00/2007	

**Additional Information:** REG-108637-03 Drafting attorney: Patrick E. White (202) 622-3920 Reviewing attorney: Phoebe A. Mix (202) 622-4634 CC:FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC07

**Title:** General Allocation and Accounting Regulations

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/26/2006	71 FR 56072
NPRM Comment Period End	12/26/2006	
Public Hearing	01/11/2007	
Final Action	06/00/2008	

**Additional Information:** REG-140379-02 Drafting attorney: Zoran Stojanovic (202) 622-3980 Reviewing attorney: Johanna Som de Cerff (202) 622-3980 Treasury attorney: John Cross (202) 622-1322 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Merge with 1545-BB23

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BC22

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**Title:** Utility Allowance Regulation Update**Abstract:** This regulation will modify and update utility allowance regulations under section 1.42-10, which provides for an alternative method for computing utility allowances under section 1.42-10(b)(4)(ii). Also, the regulation will provide for annual updates of utility allowances.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 42; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/19/2007	72 FR 33703
NPRM Comment Period End	09/17/2007	
Public Hearing	10/09/2007	72 FR 33703
Final Action	06/00/2008	

**Additional Information:** REG-128274-03 Drafting attorney: David Selig (202) 622-3040 Reviewing attorney: Paul Handleman (202) 622-3040 Treasury reviewer: Sharon Kay (202) 622-0865 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** David A. Selig

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BC23

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**Title:** Special Consolidated Return Rules for Interest Expense Disallowed Under Section 265(a)(2)**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).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 1502; 26 USC 7701; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/07/2004	69 FR 25535
Final Action	12/00/2007	

**Additional Information:** REG-128590-03 Drafting attorney: Frances L. Kelly (202) 622-7072 Reviewing attorney: Michael Wilder (202) 622-3393 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BC52

**Title:** Stewardship Expenses

**Abstract:** The current regulations under section 1.861-8(e)(4), 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 1.861T(b)(3).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/04/2006	71 FR 44247
NPRM Comment Period End	11/02/2006	
Final Action	11/00/2007	

**Additional Information:** REG-138603-03 Drafting attorney: David F. Bergkuist (202) 622-3850 Reviewing attorney: Anne O. Devereaux (202) 622-3850 Treasury attorney: David Ernick (202) 622-1754 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BB31; Related to 1545-AY38



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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC56

**Title:** Guidance Under Section 2053 Regarding Post-Death Events

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 20 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/23/2007	72 FR 20080
NPRM Comment Period End	07/23/2007	
Public Hearing	08/06/2007	
Final Action	06/00/2008	

**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

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Small Entities Affected:** No

**Federalism:** Undetermined

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC61

**Title:** Qualified Zone Academy Bonds; Obligations of States and Political Subdivisions

**Abstract:** The regulations will provide for permissible expenditure and use of proceeds, coordinate, and make consistent provisions regarding determination of credit rate and maturity date. It will provide for remedial action in case of change in use of bond proceeds. The regulations will also implement the arbitrage and reporting requirements.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/26/2004	69 FR 15747
NPRM Comment Period End	06/24/2004	69 FR 15747
Public Hearing	07/21/2004	
NPRM	07/16/2007	72 FR 38802
NPRM	07/16/2007	72 FR 38802
Final Action	06/00/2008	

**Additional Information:** REG-121475-03 Drafting attorney: Zoran Stojanovic (202) 622-3980 Reviewing attorney: Timothy L. Jones (202) 622-3701 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Small Entities Affected:** Governmental Jurisdictions**Federalism:** No**Energy Affected:** No**Public Comment URL:** [www.regulations.gov](http://www.regulations.gov) (See IRS REG-121475-03)**Related RINs:** Related to 1545-BG44**Agency Contact:** Zoran Stojanovic

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E-Mail: [zoran.stojanovic@irscounsel.treas.gov](mailto:zoran.stojanovic@irscounsel.treas.gov)**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC63**Title:** Guidance Under Section 707 Regarding Disguised Sales**Abstract:** This regulation will provide guidance regarding disguised sales of partnership interests.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 707; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/26/2004	69 FR 68838
Final Action	04/00/2008	

**Additional Information:** REG-149519-03 Drafting attorney: Deane M. Burke (202) 622-3070 Reviewing attorney: Christine Ellison (202) 622-3070 Treasury attorney: William Bowers (202) 622-5721 CC:PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC94

**Title:** Guidance Regarding the Active Trade or Business Requirement Under Section 355(b)

**Abstract:** The proposed rulemaking will provide guidance regarding the active trade or business requirement under section 355(b).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/08/2007	72 FR 26012
NPRM Comment Period End	08/06/2007	72 FR 26012
Final Action	06/00/2008	

**Additional Information:** REG-123365-03 Drafting attorney: Russell P. Subin (202) 622-7790 Reviewing attorney: Stephen P. Fattman (202) 622-7700 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BD01

**Title:** Support Test in the Case of a Child of Divorced Parents

**Abstract:** These proposed regulations will update section 1.152-4.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 152; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/02/2007	72 FR 24192
NPRM Comment Period End	07/31/2007	
Final Action	06/00/2008	

**Additional Information:** REG-149856-03 Drafting attorney: Victoria J. Driscoll (202) 622-4920 Reviewing attorney: Stephen J. Toomey (202) 622-4920 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD04

**Title:** Solid Waste Disposal Facilities

**Abstract:** This regulation will modify the definition of solid waste disposal facility for purposes of section 142(a)(6) of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 142; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/10/2004	69 FR 25856
Final Action	12/00/2007	

**Additional Information:** REG-140492-02 Drafting attorney: Aviva M. Roth (202) 622-3816 Reviewing attorney: Timothy L. Jones (202) 622-3701 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG68

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BD09

**Title:** Public Inspection of Written Determinations Under Section 6110 of the Internal Revenue Code (Temporary)

**Abstract:** This temporary regulation will replace and update the existing regulation to include procedures for the public availability of Chief Counsel advice. It also reflects changes to the organizational structure of the Internal Revenue Service and Office of Chief Counsel, changes to the Code, and technological advances related to the electronic availability of Internal Revenue Service documents to the public.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-113129-98 Drafting attorney: Deborah C. Lambert-Dean (202) 622-4570 Reviewing attorney: Donald Squires (202) 622-4570 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 6

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-AX40

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BD19

**Title:** Escrow Accounts, Trusts, and Other Funds Used During Deferred Exchanges of Like-Kind Property

**Abstract:** These regulations provide rules under section 468B(g) regarding the taxation and reporting of the income earned on escrow accounts, trusts, and other funds used for deferred exchanges of like-kind property under section 1031(a)(3). The regulations affect qualified escrow accounts, qualified trusts, and other funds established in connection with deferred like-kind exchanges, and the taxpayers, escrowees, trustees, qualified intermediaries, and other parties who receive the funds or establish, maintain, and administer the accounts.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 602 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 468B(g)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Hearing	02/07/2006	71 FR 6233
NPRM	02/07/2006	71 FR 6231
Final Action	12/00/2007	

**Additional Information:** REG-113365-04 Drafting attorney: Jeffrey T. Rodrick (202) 622-4930 Reviewing attorney: Jeffrey G. Mitchell (202) 622-4930 Treasury attorney: Dennis Tingey (202) 622-1335 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Split From 1545-AR82

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD20

**Title:** Section 42 Qualified Contract Provisions

**Abstract:** This proposed regulation under sections 42(h)(6)(F) and 42(h)(6)(K) will provide guidance for provisions relating to qualified contracts.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 42; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/19/2007	72 FR 33706
NPRM Comment Period End	09/17/2007	
Public Hearing	10/15/2007	72 FR 33706
Final Action	06/00/2008	

**Additional Information:** REG-114084-04 Drafting attorney: Jack Malgeri (202) 622-3040 Reviewing attorney: Susan Reaman (202) 622-3040 Treasury reviewer: Sharon Kay (202) 622-0865 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BD51

**Title:** HIPAA Portability: Special Enrollment Procedures, Tolling, and Interaction With FMLA

**Abstract:** These regulations enhance the existing HIPAA portability regulations by tolling the running of certain time periods in certain circumstances, clarifying the procedures for requesting special enrollment, addressing how the HIPAA portability requirements apply to individuals taking leave under the Family and Medical Leave Act of 1993, and prescribing how to count the number of employees an employer has.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 54 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 9833

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/30/2004	69 FR 78800
Final Action	06/00/2008	

**Additional Information:** REG-130370-04 Drafting attorney: Russell Weinheimer (202) 622-6080 Reviewing attorney: Alan Tawshunsky (202) 622-6000 Treasury attorney: Kevin Knopf (202) 622-2329 CC:TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-AW02; Related to 1545-AX84

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BD54

**Title:** Guidance Under Section 1502; Miscellaneous Operating Rules for Successor Persons; Succession to Items of the Liquidating Corporation

**Abstract:** This regulation addresses certain issues related to complete liquidations when more than one group member owns stock of the liquidating corporation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.1502-13; 26 CFR 1.1502-80 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 1502

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/22/2005	70 FR 8552
Final Action	12/00/2007	

**Additional Information:** REG-131128-04 Drafting attorney: Amber C. Vogel (202) 622-7530 Reviewing attorney: Marie Milnes-Vasquez (202) 622-7530 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BD65

**Title:** Mandatory e-Filing for Forms 1120 (U.S. Corporation Income Tax Return)



**Abstract:** These regulations will provide that certain entities that file at least 250 information returns during the calendar year are required to file their income tax returns electronically.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6011(e); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/12/2005	70 FR 2075
Final Action	12/00/2007	

**Additional Information:** REG-130671-04 Drafting attorney: Michael E. Hara (202) 622-4910 Reviewing attorneys: James Gibbons (202) 622-4910 and Carol Nachman (202) 622-4910 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BD70

**Title:** Section 704(b)(2); Partner's Distributive Share; and Substantiality

**Abstract:** Clarify the substantiality rules under section 1.704-1(b)(2)(iii) as to the impact of the tax consequences to owners or partners on the determination of substantiality.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 704(b)(2); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/18/2005	70 FR 69919
Final Action	06/00/2008	

**Additional Information:** REG-144620-04 Drafting attorneys: Kevin I. Babitz (202) 622-3060 Reviewing attorney: David R. Haglund (202) 622-3050 Treasury attorney: William Bowers (202) 622-5721 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BB11

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD72

**Title:** Shareholder's Basis in S Corporation

**Abstract:** This regulation will provide rules relating to the determination of a shareholder's basis in S corporation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 1367

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/12/2007	72 FR 18417
NPRM Comment Period End	07/11/2007	
Final Action	06/00/2008	

**Additional Information:** REG-144859-04 Drafting attorney: Stacy L. Short (202) 622-3070 Reviewing attorney: Leslie H. Finlow (202) 622-3120 Treasury attorney: William Bowers (202) 622-5721 CC:PSI

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD80

**Title:** Special Rules To Reduce Section 1446 Withholding

**Abstract:** The regulations provide guidance for partnerships obligated to pay withholding tax under section 1446 of the Internal Revenue Code. Specifically, the regulations address the circumstances under which a partnership may reduce its withholding tax due based upon certifications of losses by foreign partners or when the partnership is in bankruptcy. The regulations will be effective for partnership taxable years beginning after the date the regulations are published in the Federal Register.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 1446

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Public Hearing	05/18/2005	70 FR 28743
NPRM	05/18/2005	70 FR 28743
NPRM Comment Period End	08/16/2005	
Hearing	10/03/2005	70 FR 57523
Final Action	03/00/2008	

**Additional Information:** REG-148649-05 Drafting attorney: Ronald M. Gootzeit (202) 622-3860 Reviewing attorney: Charles P. Besecky (202) 622-3860 Treasury attorney: David Sotos (202) 622-0851 CC:INTL

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-AY28

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE04

**Title:** Dye Injection

**Abstract:** The regulations relate to the diesel fuel and kerosene excise tax and reflect changes made by the American Jobs Creation Act of 2004 (Act) regarding mechanical dye injection systems. Under the Act, diesel fuel and kerosene that are to be used in a nontaxable use must be indelibly dyed by use of a mechanical dye injection system that satisfies the requirements set forth in the regulations. The purpose of the regulations is to establish standards for tamper resistant mechanical injector dyeing that are reasonable, cost-effective, and set levels of security commensurate with the applicable facility.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 48 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/26/2005	70 FR 21361
Final Action	04/00/2008	

**Additional Information:** REG-154000-04 Drafting attorney: Deborah J. Karet (202) 622-3130 Reviewing attorneys: Frank K. Boland (202) 622-3130 and Curt G. Wilson (202) 622-3000 Treasury attorney: John Parcell (202) 622-2578 CC:PSI

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

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE07

**Title:** Application of Section 6404(g) Suspension Provisions

**Abstract:** This proposed regulation is meant to clarify the types of cases in which interest and penalties are suspended for the IRS's failure to issue a notice alerting taxpayers of their liability and the basis therefore within the statutory period.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/21/2007	72 FR 34204
NPRM Comment Period End	09/19/2007	
Public Hearing	10/11/2007	
Final Action	06/00/2008	

**Additional Information:** REG-149036-04 Drafting attorney: Stuart Spielman (202) 622-3620 Reviewing attorney: Brinton T. Warren (202) 622-4940 Treasury attorney: Anita Soucy (202) 622-1790 CC: PA: Branch 5

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business; Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG64; Related to 1545-BG75

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE08**Title:** Disclosure of Return Information to the Bureau of the Census

**Abstract:** Under section 6103(j)(1), upon written request from the Secretary of Commerce, the Secretary is to furnish to the Bureau of the Census (Bureau) return information that is prescribed by Treasury regulations for the purpose of, but only to the extent necessary in, structuring censuses and national economic accounts and conducting related statistical activities authorized by law. Section 301.6103(j)(1)-1 of these regulations further defines such purposes by reference to 13 U.S.C. chapter 5 and provides an itemized description of the return information authorized to be disclosed for such purposes.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6103(j); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/11/2005	70 FR 12166
Final Action	03/00/2008	

**Additional Information:** REG-147195-04 and REG-148864-03 Drafting attorney: Glenn J. Melcher (202) 622-4570  
Reviewing attorney: Robin M. Tuczak (202) 622-4570 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 7

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BC93; Related to 1545-BE02; Related to 1545-BE01**Agency Contact:** Glenn J. Melcher

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE13

**Title:** Circular 230--Covered Opinion Amendments

**Abstract:** These regulations propose amendments to the standards for tax opinions related to municipal bonds.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 31 CFR 10 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 31 USC 330

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/20/2004	69 FR 75887
Final Action	12/00/2007	

**Additional Information:** REG-159824-04 Drafting attorney: Matthew S. Cooper (202) 622-4940 Reviewing attorney: Richard Goldstein (202) 622-3900 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 2

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BA70

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE18

**Title:** Capitalization of Amounts Paid To Repair or Improve Tangible Property

**Abstract:** This regulation will clarify the extent to which taxpayers must capitalize expenditures to repair, improve, or rehabilitate tangible property.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/21/2006	71 FR 48590
NPRM Comment Period End	11/20/2006	
Final Action	12/00/2007	

**Additional Information:** REG-168745-03 Drafting attorney: Kimberly L. Koch (202) 622-4800 Treasury attorney: Sharon Kay (202) 622-0865 CC: ITA

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kimberly L. Koch

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE35**Title:** Release of Lien or Discharge of Property**Abstract:** Proposed regulations that reflect the enactment of sections 6325(b)(4), 7426(a)(4) and (b)(5), and 6503(f)(2) of the IRS Restructuring and Reform Act of 1998, giving third-party owners of property administrative and judicial remedies to discharge tax liens from their property.**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6325; 26 USC 6503; 26 USC 7426; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/11/2007	72 FR 1301
Final Action	12/00/2007	

**Additional Information:** REG-159444-04 Drafting attorney: Debra A. Kohn (202) 622-3600 Reviewing attorney: Gerald Ryan (202) 622-3600 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 3**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Debra A. Kohn

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE39**Title:** Farmer and Fisherman Income Averaging Under the American Jobs Creation Act of 2004 (AJCA) (Temporary)

**Abstract:** The project will amend the farm income averaging regulations under section 1.1301-1 to include the concept of fishing business.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 1301; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Other	12/00/2007	

**Additional Information:** REG-161695-04 Drafting attorney: Amy J. Pfalzgraf (202) 622-4960 Treasury attorney: John Parcell (202) 622-2578 CC: ITA

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Federalism:** No

**Related RINs:** Related to 1545-BE23

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BE45

**Title:** Balanced System for Measuring Organizational and Employee Performance Within the Internal Revenue Service

**Abstract:** The IRS will issue a notice of proposed rulemaking to accompany temporary regulations amending 26 CFR part 801 to remove limitations on use of quantity measures in measuring and evaluating organizational and employee performance, and to add examples of proper use of quantity measures and records of tax enforcement results.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 801 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 9501; 26 USC 7804; PL 105-206, sec 1201; PL 105-206, sec 1204; 26 USC 7805; ...

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/17/2005	70 FR 60214
NPRM	10/17/2005	70 FR 60256
NPRM Comment Period End	12/16/2005	
Final Action	12/00/2007	

**Additional Information:** REG-114444-05 Drafting attorney: Karen F. Keller (202) 283-7900 Reviewing attorney: Neil B. Worden (202) 283-7900 Treasury attorney: Michael Desmond (202) 622-1981 CC: GLS: CLP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal



**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BE46**Agency Contact:** Karen F. Keller

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE58**Title:** Limitation on Transfer of Built-In Losses**Abstract:** This regulation will provide guidance for applying 26 U.S.C. 362(e)(2).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 1.362-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 362(e); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/23/2006	71 FR 62067
NPRM Comment Period End	01/22/2007	
Final Action	06/00/2008	

**Additional Information:** REG-110405-05 Drafting attorney: Joanne M. Fay (202) 622-8877 Reviewing attorney: Filiz A. Serbes (202) 622-3703 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BE59**Agency Contact:** Joanne M. Fay

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE67**Title:** Assumption of Liabilities

**Abstract:** This regulation will provide special rules for assumption of liabilities.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/26/2005	70 FR 30380
Final Action	04/00/2008	

**Additional Information:** REG-106736-00 Drafting attorney: Douglas Bates (202) 622-7550 Reviewing attorney: T. Ian Russell (202) 622-7550 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-AX93

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE90

**Title:** Railroad Track Maintenance Credit

**Abstract:** These regulations provide guidance on claiming the railroad track maintenance credit under section 45G of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/08/2006	71 FR 53052
NPRM Comment Period End	12/08/2006	
Final Action	12/00/2007	

**Additional Information:** REG-142270-05 Drafting attorney: David A. Selig (202) 622-3040 Reviewing attorney: Paul F. Handleman (202) 622-0410 Treasury attorney: Sharon Kay (202) 622-0865 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BE91**Agency Contact:** David A. Selig

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE93

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**Title:** Guidance Under Section 7874 for Determining Ownership by Former Shareholders or Partners of Domestic Entities**Abstract:** This regulation will provide guidance under section 7874(c)(2). Section 7874(a)(2)(B) provides that a foreign corporation will be a surrogate foreign corporation, if among other requirements, 60 percent of the stock of the entity is owned by former shareholders or partners of the domestic entity by reason of their holding an interest in the domestic entity. Section 7874(c)(2) states that in determining ownership under section 7874(a)(2)(B)(ii) stock held by members of the expanded affiliated group is disregarded.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 7874**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/28/2005	70 FR 76732
Final Action	12/00/2007	

**Additional Information:** REG-143244-05 Drafting attorney: Milton M. Cahn (202) 622-3810 Reviewing attorney: Charles Beshecky (202) 622-3810 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Related RINs:** Related to 1545-BE94**Agency Contact:** Milton M. Cahn

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE97

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**Title:** Capital Costs Incurred To Comply With EPA Sulfur Regulations (Temporary)

**Abstract:** This regulation provides guidance under section 179B of the Internal Revenue Code relating to EPA sulfur regulations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Other	12/00/2007	

**Additional Information:** REG-143453-05 Drafting attorney: Nicole R. Cimino (202) 622-3110 Reviewing attorney: Charles B. Ramsey (202) 622-3110 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE96

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF02

**Title:** Application of Section 338 to Insurance Companies

**Abstract:** The proposed regulations dealing with guidance of selected issues concerning the application of section 338 to insurance companies. These rules will address the determination of the amount of the ceding commission required to be capitalized under section 848 and amortized under section 197 in connection with the deemed asset sale, and the effect of reserve increases by new target after the deemed asset sale. These rules will be incorporated by reference in final regulations, and will be issued concurrently with those final regulations (RIN 1545-AY49).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 338; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/10/2006	71 FR 18053
NPRM Comment Period End	07/10/2006	
Final Action	12/00/2007	

**Additional Information:** REG-146384-05 Drafting attorney: Mark Weiss (202) 622-7795 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-AY49

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF06

**Title:** Election To Expense Certain Refineries (Temporary)

**Abstract:** These regulations provide guidance under section 179C of the Internal Revenue Code relating to expense certain refineries.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 179C

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Other	12/00/2007	

**Additional Information:** REG-146895-05 Drafting attorney: Philip Tiegerman (202) 927-9524 Reviewing attorney: Charles B. Ramsey (202) 622-3110 Drafting attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF05

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF09

**Title:** Nuclear Decommissioning Costs (Temporary)

**Abstract:** Temporary regulations under the Energy Tax Incentives Act of 2005 concerning nuclear decommissioning costs.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** Not Yet Determined

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Other	12/00/2007	

**Additional Information:** REG-147290-05 Drafting attorney: Patrick S. Kirwan (202) 622-3110 Reviewing attorney: Peter C. Friedman (202) 622-3110 Treasury attorney: John Parcell (202) 622-2578 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BF08

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF10

**Title:** Charitable Contributions of Certain Motor Vehicles

**Abstract:** The regulations will clarify the rules for determining the fair market value of a vehicle contributed to charity. The regulations will provide rules for implementing the new laws, which govern the requirements for claiming a charitable contribution deduction for a donated vehicle, and impose penalties under certain circumstances on donee organizations (26 USC 170(f)(12) and 6720).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 7805; 26 USC 170 (f)(12); 26 USC 6720

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-143755-05 Drafting attorney: Patricia M. Zweibel (202) 622-5020 Reviewing attorney: Karin Gross (202) 622-5020 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business; Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF29

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF12

**Title:** Clean Renewable Energy Bonds (Temporary)

**Abstract:** Section 54 of the Code allows certain specified entities to issue Clean Renewable Energy Bonds. Taxpayers who purchase these bonds are entitled to a credit against income tax in lieu of receiving interest payments from the Clean Renewable Energy Bond issuers. These regulations explain the requirements for issuing the bonds and for claiming the tax credit.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** PL 109-58, sec 1303(d); 26 USC 54; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Other	12/00/2007	

**Additional Information:** REG-148071-05 Drafting attorney: Aviva M. Roth (202) 622-3816 Reviewing attorney: Timothy L. Jones (202) 622-3701 Treasury attorney: John Cross (202) 622-1322 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State; Tribal

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF11

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF14

**Title:** Rules Under Section 302 of the Katrina Emergency Tax Relief Act of 2005

**Abstract:** This regulation will provide rules relating to the \$500 deduction from taxable income allowed under section 302 of the Katrina Emergency Tax Relief Act of 2005 (KETRA) to individuals for housing a Hurricane Katrina displaced individual.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 109-73, sec 302; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/12/2006	71 FR 74467
NPRM	12/12/2006	71 FR 74482
NPRM Comment Period End	03/12/2007	
Final Action	12/00/2007	

**Additional Information:** REG-152043-05 Drafting attorney: Marnette M. Myers (202) 622-4920 Reviewing attorney: Michael J. Montemurro (202) 622-4920 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA**Regulatory Flexibility Analysis****Government Levels Affected:** No**Required:** Undetermined**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BF89**Agency Contact:** Marnette M. Myers  
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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF20**Title:** Credit for Production From Advanced Nuclear Power Facilities (Temporary)**Abstract:** These temporary regulations will provide guidance for implementation of new section 45J; in particular, the regulations will provide a certification process for approval and allocation of the National Megawatt Limitation.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 45J**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Other	06/00/2008	

**Additional Information:** REG-157616-05 Drafting attorney: Patrick S. Kirwan (202) 622-3110 Reviewing attorney: Peter Friedman (202) 622-3110 Treasury attorney: John Parcell (202) 622-2578 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** No**Federalism:** No**Related RINs:** Related to 1545-BF19



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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-BF24

**Title:** Subchapter S Banks

**Abstract:** Application of special bank rules under section 1363 to S corporation and QSub banks.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1363; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/18/2006	71 FR 50007
NPRM Comment Period End	11/22/2006	
Final Action	02/00/2008	

**Additional Information:** REG-158677-05 Drafting attorney: Laura C. Fields (202) 622-3050 Reviewing attorney: Dianna K. Miosi (202) 622-3050 Treasury attorneys: Michael Novey (202) 622-1339 and William Bowers (202) 622-5721 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-BF34

**Title:** Entertainment Expense Disallowance

**Abstract:** These regulations implementing the JOBS Act 2004 amendments to section 274(e)(2) and (e)(9), regarding limitations on deductions for expenses for entertainment of specified individuals.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/15/2007	72 FR 33169
NPRM Comment Period End	09/13/2007	
Public Hearing	10/25/2007	72 FR 33169
Final Action	06/00/2008	

**Additional Information:** REG-147171-05 Drafting attorney: Michael A. Nixon (202) 622-4930 Reviewing attorney: George Baker (202) 622-4930 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF38

**Title:** Failure To Maintain List of Advisees With Respect to Reportable Transactions

**Abstract:** This is a temporary regulation regarding the penalty imposed under section 6708 for a person required to maintain a list under section 6112 who fails to make the list available upon the request of the Secretary.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.6708-1T (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-160873-04 Drafting attorney: Lawrence E. Mack (202) 622-4940 Reviewing attorney: Nancy M. Galib (202) 622-8523 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 2

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-BF41

**Title:** Accuracy-Related Penalties

**Abstract:** These are temporary regulations regarding the new provisions and amendments made to code sections 6662, 6662A, and 6664 by the American Jobs Creation Act of 2004 and the Gulf Opportunity Zone Act of 2005.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6662A; 26 USC 6662; 26 USC 6664; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-160870-04 Drafting attorney: Laura U. Daly (202) 622-4940 Reviewing attorney: Ashton P. Trice (202) 622-4940 Treasury attorney: Mike Desmond (202) 622-1981 CC: PA: Branch 3

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

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**RIN:** 1545-BF44

**Title:** Regulations Under Sections 501(c)(3) and 4958 on Revocation Standards

**Abstract:** These final regulations will clarify the substantive requirements for tax exemption under section 501(c)(3) and the relationship between those requirements and the imposition of excise taxes under section 4958.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.501(c)(3)-1(d)(1)(ii)(a); 26 CFR 1.501(c)(3)-1(g); 26 CFR 53.4958-2(a)(6) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Rule	06/00/2008	

**Additional Information:** REG-111244-05 Drafting attorney: Galina V. Kolomietz (202) 622-6070 Reviewing attorney: Paul Accettura (202) 622-8464 Treasury attorneys: Eric San Juan (202) 622-0224 and Susan Brown (202) 622-0999 CC: TEGE

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

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF46

**Title:** Application of Separate Limitations to Dividends From Noncontrolled Section 902 Corporation (Temporary)

**Abstract:** The American Jobs Creation Act of 2004 amended the foreign tax credit limitation rules under section 904(d) and extended lookthrough treatment to dividends paid by a 10/50 lookthrough corporation, generally effective retroactively for tax years beginning after December 31, 2002. The Gulf Opportunity Zone Act of 2005 permits taxpayers to elect to defer the effective date of the AJCA amendments to tax years beginning after December 31, 2004. These regulations would provide guidance needed to comply with these changes, including transition rules for dividends paid by a 10/50 lookthrough corporation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 904(d)(6)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/25/2006	71 FR 24516
NPRM Comment Period End	07/24/2006	
Final Action	12/00/2007	

**Additional Information:** REG-144784-02 Drafting attorney: Ginny Y. Chung (202) 622-3850 Reviewing attorney: Barbara Felker (202) 622-3850 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BB28

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF47**Title:** Special Rules Under Section 7874**Abstract:** This regulation will provide special rules amplifying the provisions of section 7874 relating to expatriated entities and their foreign parents.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 7874**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/06/2006	71 FR 32495
NPRM Comment Period End	09/05/2006	
Public Hearing	10/24/2006	71 FR 32495
Final Action	12/00/2007	

**Additional Information:** REG-112994-06 Drafting attorney: Milton M. Cahn (202) 622-3860 Reviewing attorney: Charles P. Besecky (202) 622-3860 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Milton M. Cahn

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF52**Title:** Section 1221(a)(4) Capital Asset Exclusion for Accounts and Notes Receivable**Abstract:** This final rule will clarify when accounts or notes receivable are treated as acquired for services rendered within the meaning of IRC section 1221(a)(4). The notice of proposed rulemaking would provide that an account or note receivable is not described in section 1221(a)(4) if, in exchange for the account or note receivable, the taxpayer provides more than de minimis consideration other than services and property described in section 1221(a)(1) or the account or note receivable is issued by someone other than the party acquiring the services or property described in section 1221(a)(1).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/07/2006	71 FR 40600
NPRM Comment Period End	11/06/2006	
Final Action	12/00/2007	

**Additional Information:** REG-109367-06 Drafting attorney: Kevin S. Brown (202) 622-3920 Reviewing attorneys: Patrick E. White (202) 622-4329 Treasury attorney: Michael Novey (202) 622-1339 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Kevin S. Brown

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF54**Title:** Change to Office to Which Notices of Nonjudicial Sale and Requests for Return of Wrongfully Levied Property Must Be Sent**Abstract:** These proposed amendments to the regulations provide guidance relating to the giving of notice of nonjudicial sales under section 7425(b) of the Internal Revenue Code and requests for return of wrongfully levied property under section 6343(b) of the Internal Revenue Code. In order to account for the IRS's current organizational structure and to allow for future reorganizations of the IRS, the proposed regulations remove certain specific titles.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.6343-2; 26 CFR 301.7425-3 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 6343; 26 USC 7425; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/20/2007	72 FR 39771
NPRM Comment Period End	10/18/2007	
Final Action	07/00/2008	

**Additional Information:** REG-148951-05 Drafting attorney: Robin M. Ferguson (202) 622-3630 Reviewing attorney: Mitch Hyman (202) 622-3600 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 4

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robin M. Ferguson

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF60**Title:** Section 6707 and the Failure To Furnish Information Regarding Reportable Transactions**Abstract:** These are temporary regulations regarding the imposition of penalties under section 6707 of the Internal Revenue Code on material advisors who fail to file a return under section 6111(a) or file false or incomplete information with respect to a reportable transaction.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.6707-1; 26 CFR 1.6091-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-160872-04 Drafting attorney: Matthew S. Cooper (202) 622-4940 Reviewing attorney: Ashton Trice (202) 622-4940 CC: PA: Branch 2**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Matthew S. Cooper

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF62

**Title:** Section 6707A and the Failure To Include on Any Return or Statement Any Information Required To Be Disclosed Under Section 6011 With Respect to a Reportable Transaction

**Abstract:** These are temporary regulations regarding the imposition of penalties under section 6707A of the Internal Revenue Code for the failure to include on any return or statement any information required to be disclosed under section 6011 with respect to a reportable transaction.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.6707-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-160868-04 Drafting attorney: Dillon J. Taylor (202) 622-4940 Reviewing attorney: Ashton P. Trice (202) 622-4940 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 2

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF61

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF71

**Title:** Determination of Interest Expense Deduction of Foreign Corporations

**Abstract:** These rules provide the allocation of interest expense of foreign corporations to income effectively connected with a trade or business within the United States, and coordination with the branch profits tax and income tax treaties.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 882

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/17/2006	71 FR 47459
NPRM Comment Period End	11/15/2006	
Final Action	12/00/2007	



**Additional Information:** REG-120509-06 Drafting attorney: Mark Erwin (202) 622-3870 Reviewing attorney: Paul S. Epstein (202) 622-3870 Treasury attorney: Jesse Eggert (202) 622-1540 CC:INTL

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

**Federalism:** No

**Related RINs:** Related to 1545-BF70

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF73

**Title:** Definition of Taxpayer for Purposes of Section 901 and Related Matters

**Abstract:** The application of existing Treas. Reg. section 1.901-2(f) is unclear in certain circumstances, including circumstances in which foreign law permits foreign corporations to determine their taxable income and tax liability on a combined basis. Amendments are needed to clarify the application of Treas. Reg. section 1.901-2 in such circumstances. In some cases, such as cases involving reverse hybrid entities, the application of existing Treas. Reg. section 1.901-2(f) reaches inappropriate results. Amendments are needed to change the results in such cases.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/04/2006	71 FR 44240
NPRM Comment Period End	10/03/2006	
Final Action	06/00/2008	

**Additional Information:** REG-124152-06 Drafting Attorney: Bethany Ingwalson (202) 622-3850 Reviewing Attorney: Barbara Felker (202) 622-3850 CC:INTL

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

**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF79

**Title:** Tax Increase Prevention and Reconciliation Act of 2005 Amendments to Section 199

**Abstract:** These final regulations involve changes made by the Tax Increase Prevention and Reconciliation Act of 2005 to the definition of W-2 wages and partnership allocations of W-2 wages.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 199; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	10/19/2006	71 FR 61692
NPRM Comment Period End	01/17/2007	
Final Action	12/00/2007	

**Additional Information:** REG-127819-06 Drafting attorney: Lauren R. Taylor (202) 622-3040 Reviewing attorney: Paul Handleman (202) 622-3040 Treasury reviewer: Dennis Tingey (202) 622-1335 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF83

**Title:** Guidance Regarding Scope of Section 368(a)(1)(D)

**Abstract:** The IRS is issuing temporary regulations relating to the distribution requirement under sections 368(a)(1)(D) and 354(b)(1)(B) relating to certain reorganizations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/19/2006	71 FR 75898
NPRM Comment Period End	03/19/2007	
Final Action	12/00/2007	

**Additional Information:** REG-125632-06 Drafting attorney: Bruce A. Decker (202) 622-8039 Reviewing attorney: Lisa A. Fuller (202) 622-7152 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Bruce A. Decker

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF85**Title:** Source Rules Involving U.S. Possessions and Other Conforming Changes

**Abstract:** The section 937 regulations provide rules for determining when income is considered to be from sources within a U.S. possession and whether income is effectively connected with the conduct of a trade or business within a U.S. possession. Regulations under sections 931 through 935 provide rules relating to specific U.S. possessions. In addition, these regulations will make conforming changes to regulations under related sections concerning or cross-referencing the possessions provisions.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.931-1; 26 CFR 1.932-1; 26 CFR 1.933-1; 26 CFR 1.934-1; 26 CFR 1.935-1; 26 CFR 1.937-2; 26 CFR 1.937-3 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 937(b); 26 USC 7654(e); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	12/00/2007	

**Additional Information:** REG-133712-06 Drafting attorney: John David Varley (202) 435-5165 Reviewing attorney: Douglas Giblen (202) 435-5146 Treasury attorney: Gretchen Sierra (202) 622-1755 CC: INTL

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

**Related RINs:** Related to 1545-BC86; Related to 1545-BE22

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF94**Title:** Section 181--Deduction for Qualified Film and Television Production Costs**Abstract:** Further guidance under section 181 and the treatment of certain qualified film and television productions.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/09/2007	72 FR 6190
NPRM Comment Period End	04/10/2007	
Final Action	12/00/2007	

**Additional Information:** REG-115403-05 Drafting attorney: Bernard P. Harvey (202) 622-4930 Reviewing attorney: Kathleen Reed (202) 622-4930 Treasury attorney: Dennis Tingey (202) 622-1335 CC: ITA**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Related RINs:** Related to 1545-BF95**Agency Contact:** Bernard P. Harvey III

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E-Mail: [bernard.p.harvey@irs.counsel.treas.gov](mailto:bernard.p.harvey@irs.counsel.treas.gov)**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BF97**Title:** Employer Comparable Contributions to Health Savings Accounts (HSAs)--No HSA Opened**Abstract:** This notice of proposed rulemaking provides guidance on employer contributions to Health Savings Accounts (HSAs) under section 4980G in instance where an employee has not established an HSA by the end of the calendar year.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 54 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 4980G**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/01/2007	72 FR 30501
NPRM Comment Period End	08/30/2007	
Public Hearing	09/28/2007	
Final Action	12/00/2007	

**Additional Information:** REG-143797-06 Drafting attorney: Mireille Khoury (202) 622-6080 Reviewing attorney: Harry Becker (202) 622-6080 Treasury attorney: Kevin Knopf (202) 622-2329 CC: TEGE

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** Undetermined**Federalism:** No**Energy Affected:** No**Agency Contact:** Mireille Khoury

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG06**Title:** Electronic Payment System Mailbox Rule**Abstract:** These are temporary regulations extending the time by which a taxpayer may initiate an electronic tax payment and still have such payment be considered a timely payment.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 31 CFR 6302-1(h)(6); 31 CFR 6311-2(b) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6302; 26 USC 6311; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-145147-05 Drafting attorney: Natasha Mulleneaux (202) 622-4604 Reviewing attorney: Charles A. Hall (202) 622-4940 CC: PA: Branch 2

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Natasha M. Mulleneaux

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG09**Title:** Section 1.367(a)-8 Revisions to Gain Recognition Agreement Requirements**Abstract:** These regulations will finalize section 1.367(a)-8T. The regulations will provide rules describing how U.S. taxpayers enter into gain recognition agreements in connection with the transfer of stock or securities to foreign corporations. The regulations will also clarify the effect that certain transactions have on existing gain recognition agreements.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.367(a)-3T; 26 CFR 1.367(a)-8T (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 0367**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/05/2007	72 FR 5228
NPRM Comment Period End	05/07/2007	
Final Action	12/00/2007	

**Additional Information:** REG-147144-06 Drafting Attorney: Daniel M. McCall (202) 622-3860 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Daniel M. McCall

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG15**Title:** Corporate Reorganizations: Guidance on the Measurement of Continuity of Interest**Abstract:** The regulations will provide guidance regarding when continuity of interest is measured in certain transactions.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.368-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/20/2007	72 FR 13058
NPRM Comment Period End	06/18/2007	
Final Action	12/00/2007	

**Additional Information:** REG-146247-06 Drafting attorney: Richard C. Starke (202) 622-3497 Reviewing attorney: Virginia Voorhees (202) 622-3003 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG14

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG17

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**Title:** Section 7508A Regulations

**Abstract:** These are temporary regulations relating to the postponement of certain tax-related deadlines by reason of Presidentially Declared Disaster Area.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.7508A-1 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7508; 26 USC 7508A; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/00/2008	

**Additional Information:** REG-142680-06 Drafting attorney: Melissa C. Quale (202) 622-4570 Reviewing attorney: Robin M. Tuczak (202) 622-4570 CC: PA: Branch 7

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG16

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG18**Title:** Taxes on Prohibited Tax Shelter Transactions and Related Disclosure Requirements**Abstract:** These regulations will provide guidance under section 4965 of the Internal Revenue Code relating to excise taxes on prohibited tax shelter transactions to which tax-exempt entities are parties and guidance under sections 6033(a)(2) and 6011(g) of the Internal Revenue Code relating to disclosure obligations with respect to such transactions.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 53.4965; 26 CFR 1.6033-4 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/06/2007	72 FR 36927
NPRM Comment Period End	10/04/2007	
Final Action	06/00/2008	

**Additional Information:** REG-142039-06 Drafting attorney: Galina V. Kolomietz (202) 622-6070 Reviewing attorney: Michael Blumenfeld (202) 622-1124 CC: TEGE**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** Business; Governmental Jurisdictions; Organizations**Federalism:** Undetermined**Related RINs:** Related to 1545-BG19**Agency Contact:** Galina V. Kolomietz  
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1111 Constitution Avenue NW Room 4408  
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Phone: 202 622-6070  
FAX: 202 622-1036**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG20**Title:** Regulations To Prescribe Forms for Payment of Section 4965 Taxes**Abstract:** These regulations provide that certain tax-exempt entities ("non-plan entities") that are liable for Internal Revenue Code section 4965 excise taxes and entity managers of such entities who are liable for section 4965 excise taxes are required to file Form 4720. The regulations also provide that entity managers of certain tax-exempt entities ("plan entities") who are liable for section 4965 excise taxes are required to file Form 5330. The regulations also specify the filing dates for these returns.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 53.6011-1; 26 CFR 53.6071-1; 26 CFR 54.6011-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**



Action	Date	FR Cite
NPRM	07/06/2007	72 FR 36927
NPRM Comment Period End	10/04/2007	
Final Action	06/00/2008	

**Additional Information:** REG-139268-06 Drafting attorney: Galina V. Kolomietz (202) 622-6070 Reviewing attorney: Michael Blumenfeld (202) 622-1124 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG25

**Title:** Anti-Avoidance and Anti-Loss Reimportation Rules Applicable Following a Loss on Disposition of Stock of Consolidated Subsidiaries

**Abstract:** This document will provide proposed regulations which add a new general anti-avoidance rule and revise the anti-loss reimportation rules in 1.1502-35. The purpose of the rules is to prevent the duplication of loss and prevent a consolidated group of corporations from obtaining more than one tax benefit from a single economy.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.1502-35 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1502; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	04/10/2007	72 FR 17814
NPRM Comment Period End	07/09/2007	
Final Action	12/00/2007	

**Additional Information:** REG-156420-06 Drafting attorney: Marcie P. Barese (202) 622-7790 Reviewing attorney: Theresa A. Abell (202) 622-7700 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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E-Mail: [marcie.p.barese@irs.counsel.treas.gov](mailto:marcie.p.barese@irs.counsel.treas.gov)**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BG27**Title:** Determining the Amount of Taxes Paid for Purposes of Section 901**Abstract:** Section 901 of the Internal Revenue Code permits taxpayers to claim a credit for income, war profits, and excess profits taxes paid or accrued (or deemed paid) during the taxable year to a foreign country or a possession of the United States. The proposed regulations would provide guidance in determining the amount of foreign taxes paid for purposes of section 901.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/30/2007	72 FR 15081
NPRM Comment Period End	06/28/2007	72 FR 15081
Final Action	12/00/2007	

**Additional Information:** REG-156779-06 Drafting attorney: Bethany A. Ingwalson (202) 622-3850 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Bethany Ingwalson

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BG28**Title:** Corporate Reorganizations; Additional Guidance on Distributions Under Sections 368(a)(1)(D) and 354(b)(1)(B)

**Abstract:** The IRS is issuing temporary regulations amending TD 9303, which provides guidance regarding the qualification of certain transactions as reorganizations described in section 368(a)(1)(D) where no stock and/or securities of the acquiring corporation is issued and distributed in the transaction. These regulations clarify that the rules in section 1.368-2(l) are not intended to affect the qualification of related party triangular asset acquisitions as reorganizations described in section 368 relating to the distribution requirement under sections 368(a)(1)(D) and 354(b)(1)(B).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	03/01/2007	72 FR 9284
NPRM Comment Period End	05/30/2007	
Final Action	12/00/2007	

**Additional Information:** REG-157834-06 Drafting attorney: Bruce A. Decker (202) 622-8039 Reviewing attorney: Lisa A. Fuller (202) 622-7152 Treasury attorney: Marc Countryman (202) 622-9858 CC: Corp

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG29

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG30

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**Title:** Mortality Table for Determining Present Value

**Abstract:** These regulations will provide guidelines regarding mortality tables to be used to determine present value for purposes of the qualified defined benefit plan funding requirements that will become effective in 2008.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.430(h)-1; 26 CFR 1.430(h)-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 430(h)(3); 26 USC 7701; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/29/2007	72 FR 29456
NPRM Comment Period End	08/27/2007	
Final Action	06/00/2008	

**Additional Information:** REG-143601-06 Drafting attorney: Bruce Perlin (202) 622-6090 Reviewing attorney: Linda S. Marshall (202) 622-6090 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business; Organizations

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG31

**Title:** Payout Requirements for Type III Supporting Organizations That Are Not Functionally Integrated

**Abstract:** This regulation will provide the criteria for functionally integrated type III supporting organizations and provide the payout requirement for type III supporting organizations that are not functionally integrated.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 509(a)-4 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** PL 109-208, 120 Stat; 780 (2006) sec 1241(d); 26 USC 509(a)(3); 26 USC 4943(f)(5); 26 USC 7805; ...

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	08/02/2007	72 FR 42335
ANPRM Comment Period End	10/31/2007	
Final Action	06/00/2008	

**Additional Information:** REG-155929-06 Drafting attorney: Philip T. Hackney (202) 622-2000 Reviewing attorney: Michael Blumenfeld (202) 622-2000 Treasury attorneys: Susan Brown (202) 622-0999 Eric San Juan (202) 622-0224 CC: TEGE

**Regulatory Flexibility Analysis**

**Government Levels Affected:** Undetermined

**Required:** Undetermined

**Small Entities Affected:** Organizations

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG33

**Title:** Qualified Films Under Section 199

**Abstract:** The final regulations will modify the definition of a qualified film produced by a taxpayer under section 199(c)(4)(A)(i)(II).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 199; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/07/2007	72 FR 31478
NPRM Comment Period End	09/05/2007	
Public Hearing	09/20/2007	72 FR 53742
Final Action	06/00/2008	

**Additional Information:** REG-103842-07 Drafting attorney: David H. McDonnell (202) 622-3040 Reviewing attorney: Paul Handleman (202) 622-3040 Treasury reviewer: Dennis Tingey (202) 622-1335 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Undetermined

**Small Entities Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG38

**Title:** Notification Requirement for Entities Not Currently Required To File

**Abstract:** The temporary regulations will describe the time and manner in which certain tax exempt organizations not currently required to file are to provide an annual electronic notice including information set forth in the statute.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** PL 109-208, 120 Stat 1090(2006) sec 1223; 26 USC 6033(i)(1); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	01/00/2008	

**Additional Information:** REG-104942-07 Drafting attorney: Monice L. Rosenbaum (202) 622-6070 Reviewing attorney: James Brokaw (202) 622-6070 Treasury attorneys: Susan Brown (202) 622-0999 Eric San Juan (202) 622-0224 CC: TEGE**Regulatory Flexibility Analysis****Government Levels Affected:** Undetermined**Required:** Undetermined**Small Entities Affected:** Organizations**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG37**Agency Contact:** Monice L. Rosenbaum

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG40**Title:** Calculating and Apportioning the Section 11(b)(1) Additional Tax Under Section 1561 for Controlled Groups**Abstract:** The regulation will provide guidance to component members of controlled groups in calculating and apportioning the section 11(b)(1) additional tax.**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.7805 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-104713-07 Drafting attorney: Grid R. Glyer (202) 622-7324 Reviewing attorney: Steven Hankin (202) 622-7930 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG39

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG51**Title:** Employment Tax Adjustments**Abstract:** These are temporary amendments of section 31.6205-1, section 31.6413(a)-1, and section 31.6413(a)-2 of the Employment Tax Regulations to provide guidance for employers and employees relating to the adjustment process for employment taxes.**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 26 CFR 31.6205-1; 26 CFR 31.6413(a)-1; 26 CFR 31.6413(a)-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 6205; 26 USC 6413; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-111583-07 Drafting attorney: Ligeia M. Donis (202) 622-0047 Reviewing attorney: Janine Cook (202) 622-0047 Treasury attorney: Kevin Knopf (202) 622-2329 CC: TEGE**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG50**Agency Contact:** Ligeia M. Donis

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG55**Title:** Reduction of Separate Foreign Tax Credit Limitation Categories (Temporary)

**Abstract:** The American Jobs Creation Act of 2004 amended the foreign tax credit limitation rules under section 904(d) by reducing the number of separate limitation categories to two categories, effective for taxable years beginning after December 31, 2006. These regulations would provide guidance needed to comply with these changes, including transition rules.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-114126-07 Drafting attorney: Ginny Y. Chung (202) 622-3850 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG54

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG62

**Title:** Stripped Interests in Bond and Preferred Stock Funds

**Abstract:** The temporary regulations provide guidance to taxpayers about the proper treatment of stripped interests in accounts or entities substantially all the assets of which consist of bonds, preferred stock, or a combination thereof. Under the temporary regulations, basis will be allocated among the stripped interests based upon relative fair market value. The temporary regulations also provide rules requiring current recognition of income and basis adjustments by all holders of stripped interests.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1286(f)-1T to 6T (new) (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 1286(f); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-116402-07 Drafting attorney: Pamela Lew (202) 622-3950 Reviewing attorney: Christina A. Morrison (202) 622-3950 CC: FIP

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No



**Federalism:** No

**Related RINs:** Related to 1545-BG61

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG65

**Title:** Diversification Requirements for Variable Annuity, Endowment, and Life Insurance Contracts

**Abstract:** The proposed regulations would expand the list of holders whose beneficial interests in an investment company, partnership, or trust do not prevent a segregated asset account from looking through to the assets of the investment company, partnership, or trust to satisfy the requirements of section 817(h).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 817(h)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/31/2007	72 FR 41651
NPRM Comment Period End	10/29/2007	
Final Action	06/00/2008	

**Additional Information:** REG-118719-07 Drafting attorney: James A. Polfer (202) 622-3970 Reviewing attorney: Donald J. Drees, Jr. (202) 622-3970 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG74

**Title:** Disclosure of Return Information in Connection With Contractual Arrangements Between the IRS and Whistleblowers

**Abstract:** The temporary regulations rule on disclosure of return information in connection with contractual arrangements between the IRS and whistleblowers.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.6103(n)-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7623; 26 USC 6103(n); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-114942-07 Drafting attorney: Helene R. Newsome (202) 622-7950 Reviewing attorney: Donald M. Squires (202) 622-7950 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 6

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG73

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG82

**Title:** HIPAA Newborns' and Mothers' Health Protection Act

**Abstract:** The regulations provide guidance for group health plans that provide benefits for hospital stays in connection with childbirth relating to requirements for minimum lengths of stay.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 54.9811-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805; 26 USC 9833

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/27/1998	63 FR 57546
NPRM	10/27/1998	63 FR 57565
Final Action	12/00/2007	

**Additional Information:** REG-109708-97 Drafting attorney: Russell E. Weinheimer (202) 622-6080 Reviewing attorney: Alan Tawshunsky (202) 622-6000 Treasury attorney: Kevin Knopf (202) 622-2329 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-AV12

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG84

**Title:** Preparer Penalties Under Section 6694

**Abstract:** The Internal Revenue Service will issue temporary regulations that revise the definition of "tax return preparer" consistent with section 8246 of the Small Business and Work Opportunity Tax Act of 2007, Public Law No. 110-28. The temporary regulations will also alter the standards of conduct that preparers must meet to avoid imposition of penalties for preparing a return where there is an understatement of tax and the tax preparer knew, or reasonably should have known, of the tax treatment of a return position.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6060; 26 USC 6107; 26 USC 6109; 26 USC 6694; 26 USC 6695; 26 USC 6696; 26 USC 7701(a) (36); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-129243-07 Drafting attorney: Michael E. Hara (202) 622-7419 Reviewing attorney: James C. Gibbons (202) 622-4910 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG83

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG86

**Title:** Treatment Under Sections 892 and 897(h)(1) of Distributions to Foreign Governments From Qualified Investment Entities (Temporary)

**Abstract:** This regulation contains proposed changes to existing final regulations regarding taxation of foreign governments and distributions from real estate investment trusts (REITs) and other qualified investment entities. The proposed changes are needed to clarify that distributions received by a foreign government from such qualified investment entities are not exempt from taxation under section 892 but are treated under section 897(h)(1) as gain recognized by a foreign government shareholder from the sale or exchange of a United States real property interest described in section 897(c)(1)(A)(i).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.892-3T; 26 CFR 1.897-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 0892; 26 USC 0897

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-130395-07 Drafting attorneys: David A. Juster (202) 622-3850 and Margaret A. Hogan (202) 622-3860 Reviewing attorneys: Richard Chewning (202) 622-3850 and Charles Besecky (202) 622-3860 Treasury attorney: Jesse Eggert (202) 622-1540 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG85

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG97

**Title:** Regulations Implementing Notices 2006-85 and 2007-48 (Temporary)

**Abstract:** These regulations implement the rules announced in Notices 2006-85 (issued September 22, 2006) and 2007-48 (issued May 31, 2007). These notices announced that Treasury and the IRS would issue regulations under section 367(b) to address transactions where foreign or domestic corporations seek to avoid treating as a dividend the amount of property that a subsidiary transfers to its parent or its parent's shareholders in exchange for parent stock, which the subsidiary then uses to acquire the stock or assets of another corporation in a triangular reorganization.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 1.367(b)-14T (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 0367

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/00/2008	

**Additional Information:** REG-136020-07 Drafting attorney: Daniel M. McCall (202) 622-3860 Reviewing attorney: Charles Besecky (202) 622-3860 CC: INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BG96

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH00

**Title:** REG-137204-07: Section 3121(a)(5)(D) Regulation (Salary Reduction Agreement)

**Abstract:** The temporary regulations define the term salary reduction agreement within the meaning of section 3121(a)(5)(D) as a plan or arrangement whereby payment will be made by an employer to an annuity described in section 403(b) if an employee elects to reduce his compensation or if an employee agrees as a condition of employment to make a mandatory contribution that reduces his compensation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 31 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 6302

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/00/2008	

**Additional Information:** REG-137204-07 Drafting attorney: Neil D. Sheppard (202) 622-6040 Reviewing attorney: John B. Richards (202) 622-6040 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** Governmental Jurisdictions; Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG99; Related to 1545-BD50; Related to 1545-BB64

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH03**Title:** Modification to Subpart F Treatment of Aircraft and Vessel Leasing Income (Temporary)**Abstract:** This regulation will amend regulations relating to the Subpart F treatment of aircraft and vessel leasing income under sections 954 and 956 of the Internal Revenue Code and the transfer of tangible property incorporated in aircraft and vessels that are used predominately outside the United States under section 367 of the Code.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 0954; PL 109-357 sec 415**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	03/00/2008	

**Additional Information:** REG-138355-07 Drafting attorney: Paul J. Carlino (202) 622-3840 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG98**Agency Contact:** Paul J. Carlino

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH09**Title:** Substitute for Return

**Abstract:** These temporary regulations reflect amendments to 26 CFR part 301 under section 6020 of the Internal Revenue Code. Section 301.6020-1 provides for the preparation or execution of returns by authorized Internal Revenue officers or employees. These temporary regulations provide that a document (or set of documents) signed by an authorized Internal Revenue officer or employee is a return under section 6020(b) if the document (or set of documents) identifies the taxpayer by name and taxpayer identification number, contains sufficient information from which to compute the taxpayer's tax liability, and the document (or set of documents ) purports to be a return under section 6020(b). A Form 13496, "IRC Section 6020(b) Certification", or any other form that an authorized Internal Revenue officer or employees signs and uses to identify a document (or set of documents) containing the information set forth above as a section 6020(b) return, and the documents identified, constitute a valid section 6020(b) return.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 53.6011-1; 26 CFR 301.6020 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6020; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/00/2008	

**Additional Information:** REG-131739-03 Drafting attorney: Alicia E. Goldstein (202) 622-3239 Reviewing attorney: Peter J. Devlin (202) 622-8496 CC: PA: Branch 4

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BC45; Related to 1545-BC46

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BH14

**Title:** Treatment of Overall Foreign and Domestic Losses (Temporary)

**Abstract:** Section 402 of the American Jobs Creation Act of 2004 enacted a new section 904(g) providing for the recharacterization of U.S. source income as foreign source income where a taxpayer's foreign tax credit limitation has been reduced as a result of an overall domestic loss. The regulation will provide rules for maintaining and recapturing overall domestic loss accounts relating to such recharacterization. The regulation will also include some revisions of the existing regulations regarding overall foreign loss recapture under section 904(f).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2007	

**Additional Information:** REG-141399-07 Drafting Attorney: Jeffrey L. Parry (202) 622-3850 Reviewing Attorney: Unassigned Treasury Attorney: Unassigned CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BH13

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AC10

**Title:** Income Tax--Definition of Qualified Possession Source Investment Income for Purposes of Puerto Rico and Possession Tax Credit

**Abstract:** This regulation will provide rules with respect to what constitutes qualified possession source investment income for purposes of the Puerto Rico and possession tax credit.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 936

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/21/1986	51 FR 2726
Final Action	12/00/2008	

**Additional Information:** REG-209013-86 (INTL-44-86) Drafting attorney: Keith V. Doce (202) 435-5265 Reviewing attorney: John M. Breen (202) 435-5265 CC:INTL

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-A116**Title:** FSC Transfer Pricing Rules, Distributions, Dividends Received, Deduction, and Other Special Rules for FSC**Abstract:** The regulations provide rules for application of the FSC (Foreign Sales Corporation) transfer pricing rules, distributions, dividends received, deductions, and other special FSC provisions.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 925; 26 USC 927**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	03/03/1987	52 FR 6467
NPRM Comment Period End	05/02/1987	

**Additional Information:** REG-209015-86 (INTL-153-86) Drafting attorney: Carol Tan (202) 435-5265 Reviewing attorney: Christopher J. Bello (202) 435-5265 Treasury attorney: John Harrington (202) 622-0589 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Carol Tan

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AL93**Title:** Income of Foreign Governments and International Organizations**Abstract:** These regulations will provide rules regarding the taxation of income of foreign governments and international organizations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 892**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	06/27/1988	53 FR 24100
NPRM Comment Period End	08/26/1988	

**Additional Information:** REG-209024-88 (INTL-285-88) Drafting attorney: David A. Juster (202) 622-3850 Reviewing attorney: Richard L. Chewning (202) 622-3850 Treasury attorney: Jesse Eggert (202) 622-1540 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AM11

**Title:** Clarification of Treatment of Separate Limitation Losses

**Abstract:** Section 1203 of the Tax Reform Act of 1986 amends section 904(f) by adding paragraph (f)(5) at the end thereof, which requires that foreign source losses with respect to any income category first offset a taxpayer's other foreign source income before such losses offset the taxpayer's U.S. source income. The regulation will provide rules for the allocation of foreign source losses.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	

**Additional Information:** REG-209044-89 (INTL-338-89) Drafting attorney: Jeffrey L. Parry (202) 622-3850 Reviewing attorney: Bethany Ingwalson (202) 622-3850 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AM90**Title:** Earnings and Profits of Controlled Foreign Corporations**Abstract:** This regulation will develop procedures for foreign corporations, or U.S. shareholders to make tax elections in computing functional currency earnings and profits under the 1986 Internal Revenue Code (Code).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 964**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/25/1990	55 FR 2535
Final Action	12/00/2008	

**Additional Information:** REG-209022-89 (INTL-087-89) Drafting attorney: Jeffrey L. Parry (202) 622-3850 Reviewing attorney: Barbara A. Felker (202) 622-3850 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jeffrey L. Parry

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AM91**Title:** Caribbean Basin Investments**Abstract:** This regulation defines investments made in qualified Caribbean Basin countries that give rise to interests or dividends available for the section 936 credit.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 936**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	05/13/1991	56 FR 21963
Hearing	07/12/1991	56 FR 21963

**Additional Information:** REG-209014-89 (INTL-088-89) Drafting attorney: Keith V. Doce (202) 435-5265 Reviewing attorney: John M. Breen (202)435-5265 CC:INTL

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )**

**RIN:** 1545-AN73

**Title:** Consolidated Alternative Minimum Tax

**Abstract:** This regulation will provide corporate taxpayers joining in the filing of a consolidated Federal income tax return with guidance necessary to calculate their alternative minimum tax liability.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1502; 26 USC 53; 26 USC 55 to 59; 26 USC 59A

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	12/30/1992	57 FR 62251
NPRM Comment Period End	03/01/1993	
Hearing	04/06/1993	

**Additional Information:** REG-209272-89 (IA-57-89) Drafting attorney: Martin Scully (202) 622-8066 Reviewing attorney: Stephen Toomey (202) 622-8441 CC:ITA

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AO22**Title:** Conforming Taxable Years of CFCs (Controlled Foreign Corporations) and FPHCs (Foreign Personal Holding Companies)**Abstract:** The regulation provides guidance to taxpayers concerning new section 898 of the Internal Revenue Code (Code), added to the Code by the Omnibus Budget Reconciliation Act of 1989. Section 898 requires the taxable years of certain specified foreign corporations to conform to the taxable years of their majority U.S. shareholders.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 898; 26 USC 902**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	01/05/1993	58 FR 290

**Additional Information:** REG-208985-89 (INTL-848-89) Drafting attorney: Carl M. Cooper (202) 622-3840 Reviewing attorney: Phyllis Marcus (202) 622-3840 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Carl M. Cooper  
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Phone: 202 622-3840**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AP10**Title:** Information Reporting and Record Maintenance**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 7801; 26 USC 6038C**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-208265-90 (INTL-102-90) Drafting attorney: Sheila Ramaswamy (202) 622-3870 Reviewing attorney: Paul S. Epstein (202) 622-3870 Treasury attorney: Jesse Eggert (202) 622-1540 CC:INTL

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Sheila Ramaswamy

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AQ55**Title:** Use of General Accepted Accounting Principle (GAAP) Earnings as Earnings and Profits (E&P) of Foreign Corporations

**Abstract:** The regulations are part of Treasury's ongoing simplification efforts. The regulations would modify the computation of earnings and profits (E&P) of foreign corporations by allowing taxpayers to account for inventory costs, using capitalization methods used for financial accounting purposes rather than the uniform capitalization rules required by section 263A. The regulations would also permit reliance on financial accounting conventions in computing depreciation for foreign corporations deriving less than 20 percent of gross income from U.S. sources and maintaining assets with tax bases not materially different from financial book bases. Use of these simplified rules may result in an accounting method change, which would ordinarily require the filing of Form 3115 (Application for Change in Accounting Method). However, the regulations waive this filing requirement if its conditions are met.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 964; 26 USC 952**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	07/01/1992	57 FR 29246

**Additional Information:** REG-209545-92 (INTL-0018-92) Drafting attorney: Jeffrey L. Parry (202) 622-3850 Reviewing attorney: Barbara A. Felker (202) 622-3850 CC:INTL

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jeffrey L. Parry

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AQ61

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**Title:** Interest-Free Adjustments

**Abstract:** These amendments add language to clarify that an interest-free adjustment can be made in certain situations in which a withholding 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.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 31 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 6205**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	12/10/1992	57 FR 58423
NPRM Comment Period End	02/08/1993	

**Additional Information:** REG-209538-92 (EE-12-92) Drafting attorney: Karin Loverud (202) 622-6080 Reviewing attorney: Mary Oppenheimer (202) 622-6010 CC: TEGE

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Karin Loverud

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AQ70

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**Title:** Definition of Cash Value

**Abstract:** The regulations will provide rules relating to the cash value taken into account in determining whether a contract qualifies as a life insurance contract for purposes of the Internal Revenue Code (Code).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 101; 26 USC 7702; 26 USC 7702A**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	12/15/1992	57 FR 59319
NPRM Comment Period End	02/26/1993	
Hearing	03/19/1993	

**Additional Information:** REG-209552-92 (FI-25-92) Drafting attorney: James A. Polfer (202) 622-3970 Reviewing attorney: Donald J. Drees, Jr. (202) 622-3970 CC:FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AS85

**Title:** Mark-to-Market Upon Disposition

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 475

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/04/1995	60 FR 397
Final Action	12/00/2008	

**Additional Information:** REG-209724-94 (FI-42-94) Drafting attorney: Lauren Medovoy (202) 622-6502 Reviewing attorney: Robert B. Williams (202) 622-3950 Treasury attorneys: Michael Novey (202) 622-1339 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.

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No



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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AT82

**Title:** Allocation of Accrued Benefits Between Employer and Employee Contributions

**Abstract:** This regulation modifies section 1.411(c)-1 providing guidance on calculation of an employee's accrued benefit derived from the employee's contributions to a qualified defined benefit pension plan.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	12/22/1995	60 FR 66532
NPRM Comment Period End	03/21/1996	

**Additional Information:** REG-209784-95 (EE-35-95) Drafting attorney: Cathy A. Vohs (202) 622-6090 Reviewing attorney: Janet A. Laufer (202) 622-6090 CC:TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-AT96

**Title:** Foreign Corporations Regulations

**Abstract:** This regulation will provide guidance relating to the treatment of financial instruments and loans between partners and partnerships for purposes of sections 882 and 884.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 0882; 26 USC 0884**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	03/08/1996	61 FR 9377

**Additional Information:** REG-209805-95 (INTL-054-95) Drafting attorney: Mark Erwin (202) 622-3870 Reviewing attorney: Paul S. Epstein (202) 622-3870 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Mark Erwin

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AU29**Title:** Application of Grantor Trust Rules to Nonexempt Employees' Trusts**Abstract:** The regulations will provide guidance on the application of the grantor trust rules to nonexempt employees' trusts.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 404; 26 USC 956; 26 USC 1291; 26 USC 1294; 26 USC 1295; 26 USC 1297; 26 USC 671**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	09/27/1996	61 FR 50778
NPRM Comment Period End	12/26/1996	
Hearing	01/15/1997	

**Additional Information:** REG-209826-96 (PS-19-96) Drafting attorneys: M. Grace Fleeman (202) 622-3880, Linda S.F. Marshall (202) 622-6090, and James A. Quinn (202) 622-3070 Reviewing attorneys: Elizabeth Karzon (202) 622-3880 and J. Thomas Hines (202) 622-3060 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AV27**Title:** Electronic Transmission of Withholding Certificates**Abstract:** This regulation provides guidance for the electronic transmission of withholding certificates.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 6061; 26 USC 1441**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	10/14/1997	62 FR 53504

**Additional Information:** REG-107872-97 Drafting attorney: Carl M. Cooper (202) 622-3840 Reviewing attorney: Valerie A. Mark Lippe (202) 622-3840 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Carl M. Cooper

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AV55**Title:** Substantiating Travel Expense Deductions for Members of Congress**Abstract:** This regulation provides rules for the substantiation of Congress members' travel expenses. The current regulations are out of date because the authorizing legislation was subsequently repealed.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 1; 26 CFR 5 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-105513-97 Drafting attorney: Karla M. Meola (202) 622-4930 Reviewing attorney: George B. Baker (202) 622-4930 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Karla M. Meola

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E-Mail: [karla.m.meola@irs.counsel.treas.gov](mailto:karla.m.meola@irs.counsel.treas.gov)**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AW13**Title:** Stocks and Securities Safe Harbor Exception**Abstract:** This regulation clarifies and updates the safe harbor that one is not engaged in a trade or business as a result of trading in stocks and securities. The amendment will provide additional guidance regarding the definitions of stocks and securities.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/12/1998	63 FR 32164
Hearing	09/09/1998	
NPRM Comment Period End	09/10/1998	
Final Action	12/00/2008	

**Additional Information:** REG-106031-98 Drafting attorney: Paul S. Epstein (202) 622-3870 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** Paul S. Epstein

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AX72

**Title:** Allocation and Apportionment of Interest Expense and Certain Other Expenses

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 864

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	02/05/1990	55 FR 3750
Final Action	12/00/2008	

**Additional Information:** REG-117608-99 Drafting attorney: David F. Bergkuist (202) 622-3850 Reviewing attorney: Anne O. Devereaux (202) 622-3850 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Agency Contact:** David F. Bergkuist

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-AY44**Title:** Special Rules for S Corporations**Abstract:** This regulation will provide rules that will permit a dual resident S Corporation shareholder, who has claimed a treaty benefit, to be treated as a U.S. resident for purposes of section 1361(a)(1) of the Internal Revenue Code.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301; 26 CFR 601 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 7701**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	04/27/1992	57 FR 15272
NPRM Comment Period End	06/26/1992	57 FR 15272

**Additional Information:** REG-209720-94 (INTL-40-94) Drafting attorney: David A. Juster (202) 622-3850 Reviewing attorney: Barbara Felker (202) 622-3850 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Split From 1545-AP35; Related to 1545-AS88**Agency Contact:** David A. Juster

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-AY90**Title:** Payments for Interest in Partnership**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.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 736; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	

**Additional Information:** REG-123382-01 Drafting attorney: Stacy Short (202) 622-3070 Reviewing attorney: Christine Ellison (202) 622-3070 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BA46

**Title:** Amendment to the Definition of Refunding

**Abstract:** This regulation will amend the definition of a refunding issue applicable to tax-exempt bonds issued by State and local governments.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.150-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	04/10/2002	67 FR 17309

**Additional Information:** REG-165706-01 Drafting attorney: Vicky Tsilas (202) 622-3980 Reviewing attorney: Timothy L. Jones (202) 622-3980 Treasury attorney: John Cross (202) 622-1322 CC: TEGE: TEB

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BA99

**Title:** Timely Mailing Treatment

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7502; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	09/21/2004	69 FR 56377

**Additional Information:** REG-138176-02 Drafting attorney: Jason A. Bremer (202) 622-4570 Reviewing attorney: Robin M. Tuczak (202) 622-4570 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 7

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BC11

**Title:** Notarization Requirement for Statements of Purchase

**Abstract:** The regulations would modify the requirement that statements of purchase of qualified replacement property be notarized within 30 days of purchase.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 1042(a)(1); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	07/10/2003	68 FR 41087
NPRM Comment Period End	10/08/2003	

**Additional Information:** REG-121122-03 Drafting attorney: John T. Ricotta (202) 622-6060 Reviewing attorney: Lisa Mojiri-Azad (202) 622-6060 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No



**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** John T. Ricotta

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC16**Title:** Contingent at Closing Escrows

**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.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1; 26 CFR 602 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 468**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-103422-03 Drafting attorney: Steven J. Gee (202) 622-4970 Reviewing attorney: Roy A. Hirschhorn (202) 622-4970 Treasury attorney: Marc Countryman (202) 622-9858 CC: ITA

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-AR82**Agency Contact:** Steven J. Gee

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC45**Title:** Substitute for Return (SFR) and Automated Substitute for Return (ASFR)

**Abstract:** The regulation serves as IRS'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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 6020

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	07/18/2005	70 FR 41165
NPRM Comment Period End	10/17/2005	
Hearing	03/08/2006	

**Additional Information:** REG-131739-03 Drafting attorney: Amy Mielke (202) 622-7371 Reviewing attorney: Ashton P. Trice (202) 622-4940 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 2

**Regulatory Flexibility Analysis**

**Government Levels Affected:** Undetermined

**Required:** Undetermined

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BC46

**Agency Contact:** Amy Mielke  
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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC54

**Title:** Coordination of United States and Certain Possessions Income Taxes

**Abstract:** Internal Revenue Code section 7654 contains provisions for coordination of United States and certain possessions income taxes. Specifically, section 7654 provides for "cover over" of the net collection of taxes imposed under chapter 1 or deducted and withheld under chapter 24. Section 7654 of the Internal Revenue Code of 1986 provides specific rules for cover over with regard to the possessions American Samoa and the U.S. Virgin Islands. Section 7654 of the 1954 Code, as amended in 1972 by Public Law 92-606, provides specific rules for cover over with regard to the possessions Guam and the Northern Mariana Islands (NMI). Section 7654 of the 1954 Code remains applicable to Guam and the NMI because neither of these two possessions has an effective implementing agreement with the United States, in accordance with the Tax Reform Act of 1986, Public Law 99-514. The regulations will provide rules under both the 1954 Code and the 1986 Code versions of section 7654.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	

**Additional Information:** REG-139900-03 Drafting attorney: Cleve Lisecki (202) 435-5262 Reviewing attorney: Ricardo A. Cadenas (202) 435-5262 Treasury attorney: Gretchen Sierra (202) 622-1755 CC: INTL

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BD32

**Agency Contact:** Cleve Lisecki

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )**

**RIN:** 1545-BC88

**Title:** Transactions Involving the Transfer of No Net Equity Value

**Abstract:** These regulations will provide guidance regarding the application of sections 332, 351, and 368 in certain transactions involving insolvent corporations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 351

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	03/10/2005	70 FR 11903
NPRM Comment Period End	06/08/2005	

**Additional Information:** REG-163314-03 Drafting attorneys: Jean R. Brenner (202) 622-7790, Douglas C. Bates (202) 622-7550, and Bruce A. Decker (202) 622-7550 Reviewing attorneys: Virginia Voorhees (202) 622-7550 and Lisa Fuller (202) 622-7750 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC93**Title:** Revision of Section 301.6103(j)-1 for Disclosure to the Bureau of Economic Analysis, Department of Commerce**Abstract:** This regulation concerns the disclosure of corporate tax information to the Bureau of Economic Analysis, Department of Commerce.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6103; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/06/2006	71 FR 38323
NPRM Comment Period End	10/04/2006	
Final Action	07/00/2009	

**Additional Information:** REG-148864-03 Drafting attorney: Glenn J. Melcher (202) 622-4570 Reviewing attorney: Robin M. Tuczak (202) 622-4570 CC: PA: Branch 7**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BE01; Related to 1545-BE02; Related to 1545-BE08**Agency Contact:** Glenn J. Melcher

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E-Mail: [glenn.j.melcher@irsounsel.treas.gov](mailto:glenn.j.melcher@irsounsel.treas.gov)**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD32**Title:** Coordination of United States and Certain Possessions Income Taxes (Temporary)

**Abstract:** Internal Revenue Code section 7654 contains provisions for coordination of U.S. and certain possessions income taxes. Specifically, section 7654 provides for "cover over" of the net collection of taxes imposed under chapter 1 or deducted and withheld under chapter 24. Section 7654 of the Internal Revenue Code of 1986 provides specific rules for cover over with regard to the possessions American Samoa and the U.S. Virgin Islands. Section 7654 of the 1954 Code, as amended in 1972 by Public Law 92-606, provides specific rules for cover over with regard to the possessions. Guam and the Northern Mariana Islands (NMI). Section 7654 of the 1954 Code remains applicable to Guam and the NMI because neither of these two possessions has an effective implementing agreement with the United States, in accordance with the Tax Reform Act of 1986, Public Law 99-514. The regulations will provide rules under both the 1954 Code and the 1986 Code versions of section 7654.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/00/2008	

**Additional Information:** REG-139900-03 Drafting attorney: Cleve Lisecki (202) 435-5262 Reviewing attorney: Ricardo A. Cadenas (202) 435-5262 Treasury attorney: Gretchen Sierra (202) 622-1755 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BC54

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD44

**Title:** Transfers of Restricted Stock

**Abstract:** The proposed regulations address the application of section 83 to the transfer of substantially nonvested stock to a related person.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 83; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	

**Additional Information:** REG-127147-04 Drafting attorney: Stephen B. Tackney (202) 622-6030 Treasury attorney: Helen Morrison (202) 622-1357 CC: TEGE

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Stephen B. Tackney

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD92**Title:** Return for Subchapter T Cooperatives**Abstract:** This proposed regulation will amend section 1.6012-2(f) of the Income Tax Regulations to provide that all subchapter T cooperatives as defined under section 1381 are required to a return on Form 1120-C, "U.S. Income Tax Return for Cooperative Associations."**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6012; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	07/29/2005	70 FR 43811
NPRM Comment Period End	10/27/2005	

**Additional Information:** REG-149436-04 Drafting attorney: Matthew P. Howard (202) 622-4910 Reviewing attorney: James C. Gibbons (202) 622-4910 Treasury attorney: John Parcell (202) 622-2578 CC: PA: Branch 1**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Matthew P. Howard

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD93**Title:** Employer's Annual Federal Employment Tax Return--Form 944

**Abstract:** This regulation will amend sections 31.6011(a)-4 of the Withholding Taxes Regulations to allow the filing of Form 944, "Employer's Annual Federal Employment Tax Return," for employers selected by the IRS to participate in the Employer's 941 Annual Employment Tax Return Program.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 31 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6011; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	01/03/2006	71 FR 46
NPRM Comment Period End	04/03/2006	

**Additional Information:** REG-148568-04 Tax Law Specialist: Raymond Bailey (202) 622-4910 Reviewing attorney: James C. Gibbons (202) 622-4910 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE00

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD98

**Title:** Return for Subchapter T Cooperatives (Temporary)

**Abstract:** This proposed regulation will amend section 1.6012-2(f) of the Income Tax Regulations to provide that all subchapter T cooperatives as defined under section 1381 are required to file a return on Form 1120-C, "U.S. Income Tax Return for Cooperative Associations."

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6012; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-149436-04 Drafting attorney: Matthew P. Howard (202) 622-4910 Reviewing attorney: James C. Gibbons (202) 622-4910 Treasury attorney: John Parcell (202) 622-2578 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BD92**Agency Contact:** Matthew P. Howard

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE11

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**Title:** Information Returns by Donees Relating to Qualified Intellectual Property Contributions**Abstract:** This publication will add section 1.6050L-2 of the Income Tax Regulations to provide guidance for filing information returns by donees relating to qualified intellectual property contributions.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1; 26 CFR 602 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6050L(b); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	05/23/2005	70 FR 29460

**Additional Information:** REG-158138-04 Drafting attorney: Matthew P. Howard (202) 622-4910 Reviewing attorney: James C. Gibbons (202) 622-4910 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 1**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Matthew P. Howard

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE62

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**Title:** Simplification of Extension Process Under Section 6081**Abstract:** This proposed regulation will allow certain taxpayers a 6-month extension of time to file their tax returns.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No



**CFR Citation:** 26 CFR 1; 26 CFR 53; 26 CFR 55; 26 CFR 156; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6081; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	11/07/2005	70 FR 67397

**Additional Information:** REG-144898-04 Drafting attorney: Matthew P. Howard (202) 622-4910 Reviewing attorney: Charles A. Hall (202) 622-4940 CC: PA: Branch 1

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE63

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BE65

**Title:** Converting an IRA Annuity to a Roth IRA

**Abstract:** The temporary regulations provide guidance concerning the tax consequences of converting a non-Roth IRA annuity to a Roth IRA. The regulations affect individuals establishing Roth IRAs, beneficiaries under Roth IRAs, trustees, custodians, and issuers of Roth IRAs.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	08/22/2005	70 FR 48924
NPRM Comment Period End	11/21/2005	

**Additional Information:** REG-122857-05 Drafting attorney: Cathy A. Vohs (202) 622-6090 Reviewing attorney: Marjorie Hoffman (202) 622-6030 Treasury attorney: Harlan Weller (202) 622-1001 CC: TEGE

**Regulatory Flexibility Analysis**

**Government Levels Affected:** No

**Required:** Undetermined

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE66

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE82

**Title:** Foreign Currency Contract Defined

**Abstract:** The regulations relate to the definition of a foreign currency contract of purposes of section 1256(g)(2) of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1256(g)(2); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-120934-05 Drafting attorney: Lauren J. Medovoy (202) 622-3920 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE83

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE83

**Title:** Foreign Currency Contract Defined (Temporary)

**Abstract:** The regulations relate to the definition of a foreign currency contract for purposes of section 1256(g)(2) of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 1256(g)(2); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-120934-05 Drafting attorney: Lauren J. Medovoy (202) 622-3920 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BE82**Agency Contact:** Lauren J. Medovoy  
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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF21**Title:** Procedures for Administrative Review of a Determination That an Authorized Recipient Has Failed To Safeguard Federal Tax Returns or Return Information**Abstract:** Treasury regulation section 301.6103(p)(7)-1 is withdrawn. The NPRM and cross-referenced temporary regulation provide the notice, appeal, and disclosure termination procedures applicable to authorized recipients of Federal tax returns and return information who fail to provide proper safeguarding of the information.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805; 26 USC 6103(l)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/24/2006	71 FR 9487
NPRM Comment Period End	05/25/2006	
Final Action	02/00/2009	

**Additional Information:** REG-157271-05 Drafting attorney: Mary E. Keys (202) 622-4570 Reviewing attorney: Charles B. Christopher (202) 622-4570 CC: PA: Branch 7**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

**Related RINs:** Previously Reported as 1545-BF22

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF25

**Title:** Revision of Regulations To Comply With Commissioner's e-File Program

**Abstract:** The regulations will revise a number of regulations that present impediments to e-filing.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	12/22/2006	71 FR 76955
NPRM Comment Period End	03/22/2007	

**Additional Information:** REG-161919-05 Drafting attorney: Grid R. Glyer (202) 622-7930 Reviewing attorneys: Theresa Abell (202) 622-7700, Marc Countryman (202) 622-7530, and Steve Hankin (202) 622-7930 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF26

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF87

**Title:** Treatment of Payments in Lieu of Taxes

**Abstract:** The notice of proposed rulemaking provides that the Internal Revenue Service and the Department of Treasury propose to modify the standards for treating payments in lieu of taxes as generally applicable taxes for purposes of the private security or payment test under section 141.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.141-4(e)(5) (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		
NPRM	10/19/2006	71 FR 61693
NPRM Comment Period End	01/16/2007	

**Additional Information:** REG-136806-06 Drafting attorneys: Vassiliki Tsilas (202) 622-3980 and Carla Young (202) 622-3419 Reviewing attorney: Rebecca Harrigal (202) 622-3449 Treasury attorney: John Cross (202) 622-1322 CC: TEGE: TEB

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF90

**Title:** Exclusion of Income From the International Operation of Ships or Aircraft

**Abstract:** This regulation will address amendment to section 1.883-3 regulations regarding the treatment of controlled foreign corporations.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.883-0; 26 CFR 1.883-1; 26 CFR 1.883-2; 26 CFR 1.883-3; 26 CFR 1.883-4; 26 CFR 1.883-5; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 7805; 26 USC 883

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/25/2007	72 FR 34650
NPRM Comment Period End	09/24/2007	72 FR 34650
Hearing	10/24/2007	72 FR 34650
Final Action	12/00/2008	

**Additional Information:** REG-138707-06 Drafting attorney: Patricia A. Bray (202) 622-3880 Reviewing attorney: Elizabeth U. Karzon (202) 622-3880 CC: INTL

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

**Federalism:** No

**Energy Affected:** Undetermined

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF99

**Title:** Section 382 Ownership Change

**Abstract:** This regulation provides rules for determining when an ownership change has occurred under section 382 of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.382-2T (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 382(m); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-209159-86 Drafting attorney: Keith E. Stanley (202) 622-7750 Reviewing attorney: Mark S. Jennings (202) 622-7750 CC: CORP

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

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG08

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**Title:** Income of Foreign Governments and International Organizations**Abstract:** These regulations will provide rules regarding the taxation of income of foreign governments and international organizations.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 0892**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	

**Additional Information:** REG-148537-06 Drafting attorney: David A. Juster (202) 622-3850 Reviewing attorney: Richard L. Chewning (202) 622-3850 Treasury attorney: Jesse Eggert (202) 622-1540 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-AL93**Agency Contact:** David A. Juster

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG32

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**Title:** Partial Payments on Offers in Compromise**Abstract:** These proposed regulations would amend existing regulations regarding the submission of offers in compromise to reflect changes to the law made by section 509 of the Tax Increase Prevention and Reconciliation Act of 2005. The regulations would require persons proposing to settle their tax liabilities for payments of less than the total amount determined and assessed to make partial payments when submitting their offer to compromise and while the offer was under consideration. The regulations would waive the partial payment requirement under specific conditions. The proposed regulations would also clarify when an offer in compromise is deemed accepted if the IRS has not taken action with respect to the offer within two years of the offer being submitted.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 7122 (Revision) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-142004-06 Drafting attorney: William F. Conroy (202) 622-3620 Reviewing attorney: Lawrence Schattner (202) 622-3620 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 5

**Regulatory Flexibility Analysis**

**Required:** Undetermined

**Government Levels Affected:** Undetermined

**Federalism:** Undetermined

**Energy Affected:** No

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**Department of the Treasury (TREAS)**

**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG34

**Title:** Time and Manner for Electing Capital Gain Treatment for Certain Self-Created Musical Works

**Abstract:** The proposed regulations will provide the time and manner for making the election specified in section 1221(b)(3).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.1221-3 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-153589-06 Drafting attorney: Jamie J. Kim (202) 622-4950 Reviewing attorneys: Christopher F. Kane (202) 622-3415 Andrew J. Keyso, Jr. (202) 622-7924 Treasury attorney: Eric San Juan (202) 622-0224 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG35

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG35

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**Title:** Time and Manner for Electing Capital Gain Treatment for Certain Self-Created Musical Works**Abstract:** The temporary regulations will provide the time and manner for making the election specified in section 1221(b)(3).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.1221-3T (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-153589-06 Drafting attorney: Jamie J. Kim (202) 622-4950 Reviewing attorneys: Christopher F. Kane (202) 622-3415 Andrew J. Keyso, Jr. (202) 622-7924 Treasury attorney: Eric San Juan (202) 622-0224  
CC: ITA

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG34**Agency Contact:** Jamie J. Kim

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG41

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**Title:** Guidance on Arbitrage**Abstract:** The notice of proposed rulemaking provides that the Department of Treasury and the Internal Revenue Service propose to provide guidance on arbitrage under Section 148 of the Internal Revenue Code.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** Undetermined**Unfunded Mandates:** Undetermined**CFR Citation:** 26 CFR 1.148-0; 26 CFR 1.148-1; 26 CFR 1.148-3; 26 CFR 1.148-4; 26 CFR 1.148-5; 26 CFR 1.148-8; 26 CFR 1.148-11 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 148; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-106143-07 Drafting attorney: Carla A. Young (202) 622-3980 Reviewing attorney: Rebecca Harrigal (202) 622-3449 Treasury attorney: John Cross (202) 622-1322 CC: FIP

**Regulatory Flexibility Analysis Required:** No **Government Levels Affected:** Local; State

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG56

**Title:** Recharacterization of Certain Qualifying Income of Publicly Traded Partnerships

**Abstract:** The proposed regulations under section 7704 of the Internal Revenue Code will apply to publicly traded partnerships (PTPs) that own controlling interests in corporations that earn non-qualifying income. The regulations will provide a re-characterization rule for certain gross income received by a PTP from a controlled corporation that would otherwise be qualifying income under section 7704(d) and that is deductible to the corporation. The income would be re-characterized as non-qualifying if the effect of the arrangements is to permit the PTP to received income that is not subject to a corporate-level tax and that would be non-qualifying income if earned directly by the PTP.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7704; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	12/00/2008	

**Additional Information:** REG-114703-07 Drafting attorneys: Joy C. Spies (202) 622-3998 and Jason T. Smyczek (202) 622-3050 Reviewing attorney: Dianna K. Miosi (202) 622-3050 Treasury attorney: William Bowers (202) 622-5721 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG58**Title:** Employer-Owned Life Insurance**Abstract:** This proposed regulation implements the statutory mandate to require reporting concerning employer-owned life insurance.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 61 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6039I; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-115910-07 Drafting attorney: Linda K. Boyd (202) 622-3970 Reviewing attorney: Sheryl B. Flum (202) 622-7378 Treasury attorney: Mark S. Smith (202) 622-0180 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG59**Agency Contact:** Linda K. Boyd

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BG59**Title:** Employer-Owned Life Insurance**Abstract:** This temporary regulation implements the statutory mandate to require reporting concerning employer-owned life insurance.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 61 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6039I; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-115910-07 Drafting attorney: Linda K. Boyd (202) 622-3970 Reviewing attorney: Sheryl B. Flum (202) 622-7378 Treasury attorney: Mark S. Smith (202) 622-0180 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG58**Agency Contact:** Linda K. Boyd

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BG71**Title:** Employer Comparable Contributions to Health Savings Accounts Under Section 4980G**Abstract:** These proposed regulations provide guidance on employer comparable contributions to Health Savings Accounts (HSAs) under section 4980G of the Internal Revenue Code as amended by sections 302, 305, and 306 of the Tax Relief and Health Care Act of 2006.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 54 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 4980G**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-120476-07 Drafting attorney: Mireille T. Khoury (202) 622-7407 Reviewing attorney: Harry Beker (202) 622-6080 Treasury attorney: Kevin Knopf (202) 622-2329 CC: TEGE

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Mireille Khoury

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG77**Title:** Modifications of Commercial Mortgage Loans Held by a Real Estate Mortgage Investment Conduit**Abstract:** The proposed regulations would permit additional types of modifications to commercial mortgage loans held by a real estate mortgage investment conduit.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR sec 1.860G-2 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC sec 7805; 26 USC sec 860G(e)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-127770-07 Drafting attorney: Diana A. Imholtz (202) 622-6934 Reviewing attorney: Susan T. Baker (202) 622-3930 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Diana A. Imholtz

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG78**Title:** Patented Tax Strategy Transactions

**Abstract:** These temporary regulations provide rules relating to the disclosure of reportable transactions under 26 U.S.C. 6011. These temporary regulations add the patented transactions category of reportable transaction. The regulations affect taxpayers participating in the taxpayers transactions category of reportable transactions under 26 patented 6011, material advisors responsible for disclosing reportable transactions under section 26 U.S.C. 6111, and material advisors responsible for keeping lists under 26 U.S.C. 6112.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6011; 26 USC 6111; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-129916-07 Drafting attorney: Michael H. Beker (202) 622-7755 Reviewing attorney: Christine E. Ellison (202) 622-3070 Treasury attorney: Anita Soucy (202) 622-1760 CC: PSI

**Regulatory Flexibility Analysis**

**Government Levels Affected:** Undetermined

**Required:** Undetermined

**Federalism:** No

**Related RINs:** Related to 1545-BG76

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BG79

**Title:** Withdrawal of Regulations Under Old Section 6323(B)(10)

**Abstract:** The regulations provide for the deletion of dollar limits and other references to make regulation conform to current version of 26 USC 6323.

**Priority:** Info./Admin./Other

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.6323(b); 26 CFR 301.6323(c); 26 CFR 301.6323(f); 26 CFR 301.6323(g); 26 CFR 301.6323(h); ... (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6323; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-141998-06 Drafting attorney: Debra A. Kohn (202) 622-7985 Reviewing attorney: Lawrence H. Schattner (202) 622-3620 CC: PA: Branch 3

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BG13**Agency Contact:** Debra A. Kohn

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG88**Title:** User Fees Relating to Enrollment To Perform Actuarial Services**Abstract:** The proposed regulations relate to user fees for the initial and renewed enrollment to become an enrolled actuary.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 300 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 9701; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-134923-07 Drafting attorney: Joel S. Rutstein (202) 622-4940 Reviewing attorney: Brinton T. Warren (202) 622-4940 CC: PA: Branch 2**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Agency Contact:** Joel S. Rutstein

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BH05**Title:** Limiting Individual Taxpayer Identification Numbers (ITINs) to Tax Reporting Purposes

**Abstract:** Section 6109(a)(1) authorizes the Secretary to prescribe the use of a taxpayer identification number (TIN). These regulations emphasize that the IRS may use TINs only for tax administration purposes, unless directed by statute to share TINs or use them for other purposes. These regulations also describe the limited scope and use of a specific type of TIN, the ITIN.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301.6109-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-161778-02 Drafting attorney: Timothy S. Sheppard (202) 622-4910 Reviewing attorney: James C. Gibbons (202) 622-4910 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BH11

**Title:** Application of Section 338 to Insurance Companies

**Abstract:** These proposed regulations by reference to temporary regulations incorporated within TD 9257 (71 FR 17990) provide guidance in the following areas. Guidance is provided with regard to the determination of the adjusted basis of section 197 amortizable assets resulting from certain reinsurance transactions and the interplay of those rules with regard to the requirement for the capitalization by insurance companies of policy acquisition expenses. These proposed regulations by reference to the temporary regulations provide rules that apply to insurance reserve increases by a new target insurance company after a stock purchase which is treated as a deemed asset sale under section 338. Additionally, these proposed regulations by reference to temporary regulations also allow the new target insurance company in a deemed asset sale to use the historical loss payment pattern elected by the old target under section 846(e) to continue to be used by new target insurance company, unless new target chooses to revoke that existing election.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.197-2; 26 CFR 1.338-1; 26 CFR 1.338-11; 26 CFR 1.846-2; 26 CFR 1.846-4; ... (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 26 USC 7805; 26 USC 197(f)(5); 26 USC 338; 26 USC 846(e)

**Legal Deadline:** None

**Timetable:**



Action	Date	FR Cite
Next Action Undetermined		
NPRM	03/08/2002	67 FR 10641
Hearing	09/18/2002	

**Additional Information:** REG-118861-00 Drafting attorney: William T. Sullivan (202) 622-7052 Reviewing attorney: Donald J. Drees (202) 622-3970 Treasury attorney: Mark Smith (202) 622-3970 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-AY49

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BH15

**Title:** Penalties for Incorrect Appraisals Under IRC 6695A

**Abstract:** These proposed regulations will provide instructions and the procedures by which the IRS will determine and assess the appraiser penalties under IRC 6695A.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6695A; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Next Action Undetermined		

**Additional Information:** REG-138090-07 Drafting attorney: Rosy L. Lor (202) 622-9251 Reviewing attorney: Joseph E. Conley (202) 622-7782 CC: PA: Branch 5

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** Undetermined

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AW97**Title:** Constructive Sales of Appreciated Financial Positions**Abstract:** These regulations relate to principles for determining if a taxpayer has constructively sold an appreciated financial position.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	04/25/2007	

**Additional Information:** REG-102191-98 Drafting attorney: Kathleen A. Sleeth (202) 622-3920 Reviewing attorney: Elizabeth A. Handler (202) 622-3157 Treasury attorney: Michael Novey (202) 622-1339 CC:FIP

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business; Organizations**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-AY22**Title:** Guidance on Changes to the Laws for Corporate Estimated Taxes**Abstract:** The proposed regulations provide guidance for corporations to compute their estimated tax liabilities.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 6655

**Legal Deadline: None****Timetable:**

Action	Date	FR Cite
NPRM	12/12/2005	70 FR 73393
Final Action	08/07/2007	72 FR 44338

**Additional Information:** REG-107722-00 Drafting attorney: Timothy S. Sheppard (202) 622-4910 Reviewing attorney: Pamela W. Fuller (202) 622-4910 Treasury attorney: Sharon Kay (202) 622-0865 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-AY39

**Title:** Dollar-Value LIFO (Last-In, First-Out)

**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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 472; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Withdrawn	08/31/2007	

**Additional Information:** REG-107580-00 Drafting attorney: Leo F. Nolan II (202) 622-4970 Reviewing attorney: Jeffery G. Mitchell (202) 622-4970 Treasury attorney: Sharon Kay (202) 622-0865 CC:ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** Business

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BA93

**Title:** Section 1248 Attribution Principles

**Abstract:** This regulation will address the manner in which earnings and profits are attributed to shares under sections 1248 and 367.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/02/2006	71 FR 31985
NPRM Comment Period End	08/31/2006	
Final Action	07/30/2007	72 FR 41442

**Additional Information:** REG-135866-02 Drafting attorney: Michael I. Gilman (202) 622-3850 Reviewing attorney: Richard L. Chewning (202) 622-3850 Treasury attorney: Gretchen Sierra (202) 622-1755 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BB26

**Title:** Section 482: Methods To Determine Taxable Income in Connection With a Cost-Sharing Arrangement

**Abstract:** These regulations will provide additional guidance on cost sharing arrangements under section 482.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 482

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/29/2005	70 FR 51116
Hearing	12/16/2005	70 FR 51116
Final Action	05/17/2007	

**Additional Information:** REG-144615-02 Drafting attorney: Kenneth P. Christman (202) 435-5265 Reviewing attorney: John M. Breen (202) 435-5266 Treasury attorney: David Ernack (202) 622-1754 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB56

**Title:** Substitute Dividend Payments in Securities Lending and Similar Transactions

**Abstract:** This regulation relates to taxation of cross-border and foreign-to-foreign substitute dividend payments in securities lending and similar transactions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 7701; 26 USC 863

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Withdrawn	04/30/2007	

**Additional Information:** REG-130751-01 Drafting attorney: Theodore D. Setzer (202) 622-3870 Reviewing attorney: Paul S. Epstein (202) 622-3870 CC:INTL

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB64**Title:** Contributions To Purchase Certain Retirement Annuities or Custodial Accounts Under Section 403(b)

**Abstract:** This regulation revises and updates 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.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 403(b); 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/16/2004	69 FR 67075
Public Hearing	02/15/2005	
NPRM Comment Period End	02/14/2005	
Final Action	07/26/2007	72 FR 41128

**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

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State; Tribal**Small Entities Affected:** Governmental Jurisdictions**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BF35**Agency Contact:** John A. Tolleris

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB86**Title:** Expenses for Household and Dependent Care Services Necessary for Gainful Employment

**Abstract:** The final regulations amend existing but partially obsolete regulations under 26 U.S.C. 21 relating to dependent care credits.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1; 26 CFR 602 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 21; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	05/24/2006	71 FR 29847
NPRM Comment Period End	08/22/2006	
Final Action	08/14/2007	72 FR 45338

**Additional Information:** REG-139059-02 Drafting attorney: Amy J. Pfalzgraf (202) 622-4960 CC: ITA

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BB90

**Title:** Guidance Regarding Mark-to-Market Valuation for Certain Securities

**Abstract:** Section 475(a) requires that dealers in securities mark their securities to market. If the security is inventory, the dealer must include that security at fair market value. Taxpayers must treat any security that is not inventory as if it 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 (ANPRM) was issued on May 5, 2003, and asked for comments on a possible financial statement-tax conformity safe harbor approach for valuing certain securities under section 475 for which the determination of actual fair market value is administratively difficult. On May 24, 2005, a notice of proposed rulemaking was issued. The NPRM provided an elective safe harbor for dealers in securities, dealers in commodities, and traders in securities and commodities. The safe harbor permits these taxpayers to make an election pursuant to which the values of the positions reported on certain financial statements are used as the fair market value of those positions for purposes of section 475, if certain conditions are met. Those conditions and limitations are to ensure consistency with fair market value tax principles. The NPRM also asked for specific comments relating to certain aspects of the rules.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 475; 26 USC 446

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	05/24/2005	70 FR 29663
NPRM Comment Period End	08/22/2005	
Public Hearing	09/15/2005	
Final Action	06/12/2007	72 FR 32172

**Additional Information:** REG-100420-03 Drafting attorney: Marsha A. Sabin (202) 622-3950 or John W. Rogers (202) 622-3950 Reviewing attorney: Robert Williams (202) 622-3960 Treasury attorney: Michael Novey (202) 622-1339 CC: FIP

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Marsha A. Sabin

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC08**Title:** Entry of Taxable Fuel**Abstract:** The regulations will provide rules for payment of tax when taxable fuel is entered by an unregistered person.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 48 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/30/2004	69 FR 45631
Public Hearing	10/05/2004	69 FR 59572
Final Action	07/27/2007	72 FR 41222

**Additional Information:** REG-120616-03 Drafting attorney: Celia A. Gabrysh (202) 622-3130 Reviewing attorneys: Frank K. Boland (202) 622-3130 and Curt G. Wilson (202) 622-3000 Treasury attorney: John Parcell (202) 622-2578 CC:PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Celia A. Gabrysh

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC24**Title:** Guidance Regarding Application of Section 265(a)(2) and 246A in Transactions Involving Related Parties, Pass-Through Entities, or Other Intermediaries



**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 the linking of borrowing to investment, or 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.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7701(f); 26 USC 265(a); 26 USC 246A; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	05/07/2004	69 FR 25534
ANPRM Comment Period End	08/05/2004	
Withdrawn	08/22/2007	

**Additional Information:** REG-128572-03 Drafting attorney: David Silber (202) 622-3930 Reviewing attorney: Lon B. Smith (202) 622-3900 Treasury attorney: Michael Novey (202) 622-1339 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BC37

**Title:** Guidance on Passive Foreign Investment Company (PFIC) Purging Elections

**Abstract:** These proposed regulations will provide guidance regarding retroactive relief for 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(b)(1) or section 1297(e).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	12/08/2005	70 FR 72908
NPRM	12/08/2005	70 FR 72952
Final Action	09/27/2007	72 FR 54820

**Additional Information:** REG-133446-03 Drafting attorney: Paul J. Carlino(202) 622-3840 Reviewing attorney: Valerie A. Mark Lippe (202) 622-3840 Treasury attorney: David Ernack (202) 622-1754 CC:INTL

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

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** Undetermined

**Related RINs:** Related to 1545-BD33

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BC50

**Title:** Qualified Severance Regulations

**Abstract:** This regulation relates to generation-skipping transfer tax consequences of a qualified severance of a trust.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 26 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 2642(a)(3)(C); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/24/2004	69 FR 51967
NPRM Comment Period End	11/22/2004	
Final Action	08/02/2007	72 FR 42291

**Additional Information:** REG-145987-03 Drafting attorney: Mayer R. Samuels (202) 622-3090 Reviewing attorney: George Masnik (202) 622-3618 Treasury attorney: Catherine Hughes (202) 622-9407 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Split From 1545-BE70

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**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BC67**Title:** Section 1045 Application to Partnerships**Abstract:** The final regulations provide rules for section 1045 to partnerships and their partners.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/15/2004	69 FR 42370
Final Action	08/14/2007	72 FR 45346

**Additional Information:** REG-150562-03 Drafting attorneys: Jian H. Grant (202) 622-3050 Reviewing attorneys: James A. Quinn (202) 622-3070 and Mary Beth Collins (202) 622-3070 Treasury attorney: William Bowers (202) 622-5721 CC:PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jian H. Grant

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E-Mail: [jian.h.grant@irs.counsel.treas.gov](mailto:jian.h.grant@irs.counsel.treas.gov)**Department of the Treasury (TREAS)  
Internal Revenue Service ( IRS )****RIN:** 1545-BC92**Title:** Disclosures to Subcontractors**Abstract:** Amending existing regulations on disclosure of returns and return information in connection with procurement of property and services for tax administration purposes.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6103; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/12/2005	70 FR 2076
Final Action	06/05/2007	72 FR 30974

**Additional Information:** REG-148867-03 Drafting attorney: Helene R. Newsome (202) 622-4570 Reviewing attorney: Gerald R. Ryan (202) 622-4570 Treasury attorney: Eric San Juan (202) 622-0224 CC: PA: Branch 6

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Federal; Local; State

**Small Entities Affected:** Business; Governmental  
Jurisdictions; Organizations

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD18

**Title:** Real Estate Mortgage Investment Conduit (REMIC) Interest-Only Regular Interests

**Abstract:** These rules relate to the proper timing of income or deduction attributable to an interest-only regular interest in a Real Estate Mortgage Investment Conduit (REMIC).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	08/25/2004	69 FR 52212
Withdrawn	04/25/2007	

**Additional Information:** REG-106679-04 Drafting attorney: Kathleen A. Sleeth (202) 622-3920 Reviewing attorney: Elizabeth A. Handler (202) 622-3157 Treasury attorney: Michael Novey (202) 622-1339 CC:FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD23

**Title:** Guidance on Phased Retirement

**Abstract:** This guidance will lay out rules for establishing a bona fide phased retirement program. Generally, such a program would provide employees who are at or near eligibility for retirement with the opportunity for a reduced schedule and to receive a distribution of a proportionate share of their pension benefits based on their "partial retirement."

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/10/2004	69 FR 65108
NPRM Comment Period End	02/08/2005	
Final Action	05/22/2007	72 FR 28604

**Additional Information:** REG-114726-04 Drafting attorney: Cathy A. Vohs (202) 622-6090 Reviewing attorney: Janet Laufer (202) 622-6090 Treasury attorney: William Bortz (202) 622-1352 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD56

**Title:** Transfers of Assets or Stock Following a Reorganization

**Abstract:** This regulation provides amendments to section 1.368-2. The amendments address the effect of transfers of the assets or the stock of parties to a reorganization pursuant to transactions intended to qualify as reorganizations within the meaning of section 368(a) of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	08/18/2004	69 FR 51209
Final Action	10/25/2007	72 FR 60552

**Additional Information:** REG-130863-04 Drafting attorney: Mary W. Lyons (202) 622-7930 Reviewing attorney: Alfred C. Bishop, Jr. (202) 622-7930 CC: CORP

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Mary W. Lyons

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD61**Title:** Classification of Indian Tribal Corporations**Abstract:** The regulation will provide guidance regarding classification of Indian Tribal Corporations for Federal tax purposes.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7701; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	07/09/2007	

**Additional Information:** REG-136069-04 Drafting attorney: Steven A. Schmoll (202) 622-3050 Reviewing attorney:

Dianna K. Miosi (202) 622-3050 CC:PSI

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Steven A. Schmoll

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BD74**Title:** Guidance Under Section 707(c) Regarding Guaranteed Payments**Abstract:** This regulation will modify the regulations under section 707(c) to address certain situations involving guaranteed payments to partners.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action

**Major:** No**Unfunded Mandates:** No**CFR Citation:** None (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 26 USC 707; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Withdrawn	06/18/2007	

**Additional Information:** REG-144694-04 Drafting attorney: Jason T. Smyczek (202) 622-3050 Reviewing attorney: David R. Haglund (202) 622-3050 Treasury attorney: William Bowers (202) 622-5721 CC: PSI**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Jason T. Smyczek

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E-Mail: [jason.t.smyczek@irscounsel.treas.gov](mailto:jason.t.smyczek@irscounsel.treas.gov)**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE09**Title:** Elimination of Country-by-Country Reporting to Shareholders of Foreign Taxes Paid by Regulated Investment Companies**Abstract:** This regulation will generally eliminate country-by-country reporting to shareholders of foreign source income and foreign taxes paid by a regulated investment company (RIC). An RIC will continue to report this information directly to the IRS. The regulations will affect certain RICs that pay foreign taxes and their shareholders.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 26 USC 7805; 26 USC 6031**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	08/24/2006	71 FR 54598
NPRM Comment Period End	12/18/2006	
Final Action	08/24/2007	72 FR 48551

**Additional Information:** REG-105248-04 Drafting attorney: Richard LaFalce (202) 622-4108 Treasury attorneys: John Harrington (202) 622-0589 and Michael Novey (202) 622-1339 CC: FIP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE20**Title:** Withholding Exemptions

**Abstract:** These regulations provide guidance under section 3402(f) of the Internal Revenue Code for employers and employees relating to the Form W-4, "Employee's Withholding Allowance Certificate." These regulations provide rules for the submission of copies of certain withholding exemption certificates to the IRS, the notification provided to the employer and the employee of the maximum number of withholding exemptions permitted, and the use of substitute forms.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 31 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 3402; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	04/14/2005	70 FR 19721
NPRM Comment Period End	07/05/2005	
Final Action	07/13/2007	72 FR 38478

**Additional Information:** REG-162813-04 Drafting attorney: Ilya E. Enkishev (202) 622-0047 Reviewing attorney: Janine Cook (202) 622-0047 Treasury attorney: Kevin Knopf (202) 622-2329 CC: TEGE

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BE21**Agency Contact:** Ilya E. Enkishev

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE24**Title:** Section 6011 Regulations



**Abstract:** These regulations are an update to the taxpayer disclosure regulations for reportable transactions under section 1.6011-4.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6011; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/02/2006	71 FR 64488
NPRM Comment Period End	01/31/2007	
Hearing	02/15/2007	72 FR 7360
Final Action	08/03/2007	72 FR 43146

**Additional Information:** REG-103038-05 Drafting attorney: Charles D. Wien (202) 622-3070 Reviewing attorney: Christine Ellison (202) 622-3080 Treasury attorney: Anita Soucy (202) 622-1766 CC: PSI

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE25

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE26

**Title:** Section 6111 Regulations

**Abstract:** These regulations are for section 6111, as revised under the American Jobs Creation Act of 2004, which will provide the rules for material advisors regarding disclosure of reportable transactions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 26 USC 6111; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/02/2006	71 FR 64496
NPRM Comment Period End	01/31/2007	
Hearing	02/15/2007	72 FR 7360
Final Action	08/03/2007	72 FR 43157

**Additional Information:** REG-103039-05 Drafting attorney: Charles D. Wien (202) 622-3070 Reviewing attorney: Christine Ellison (202) 622-3080 Treasury attorney: Anita Soucy (202) 622-1766 CC:PSI

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

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE27

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE28

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**Title:** Section 6112 Regulations

**Abstract:** The regulations are an update to the list maintenance regulations under section 6112 to take into account changes to the statute made in the "American Jobs Creation Act of 2004."

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6112; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	11/02/2006	71 FR 64501
NPRM Comment Period End	01/31/2007	
Public Hearing	02/15/2007	72 FR 7361
Final Action	08/03/2007	72 FR 43154

**Additional Information:** REG-103043-05 Drafting attorney: Charles D. Wien (202) 622-3070 Reviewing attorney: Christine Ellison (202) 622-3080 Treasury attorney: Anita Soucy (202) 622-1766 CC: PSI

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

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BE29

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE34**Title:** Guidance Under Subpart F Relating to Partnerships**Abstract:** These proposed regulations provide guidance for determining that a Controlled Foreign Corporations' (CFCs) distributive share of partnership income will qualify for the exception contained in section 954(i).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/17/2006	71 FR 2496
NPRM Comment Period End	04/17/2006	
Final Action	07/13/2007	72 FR 38474

**Additional Information:** REG-106418-05 Drafting attorney: Kate Y. Hwa (202) 622-3840 Reviewing attorney: Phyllis E. Marcus (202) 622-3840 Treasury attorney: John Harrington (202) 622-0589 CC: INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Kate Y. Hwa

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE43**Title:** Disregarded Entities and Collections**Abstract:** Amending the regulations governing disregarded entities so that certain State law entities that currently are disregarded for all Federal tax purposes will be treated as entities separate from their owners in collecting and administering Federal employment and certain excise taxes.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1; 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	10/18/2005	70 FR 60475
NPRM Comment Period End	01/17/2006	
Final Action	08/16/2007	72 FR 45891

**Additional Information:** REG-114371-05 Drafting attorney: Michael H. Beker (202) 622-3070 Reviewing attorney: Mary Beth Collins (202) 622-3070 Treasury attorney: William Bowers (202) 622-5721 CC: PSI

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

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE47

**Title:** Information Returns Required With Respect to Certain Foreign Corporations and Other Conforming Changes

**Abstract:** This regulation will provide guidance regarding accounting methods and penalties under section 6038.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	06/21/2006	71 FR 35592
Final Action	07/13/2007	72 FR 38475

**Additional Information:** REG-109512-05 Drafting attorney: Kate Y. Hwa (202) 622-3840 Reviewing attorney: Phyllis Marcus (202) 622-3840 Treasury attorney: John Harrington (202) 622-0589 CC:INTL

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

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BE85

**Title:** Life/Non-Life Tacking Rule

**Abstract:** The proposed regulations address the tacking rule requirement relating to the separation of profit and loss activities.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 1502; 26 USC 7805; 26 USC 1503(c); 26 USC 1504(c)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	04/25/2006	71 FR 23856
NPRM	04/25/2006	71 FR 23882
NPRM Comment Period End	07/24/2006	
Final Action	07/20/2007	72 FR 39734

**Additional Information:** REG-133036-05 Drafting attorney: Marcie P. Barese (202) 622-7790 Reviewing attorney: Ross E. Poulsen (202) 622-7790 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Marcie P. Barese

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BE87

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**Title:** Treatment of Excess Loss Accounts**Abstract:** These regulations provide rules for allocation of basis of member stock in connection with certain intragroup transactions.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 1502**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/26/2006	71 FR 4319
NPRM Comment Period End	04/26/2006	
Final Action	07/18/2007	72 FR 39313

**Additional Information:** REG-138879-05 Drafting attorney: Theresa M. Kolish (202) 622-7530 Reviewing attorney: Marie Milnes-Vasquez (202) 622-7530 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )**

**RIN:** 1545-BF04

**Title:** Designated Roth Accounts Under Section 402A

**Abstract:** Taxation of distributions from designated Roth accounts in qualified cash or deferred arrangements under IRC 401 (K).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/26/2006	71 FR 4320
NPRM Comment Period End	04/26/2006	
Final Action	04/30/2007	72 FR 21103

**Additional Information:** REG-146459-05 Drafting attorney: Cathy A. Vohs (202) 622-6090 Reviewing attorney: Lisa Mojiri-Azad (202) 622-6090 Treasury attorney: Harlan Weller (202) 622-1001 CC:TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF05

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF16**Title:** Revision of Treasury Regulation Section 1.1561-3 To Comply With Commissioner's e-File Program and With the Recommendations of TIGTA Report**Abstract:** These temporary regulations simplify, clarify, or eliminate reporting burdens. These regulations also eliminate regulatory impediments to the electronic filing of certain statements that taxpayers are required to include on or with their Federal income tax returns.**Priority:** Info./Admin./Other**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 1561; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/30/2006	71 FR 30591
NPRM	06/30/2006	71 FR 30640
NPRM Comment Period End	08/28/2006	
Final Action	06/14/2007	72 FR 32794

**Additional Information:** REG-134317-05 Drafting attorney: Grid R. Glyer (202) 622-7930 Reviewing attorney: Steve Hankin (202) 622-7930 CC: CORP**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Grid R. Glyer  
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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF35**Title:** Section 3121(a)(5)(D) Regulation (Salary Reduction Agreement) (Temporary)

**Abstract:** The temporary regulation defines the term "salary reduction agreement" within the meaning of section 3121(a)(5) (D) as a plan or arrangement whereby payment will be made by an employer to an annuity described in section 403(b) if an employee elects to reduce his compensation or if an employee agrees as a condition of employment to make a mandatory contribution that reduces his compensation.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 31 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 6302

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/26/2007	72 FR 41128

**Additional Information:** REG-155608-02 Drafting attorney: Neil D. Shephard (202) 622-6040 Reviewing attorney: John B. Richards (202) 622-6040 Treasury attorney: Kevin Knopf (202) 622-2329 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** Governmental Jurisdictions; Organizations

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Previously Reported as 1545-BB64

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF66

**Title:** Clarification of Section 6411 Regulations Relating to Tentative Carryback Allowance

**Abstract:** These temporary regulations clarify that, after being computed under the terms of the section 1.6411-2 regulations, a tentative carryback adjustment may be reduced under section 1.6411-3 by unassessed amounts. In order to account for the IRS's current organizational structure, the proposed regulations removes the titles district director and service center director throughout.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.6411-2T; 26 CFR 1.6411-3T (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 6411; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/27/2007	72 FR 48933



**Additional Information:** REG-118886-06 Drafting attorney: Cynthia A. McGreevy (202) 622-4910 Reviewing attorneys: Pamela W. Fuller (202) 622-3600 and Curtis G. Wilson (202) 622-7800 Treasury attorney: Michael Desmond (202) 622-1981 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BF65

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BF82

**Title:** Return Required by Subchapter T Cooperatives Under Section 6012

**Abstract:** This regulation will prescribe the form that cooperatives must use to file their income tax returns.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR part 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Action	07/30/2007	72 FR 41441

**Additional Information:** REG-149436-04 Drafting attorney: Matthew P. Howard (202) 622-4910 Reviewing attorney: James C. Gibbons (202) 622-4910 CC: PA: Branch 1

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG00

**Title:** Exclusion of Income From the International Operation of Ships or Aircraft (Temporary)

**Abstract:** The regulation will address amendments to section 1.883-3 regulations.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.883-0; 26 CFR 1.883-1; 26 CFR 1.883-2; 26 CFR 1.883-3; 26 CFR 1.883-4; 26 CFR 1.883-5; ...  
(To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805; 26 USC 883**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/25/2007	72 FR 34600

**Additional Information:** REG-138707-06 Drafting attorney: Patricia A. Bray (202) 622-3880 Reviewing attorney: Elizabeth U. Karzon (202) 622-3880 CC:INTL**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1545-BF90**Agency Contact:** Patricia A. Bray

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**Department of the Treasury (TREAS)**  
**Internal Revenue Service ( IRS )****RIN:** 1545-BG19**Title:** Disclosure Requirements With Respect to Prohibited Tax Shelter Transactions**Abstract:** These temporary regulations will provide guidance under sections 6033(a)(2) and 6011(g) of the Internal Revenue Code relating to disclosure obligations with respect to prohibited tax shelter transactions to which tax-exempt entities are parties.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 1.6033-4 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/06/2007	72 FR 36869

**Additional Information:** REG-142039-06 Drafting attorney: Galina V. Kolomietz (202) 622-6070 Reviewing attorney: Michael Blumenfeld (202) 622-1124 CC: TEGE**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** Business; Governmental  
Jurisdictions; Organizations**Federalism:** No**Related RINs:** Related to 1545-BG18

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG24**Title:** Change to Office to Which Notices of Nonjudicial Sale and Request for Return of Wrongfully Levied Property Must Be Sent**Abstract:** This temporary regulation amends regulations currently published under I.R.C. sections 6343 and 7425, relating to requests for return of wrongfully levied property and notices of non-judicial sale, to eliminate references to obsolete IRS officials and offices.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301.6343-2; 26 CFR 301.7425-3 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 6343; 26 USC 7425; 26 USC 7805**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	07/20/2007	72 FR 39737

**Additional Information:** REG-148951-05 Drafting attorney: Robin M. Ferguson (202) 622-3630 Reviewing attorneys: Mitchel Hyman (202) 622-3600 Pamela Fuller (202) 622-3600 Dominic Paris (202) 622-3400 Treasury attorney: Anita Soucy (202) 622-1766 CC: PA: Branch 4**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robin M. Ferguson

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E-Mail: [robin.m.ferguson@irsounsel.treas.gov](mailto:robin.m.ferguson@irsounsel.treas.gov)**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG44**Title:** Qualified Zone Academy Bonds; Obligations of States and Political Subdivisions

**Abstract:** Temporary regulations provide guidance to States and local governments that issue qualified zone academy bonds and to banks, insurance companies, and other taxpayer hold those bonds regarding the program requirements for qualified zone academy bonds under section 1397E of the Internal Revenue Code.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.1397E-1T (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 1397E; 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/16/2007	72 FR 38767

**Additional Information:** REG-121475-03 Drafting attorney: Zoran Stojanovic (202) 622-3721 Reviewing attorney: Timothy L. Jones (202) 622-3701 CC: FIP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** Local; State

**Small Entities Affected:** Governmental Jurisdictions

**Federalism:** No

**Energy Affected:** No

**Public Comment URL:** [www.regulations.gov/\(IRS REG-121475-03\)](http://www.regulations.gov/(IRS%20REG-121475-03))

**Related RINs:** Related to 1545-BC61

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG46

**Title:** Deemed IRAs in Governmental Plans/Qualified Nonbank Trustee Rules

**Abstract:** Finalizing temporary regulations allowing governmental entities to act as nonbank trustees for deemed IRAs which are part of the entities' qualified plan.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1.408-2(e); 26 CFR 1.408(a); 26 CFR 1.408(q)-1(f)(1) (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 408(q); 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Final Action	06/18/2007	72 FR 33387

**Additional Information:** REG-101447-04 Drafting attorney: Linda L. Conway (202) 622-6952 Reviewing attorney: Cathy A. Vohs (202) 622-6090 Treasury attorney: Harlan Weller (202) 622-1001 CC: TEGE

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Local; State**Small Entities Affected:** No**Federalism:** No**Agency Contact:** Linda L. Conway

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG64**Title:** Application of Section 6404(g) of the Internal Revenue Code Suspension Provisions**Abstract:** The temporary regulations, under section 6404(g)(2)(E) of the Internal Revenue Code on the suspension of any interest, penalty, addition to tax, or additional amount with respect to listed or other reportable transactions, provide guidance to individual taxpayers who have participated in listed or reportable transactions.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 26 CFR 301 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 26 USC 7805(a)**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/21/2007	72 FR 34176

**Additional Information:** REG-149036-04 Drafting attorney: Stuart Spielman (202) 622-3620 Reviewing attorney: Brinton T. Warren (202) 622-4940 Treasury attorney: Anita Soucy (202) 622-1790 CC: PA: Branch 5**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Related RINs:** Related to 1545-BE07; Related to 1545-BG75**Agency Contact:** Stuart Spielman

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG66**Title:** Built-in Gains and Losses Under Section 382(h)

**Abstract:** The IRS is issuing temporary regulations providing guidance on the treatment of prepaid income under section 382(h).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805; 26 USC 382(h)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/14/2007	72 FR 32792

**Additional Information:** REG-144540-06 Drafting attorney: Keith E. Stanley (202) 622-3152 Reviewing attorney: Mark S. Jennings (202) 622-8167 Treasury attorney: Marc Countryman (202) 622-9858 CC: CORP

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1545-BG03

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**Department of the Treasury (TREAS)****Internal Revenue Service ( IRS )****RIN:** 1545-BG95

**Title:** Regulations To Prescribe Forms for Payment of Section 4965 Taxes

**Abstract:** These regulations provide that certain tax-exempt entities ("non-plan entities") that are liable for Internal Revenue Code section 4965 excise taxes and entity managers of such entities who are liable for section 4965 excise taxes are required to file Form 4720. The regulations also provide that entity managers of certain tax-exempt entities ("plan entities") who are liable for section 4965 excise taxes are required to file Form 5330. The regulations also specify the filing dates for those returns.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 26 CFR 53.6011-1; 26 CFR 53.6071-1; 26 CFR 54.6011-1 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 26 USC 7805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	07/06/2007	72 FR 36871

**Additional Information:** REG-139268-06 Drafting attorney: Galina V. Kolomietz (202) 622-6070 Reviewing attorney: Michael Blumenfeld (202) 622-1124 CC: TEGE

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Related RINs:** Related to 1545-BG20

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**Department of the Treasury (TREAS)****Office of Thrift Supervision ( OTS )****RIN:** 1550-AC17

**Title:** Unfair or Deceptive Acts or Practices

**Abstract:** OTS issued an advance notice of proposed rulemaking to solicit comment on its regulations relating to unfair or deceptive acts or practices to determine whether and, if so, to what extent, additional regulation is needed to ensure customers of OTS-regulated entities are treated fairly.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** PreRule

**Major:** No

**Unfunded Mandates:** Undetermined

**CFR Citation:** 12 CFR 535 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1820; 12 USC 1828; 12 USC 1831p-1; 12 USC 1881-1884; 15 USC 57a

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	08/06/2007	72 FR 43570
ANPRM Comment Period End	11/05/2007	

**Regulatory Flexibility Analysis**

**Government Levels Affected:** Undetermined

**Required:** Undetermined

**Federalism:** Undetermined

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**Department of the Treasury (TREAS)  
Office of Thrift Supervision ( OTS )****RIN:** 1550-AB92**Title:** Securities-Related Activities of Savings Associations

**Abstract:** OTS is proposing to reduce regulatory burden by updating and revising its rules on securities-related activities of savings associations. First, the proposed rule describes the existing authority of Federal savings associations to engage in various securities broker, dealer, and underwriting activities under the Home Owners' Loan Act (HOLA). This description should reduce compliance burdens by making OTS positions regarding the permissibility of these activities readily available to all. OTS is also updating the existing prohibition on the sale of debt and equity securities issued by a savings association or its affiliate at the offices of a savings association. This change will reduce burden on savings associations by adding new exceptions and by eliminating consumer protection rules that overlap, and in some cases conflict, with other Agency guidance. Finally, the proposed rule would eliminate various obsolete OTS securities activity regulations.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 12 CFR 506; 12 CFR 545; 12 CFR 559; 12 CFR 563 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 12 USC 375b; 12 USC 1462 to 1462a; 12 USC 1463 to 1464; 12 USC 1467a; 12 USC 1468; 12 USC 1817; 12 USC 1820; 12 USC 1828; 12 USC 1831o; 12 USC 3806; 42 USC 4106; 44 USC 3501 et seq

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** Undetermined**Small Entities Affected:** Business**Federalism:** Undetermined**Energy Affected:** No**Agency Contact:** Judi McCormick

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**Department of the Treasury (TREAS)  
Office of Thrift Supervision ( OTS )****RIN:** 1550-AB98



**Title:** Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Maintenance: Domestic Capital Modifications

**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 considering various revisions to the risk-based capital framework. In October 2005, the Agencies published an ANPRM suggesting various approaches designed to enhance the framework's risk sensitivity and to minimize competitive disparities between larger banking organizations that will be subject to the advanced approaches implemented under the new Basel Capital Framework and other banking organizations that will not be subject to these advanced approaches. After a review of public comments on the ANPRM, the Agencies published an NPRM for implementation of this capital framework on December 26, 2006. In response to public comments, the Agencies intend to issue a second NPRM proposing a different capital framework. This new NPRM would propose to implement a U.S. version of the standardized approach to credit risk and an approach for operational risk contained in the "International Convergence on Capital Measurement and Capital Standards" published by the Basel Committee on Banking Supervision in June 2006.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 12 CFR 567 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463 to 1464; 12 USC 1467a; 12 USC 1828 note

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	10/20/2005	70 FR 61068
ANPRM Comment Period End	01/18/2006	
NPRM	12/26/2006	71 FR 77446
NPRM Comment Period End	03/26/2007	
NPRM	01/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related Agencies:** Joint : OCC; Joint : FRS; Joint : FDIC

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**Department of the Treasury (TREAS)  
Office of Thrift Supervision (OTS)****RIN:** 1550-AC01**Title:** Procedures To Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies Under Section 312 of the Fair and Accurate Credit Transactions Act

**Abstract:** The Office of the Comptroller of the Currency, Federal Reserve Board, Federal Deposit Insurance Corporation, Office of Thrift Supervision, National Credit Union Administration and Federal Trade Commission issued an Advance Notice of Proposed Rulemaking to gather information for developing guidelines and regulations required by section 312 of the Fair and Accurate Credit Transactions Act (FACT Act). Pursuant to section 312, the Agencies must (1) establish guidelines for use by persons that furnish information to consumer reporting agencies regarding the accuracy and integrity of the consumer information that they furnish to those agencies; and (2) prescribe regulations that require furnishers to establish reasonable policies and procedures for implementing the guidelines. Section 312 also requires the agencies jointly to prescribe regulations that identify the circumstances under which a furnisher shall be required to reinvestigate a dispute concerning the accuracy of information contained in a consumer report on a consumer based on a direct request of the consumer. The comment period closed in May 2006 and the various agencies are developing the proposed rule.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 571 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1828; 12 USC 1831p-1; 12 USC 1881-1884; 15 USC 1681s; 15 USC 1681s-2**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	03/22/2006	71 FR 14419
ANPRM Comment Period End	05/22/2006	
NPRM	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Suzanne McQueen

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**Department of the Treasury (TREAS)  
Office of Thrift Supervision (OTS)****RIN:** 1550-AC13**Title:** Recordkeeping Requirements for Savings Association Exceptions From Securities Broker or Dealer Registration

**Abstract:** The Gramm-Leach-Bliley Act of 1999 replaced broad exceptions for banks from the definitions of "broker" and "dealer" under the Securities Exchange Act of 1934 with specific exceptions. Each of the exceptions permits a bank to act as a broker or dealer with respect to specified securities products or in transactions that meet specific statutory conditions without being subject to regulation by the Securities Exchange Commission (SEC). More recently, the Financial Services Regulatory Relief Act of 2006 extended these same exceptions to savings associations and required the SEC and the Board of Governors of the Federal Reserve System (FRB) to jointly issue a rule to implement the exceptions. They issued a proposed rule on December 26, 2006. Following adoption of a final rule, the OTS, Office of the Comptroller of the Currency, FRB, and Federal Deposit Insurance Corporation will propose substantively identical recordkeeping rules for savings associations and banks and seek to avail themselves of the specific exceptions.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1467a

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Office of Thrift Supervision ( OTS )****RIN:** 1550-AB56

**Title:** Implementation of a Revised Basel Capital Accord (Basel II)

**Abstract:** In 2003, 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 (collectively, the "Federal Banking Agencies") sought industry comment on a proposed framework for implementing the New Basel Capital Accord in the United States. The advance notice of proposed rulemaking (ANPRM) described significant elements of the Advanced Internal Ratings-Based approach for credit risk and the Advanced Measurement Approaches for operational risk (together, the advanced approaches). In the fourth quarter of 2004, the Federal Banking Agencies began a quantitative impact study to help determine the potential impact of implementing the capital framework set forth in the "International Convergence of Capital Measurement and Capital Standards: A Revised Framework," which updates and makes some significant revisions to the preliminary New Basel Capital Accord document from 2003, upon which the above ANPRM was based. After review of the results of the quantitative impact study and after further review and full consideration of public comments received on the ANPRM, the Federal Banking Agencies published a notice of proposed rulemaking for implementation of this capital framework. The NPRM specified 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 would 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.

**Priority:** Economically Significant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 12 CFR 567 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1828 (note)**Legal Deadline:** None**Regulatory Plan:**

**Statement of Need:** This rulemaking is necessary to implement an international initiative regarding the capital adequacy regulation of certain domestic financial institutions. Specifically, this rulemaking implements the "International Convergence of Capital Measurement and Capital Standards" (Basel II), which comprehensively revised the 1988 "International Convergence of Capital Measurement and Capital Standards" into the standards and requirements that will govern the largest savings associations in the United States.

**Legal Basis:** OTS is implementing the Basel II capital framework for certain domestic financial institutions. This initiative is based on the OTS' general rulemaking authority under the Home Owners' Loan Act, and its authority under 12 USC 1464(t). 12 USC 1464(t)(1) specifically authorizes OTS to establish minimum capital levels for savings associations, including risk-based capital standards.

**Alternatives:** Not yet determined.**Costs and Benefits:** See Economic Data.**Risks:** Not yet determined.**Timetable:**

Action	Date	FR Cite
ANPRM	08/04/2003	68 FR 45900
ANPRM Comment Period End	11/03/2003	
NPRM	09/25/2006	71 FR 55830
NPRM Comment Period Extended	12/26/2006	71 FR 77518
NPRM Comment Period End	01/23/2007	
NPRM Comment Period End	03/26/2007	
Final Rule	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Related to 1550-AB11**Related Agencies:** Joint: OCC; Joint: FRS; Joint: FDIC**Agency Contact:** Michael D. Solomon

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision ( OTS )****RIN:** 1550-AC00**Title:** Federal Savings Association Bylaws; Integrity of Directors

**Abstract:** OTS is proposing to change its regulations concerning corporate governance to include a preapproved bylaw that federally chartered savings associations and mutual holding companies may adopt to preclude persons who, among other things, are under indictment for, or have been convicted of, certain crimes involving dishonesty or breach of trust, or have been subject to certain cease and desist orders entered by any of the banking agencies, from being members of, or nominating others to be on, the Federal savings association's or mutual holding company's board of directors.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 12 CFR 544; 12 CFR 552 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463 to 1464; 12 USC 1467a; 12 USC 2901 et seq**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/14/2006	71 FR 7695
NPRM Comment Period End	04/17/2006	
Final Rule	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Aaron Kahn

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision ( OTS )****RIN:** 1550-AC02

**Title:** Risk Based Capital--Market Risk Rule

**Abstract:** The OTS has proposed a market risk capital rule that would require certain savings associations to adjust their risk-based capital ratios to explicitly reflect market risk. The proposed rule is identical to the rules proposed by the other Banking Agencies (OCC, FRB, and FDIC).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** Undetermined

**CFR Citation:** 12 CFR 567 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463 to 1464; 12 USC 1467a; 12 USC 1828 note

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	09/25/2006	71 FR 55958
NPRM Comment Period End	01/23/2007	
Final Rule	11/00/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Office of Thrift Supervision ( OTS )****RIN:** 1550-AC10

**Title:** Permissible Activities of Savings and Loan Holding Companies

**Abstract:** OTS is proposing to revise its holding company regulations to permit savings and loan holding companies to engage in the same activities that are permitted for bank holding companies. In addition, OTS proposes to amend a separate provision of its holding company regulations to conform the regulation to the statute it is intended to implement, and to provide approval standards for applications submitted pursuant to the statutory requirement.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 584 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1468**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/27/2007	72 FR 14246
NPRM Comment Period End	04/26/2007	
Interim Final Rule	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Don Dwyer

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**Department of the Treasury (TREAS)****Office of Thrift Supervision ( OTS )****RIN:** 1550-AC12**Title:** Model Privacy Form Under the Gramm-Leach-Bliley Act

**Abstract:** OCC, the Board, FDIC, NCUA, FTC, CFTC, SEC, and OTS (the Agencies) are proposing amendments to their rules that implement the privacy provisions of the Gramm-Leach-Bliley Act. These rules require financial institutions to provide initial and annual privacy notices to their customers. As required under section 728 of the Financial Services Regulatory Relief Act of 2006, the Agencies are proposing a safe harbor model privacy form that financial institutions may use to provide disclosures under the privacy rules. This proposal would remove the Sample Clauses contained in these rules as of two years after the date a final rule is published.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 12 CFR 573 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1828; 15 USC 6801 et seq; PL 109-351, sec 728, 120 Stat 2003**Legal Deadline:**

Action	Source	Date
NPRM	Statutory	04/11/2007

**Timetable:**

Action	Date	FR Cite
NPRM	03/29/2007	72 FR 14940
NPRM Comment Period End	05/29/2007	
Interim Final Rule	06/00/2008	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** No**Small Entities Affected:** Business**Federalism:** No**Energy Affected:** No**Related Agencies:** Joint : OCC; Joint : FRS; Joint : FDIC; Joint : NCUA; Joint : CFTC; Joint : SEC; Joint : FTC**Agency Contact:** Ekita Mitchell

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**Department of the Treasury (TREAS)****Office of Thrift Supervision ( OTS )****RIN:** 1550-AC14**Title:** Prohibited Service at Savings and Loan Holding Companies

**Abstract:** OTS adopted an interim final rule implementing section 710(a) of the Financial Services Regulatory Relief Act of 2006, which added a new section 19(e) to the Federal Deposit Insurance Act (FDIA). Section 19(e) of the FDIA prohibits any person who has been convicted of any criminal offense involving dishonesty or a breach of trust, or money laundering, or has agreed to enter into a pretrial diversion or similar program in connection with a prosecution for such an offense from holding certain positions with respect to a savings and loan holding company (SLHC). The interim rule describes the actions that are prohibited under the new statute and describes procedures for applying for an OTS order granting a case-by-case exemption. The rule also provides two regulatory exemptions: (1) An exemption for certain SLHC employees whose activities and responsibilities are limited solely to agriculture, forestry, retail merchandising, manufacturing, or public utilities operations, and (2) A temporary exemption for certain persons who held positions with respect to a SLHC as of the date of enactment of section 19(e) of the FDIA.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 12 CFR 509; 12 CFR 585 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 504; 5 USC 554 to 557; 12 USC 1464; 12 USC 1467; 12 USC 1467a; 12 USC 1468; 12 USC 1817(j); 12 USC 1818; 12 USC 1820(k); 12 USC 1829(e); 12 USC 3349; 12 USC 4717; 15 USC 78(l); 15 USC 78o-5; 28 USC 2461 note; 31 USC 5321; 42 USC 4012a; 12 USC 1462; 12 USC 1462a; 12 USC 1463

**Legal Deadline:** None**Timetable:**



Action	Date	FR Cite
Interim Final Rule	05/08/2007	72 FR 25948
Interim Final Rule Comment Period End	07/09/2007	
Interim Final Rule	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Donna Deale

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**Department of the Treasury (TREAS)****Office of Thrift Supervision ( OTS )****RIN:** 1550-AC15**Title:** Optional Charter Provisions in Mutual Holding Company Structures**Abstract:** OTS is proposing to amend its mutual holding company (MHC) regulations to permit certain MHC subsidiaries to adopt an optional charter provision that would prohibit any person from acquiring, or offering to acquire, beneficial ownership of more than ten percent of the MHC subsidiary's minority stock (stock held by persons other than the subsidiary's MHC).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 12 CFR 575 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1828; 12 USC 2901**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	06/27/2007	72 FR 35205
NPRM Comment Period End	08/27/2007	
Interim Final Rule	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision ( OTS )****RIN:** 1550-AC16

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**Title:** Personal Transactions in Securities

**Abstract:** Office of Thrift Supervision (OTS) regulations currently require certain officers and employees of savings associations to file reports of their personal securities transactions with the savings association within ten business days after the end of each calendar quarter. OTS is amending 12 CFR 551.150(a) to provide that such reports must be filed no later than 30 calendar days after the end of each calendar quarter. As a result of this amendment, the time period for officers and employees of savings associations to file the report will be consistent with the time period for persons in similar positions at investment companies to file such reports under regulations promulgated by the Securities and Exchange Commission.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 551 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 1462a; 12 USC 1463; 12 USC 1464**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/01/2007	72 FR 30473
Interim Final Rule Comment Period End	07/31/2007	
Interim Final Rule Effective	11/07/2007	72 FR 62768
Final Rule	01/00/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Agency Contact:** Judi McCormick

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision ( OTS )**

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**RIN:** 1550-AB90

**Title:** Fair Credit Reporting Affiliate Marketing Regulations

**Abstract:** OCC, the Board, FDIC, OTS, and NCUA (Agencies) published for comment proposed regulations to implement the affiliate marketing provisions in section 214 of the Fair and Accurate Credit Transactions Act of 2003, which amends the Fair Credit Reporting Act. The proposed regulations generally prohibit a person from using information received from an affiliate to make a solicitation for marketing purposes to a consumer, unless the consumer is given notice and an opportunity and simple method to opt out of the making of such solicitations. The comment period closed in August 2004 and the various agencies are developing the final rule.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 12 CFR 571 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 12 USC 1462a; 12 USC 1463 to 1464; 12 USC 1467a; 12 USC 1828; 12 USC 1831p-1; 12 USC 1881 to 1884; 15 USC 1681s; 15 USC 1681s-3; PL 108-159, sec 214, 117 Stat 1952

**Legal Deadline:** Section 214 of the FACT Act adds a new section 624 to the FCRA. This new provision gives consumers the right to restrict a person from using certain information about a consumer obtained from an affiliate to make solicitations to that consumer. That section also requires the Agencies, in consultation and coordination with each other, to issue regulations in final form implementing section 214 not later than 9 months after the date of enactment--effective not later than September 4, 2004.

Action	Source	Date
Other	Statutory	09/04/2004

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/2004	69 FR 42502
NPRM Comment Period End	08/16/2004	
Final Rule	11/07/2007	72 FR 62909
Final Action Effective	01/01/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1550-AB33

**Related Agencies:** Joint: OCC; Joint: FRS; Joint: FDIC; Joint: NCUA

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision (OTS)****RIN:** 1550-AB94

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**Title:** Identity Theft Detection, Prevention, and Mitigation Program for Financial Institutions and Creditors

**Abstract:** The banking agencies, NCUA, and FTC (the Agencies) issued a proposed rule implementing sections 114 and 315 of the FACT Act. Section 114 requires the agencies to develop guidelines for use in identifying patterns, practices, and specific forms of activity that indicate the possible existence of identity theft. The Agencies are also required to issue regulations requiring each financial institution and creditor to establish reasonable policies and procedures to implement such guidelines. The regulations must contain a provision requiring a card issuer to notify the cardholder if the card issuer receives a notice of change of address for an existing account, and a short time later receives a request for an additional or replacement card. Section 315 requires the Agencies to issue regulations regarding reasonable policies and procedures that a user of a consumer report should employ when the user receives a notice of address discrepancy from a consumer reporting agency. The comment period closed in September 2006 and the various agencies are developing the final rule.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 571 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 15 USC 1681c; 15 USC 1681m; 15 USC 1681s; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1828; 12 USC 1831p-1; 12 USC 1881-1884**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/18/2006	71 FR 40786
NPRM Comment Period End	09/18/2006	
Final Rule	11/09/2007	72 FR 63718
Final Action Effective	01/01/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision ( OTS )****RIN:** 1550-AC03

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**Title:** Supplemental Standards of Ethical Conduct for Employees of the Department of Treasury

**Abstract:** The Department of the Treasury (Department) is amending the Supplemental Standards of Ethical Conduct for Employees of the Department. The final rule revises the circumstances under which covered Office of Thrift Supervision (OTS) employees may obtain credit cards and loans secured by a principal residence from OTS-regulated savings associations or their subsidiaries. This amendment also modifies rules on disqualifications.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 5 CFR 3101 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 5 USC 301; 5 USC 7301; 5 USC 7353; 5 USC App (Ethics in Government Act of 1978); 18 USC 212 to 213; 26 USC 7214(b); EO 12674, 54 FR 15159, 3 CFR, 1989 Comp, p 215, as modified by EO 12731, 55 FR 42547, 3 CFR, 1990 Comp, p 306; 5 CFR 2635.105; 5 CFR 2635.203(a); 5 CFR 2635.403(a); 5 CFR 2635.803; 5 CFR 2635.807(a)(2)(ii)

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Rule Effective	08/23/2007	
Final Rule	08/23/2007	72 FR 48221

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Peter Coniglio

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision ( OTS )**

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**RIN:** 1550-AC07

**Title:** Stock Benefit Plans in Mutual-To-Stock Conversions and Mutual Holding Company Structures

**Abstract:** OTS issued final regulations regarding stock benefit plans established after mutual-to-stock conversions or in mutual holding company structures. In addition, OTS made several other minor changes to the regulations governing mutual-to-stock conversions and minority stock issuances.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 12 CFR 563b; 12 CFR 575 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 12 USC 1462 to 1462a; 12 USC 1463 to 1464; 12 USC 1467a; 12 USC 2901; 15 USC 78c; 15 USC 78l to 78n; 12 USC 78w; 12 USC 1828

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	07/20/2006	71 FR 41179
NPRM Comment Period End	09/18/2006	
Final Rule	06/27/2007	72 FR 35145
Final Rule Effective	10/01/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision ( OTS )**

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**RIN:** 1550-AC09

**Title:** Management Official Interlocks

**Abstract:** OCC, the Board, FDIC, and OTS (collectively, the Agencies) are amending their rules regarding management interlocks to implement section 610 of the Financial Services Regulatory Relief Act of 2006 (Pub. L. 109-251, 120 Stat. 1966) (FSRRA).

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Completed Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** 12 CFR 563f (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 12 USC 3201 to 3208

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	01/11/2007	
Interim Final Rule	01/11/2007	72 FR 1274
Interim Final Rule Comment Period End	02/12/2007	
Final Rule Effective	07/16/2007	
Final Rule	07/16/2007	72 FR 38753

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)**  
**Office of Thrift Supervision (OTS)****RIN:** 1550-AC11**Title:** Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks

**Abstract:** The Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (FRB), the Federal Deposit Insurance Corporation (FDIC), and the Office of Thrift Supervision (OTS) (the Agencies) jointly issued an interim rule to implement section 605 of the Financial Services Regulatory Relief Act of 2006 (FSRRA), and Public Law No. 109-473, collectively, the Examination Amendments on April 10, 2007. The Examination Amendments permit insured depository institutions that have up to \$400 million in total assets, and that meet certain other criteria, to qualify for an 18-month (rather than 12-month) on-site examination cycle. Prior to enactment of FSRRA, only institutions with less than \$250 million in total assets were eligible for an 18-month on-site examination cycle. In addition to implementing the changes in the Examination Amendments, the Agencies are clarifying when a small insured depository institution is considered "well managed" for purposes of qualifying for an 18-month examination cycle. The Agencies issued a final rule on September 25, 2007.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 563 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**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**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	04/10/2007	
Interim Final Rule	04/10/2007	72 FR 17798
Interim Final Rule Comment Period End	05/10/2007	
Interim Final Rule	09/25/2007	72 FR 54347

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robyn Dennis

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**Department of the Treasury (TREAS)**  
**Comptroller of the Currency (OCC)****RIN:** 1557-AC89**Title:** Accuracy and Integrity of Information Furnished to a Consumer Reporting Agency

**Abstract:** OCC, along with the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of Thrift Supervision, the National Credit Union Administration, and the Federal Trade Commission, plans to issue a proposed rulemaking that would implement section 312 of the FACT Act relating to the accuracy and integrity of the information furnished to a consumer reporting agency and the ability of consumers to dispute information directly with persons who furnish information to a consumer reporting agency.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))



**Legal Authority:** 12 USC 1 et seq; 12 USC 24 (seventh); 12 USC 93a; 12 USC 481; 12 USC 484; 12 USC 1818; 15 USC 1681a; 15 USC 1681b; 15 USC 1681s; 15 USC 1681s-2; 15 USC 1681w; 15 USC 6801; 15 USC 6805

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	03/22/2006	71 FR 14419
ANPRM Comment Period End	05/22/2006	
NPRM	11/00/2007	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Comptroller of the Currency ( OCC )****RIN:** 1557-AC95

**Title:** Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Domestic Capital Modifications (Basel II Standardized Approach)

**Abstract:** As part of OCC's ongoing efforts to develop and refine the capital standards to enhance their risk sensitivity and ensure the safety and soundness of the national banking system, OCC is proposing to amend various provisions of the capital rules. The changes involve amending current capital rules for those banks that will not be subject to the advanced internal ratings-based approaches. The OCC is conducting this rulemaking jointly with the other Federal banking agencies.

**Priority:** Other Significant

**Agenda Stage of Rulemaking:** Proposed Rule

**Major:** Yes

**Unfunded Mandates:** No

**CFR Citation:** 12 CFR 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 12 USC 93a; 12 USC 3907; 12 USC 3909

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
ANPRM	10/20/2005	70 FR 61068
ANPRM Comment Period End	01/18/2006	
NPRM	12/26/2006	71 FR 77446
NPRM Comment Period End	03/26/2007	
Other	01/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Small Entities Affected:** No

**Federalism:** No

**Energy Affected:** No

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**Department of the Treasury (TREAS)****Comptroller of the Currency ( OCC )****RIN:** 1557-AC79**Title:** Regulatory Burden Reduction and Technical Amendments

**Abstract:** This rulemaking would revise the OCC's rules in order to reduce regulatory burden and make technical, clarifying, and conforming changes. The revisions would update part 1 to codify recent OCC precedents and clarify current requirements; make technical changes to parts 4 and 5 to reflect the OCC's current organizational restructuring; simplify, clarify, and make conforming and technical corrections to the OCC's corporate application procedures and standards in part 5; conform parts 5, 23, 31, and 32 to the Federal Reserve Board's Regulation W; revise part 7 to clarify a national bank's authority to act as a guarantor or surety; update and clarify national bank authority to engage in electronic activities; conform part 9 to regulations adopted by the Securities and Exchange Commission; streamline certain requirements under part 16; amend part 34 to provide additional flexibility in selecting indices for use with adjustable rate mortgages; update and make technical corrections to part 37; amend various parts of title 12 to remove OCC authority over District of Columbia-chartered banks pursuant to the 2004 District of Columbia Omnibus Authorization Act; and amend parts 5, 7, 19, and 24 to reflect changes made by the Financial Services Regulatory Relief Act of 2006 (Pub. L. 109-351, 10/13/2006).

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

**CFR Citation:** 12 CFR 1 to 5; 12 CFR 7; 12 CFR 9 to 11; 12 CFR 16; 12 CFR 19; 12 CFR 21; 12 CFR 22 to 23; 12 CFR 26 to 28; 12 CFR 31 to 32; 12 CFR 37; 12 CFR 40 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 5 USC 301; 5 USC 504; 5 USC 552; 5 USC 554 to 557; 12 USC 1 et seq; 12 USC 24; 12 USC 24a; 12 USC 71; 12 USC 71a; 12 USC 84; 12 USC 92 to 92a; 12 USC 93 to 93a; 12 USC 161; 12 USC 164; 12 USC 215a-2; 12 USC 215a-3; 12 USC 375a to 375b; 12 USC 481 to 482; 12 USC 484; 12 USC 505; 12 USC 1442; 12 USC 1817 to 1818; 12 USC 1820 to 1821; 12 USC 1831m; 12 USC 1831p-1; 12 USC 1831o; 12 USC 1833e; 12 USC 1867; 12 USC 1951 et seq; 12 USC 1972; 12 USC 2601 et seq; 12 USC 2801 et seq; 12 USC 2901 et seq; 12 USC 3101 et seq; 12 USC 3102; 12 USC 3108; 12 USC 3401 et seq; 12 USC 3909; 12 USC 4717; 15 USC 77uu; 15 USC 78; 15 USC 78o-4; 15 USC 78o-5; 15 USC 78q; 15 USC 78q-1; 15 USC 78s; 15 USC 78u-2; 15 USC 78u-3; 15 USC 78w; 18 USC 641; 18 USC 1905 and 1906; 28 USC 2461 note; 29 USC 1204; 31 USC 330; 31 USC 5321; 31 USC 9701; 42 USC 3601; 42 USC 4012a; 42 USC 4104a; 42 USC 4104b; 42 USC 4106; 42 USC 4128; 44 USC 3506; 44 USC 3510

**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/03/2007	72 FR 36550
NPRM Comment Period End	09/04/2007	
Final Action	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Comptroller of the Currency ( OCC )****RIN:** 1557-AC87**Title:** Identity Theft Detection, Prevention, and Mitigation Program for Financial Institutions and Creditors

**Abstract:** OCC, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of Thrift Supervision the National Credit Union Administration, and the Federal Trade Commission the Agencies are issuing a joint final rule establishing guidelines and regulations to implement section 114 and final rules to implement section 315 of the FACT Act of 2003. Section 114 requires the Agencies to jointly issue guidelines for financial institutions and creditors identifying patterns, practices, and specific forms of activity that indicate the possible existence of identity theft. In addition, the Agencies must issue regulations requiring each financial institution and creditor to establish reasonable policies and procedures to implement the guidelines. The regulations must contain a provision requiring a card issuer to notify the cardholder if the card issuer receives a notice of change of address for an existing account, and a short time later receives a request for an additional or replacement card. Section 315 of the FACT Act requires the Agencies to issue a regulation describing reasonable policies and procedures for a user of consumer credit reports that receives a notice of discrepancy from a consumer reporting agency, informing the user of a substantial discrepancy between the address for the consumer that the user provided to request the consumer report and the addresses in the file of the consumer reporting agency.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 41 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 15 USC 1681c; 15 USC 1681m**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	07/18/2006	71 FR 40786
NPRM Comment Period End	09/18/2006	
Final Action	11/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Deborah Katz

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**Department of the Treasury (TREAS)  
Comptroller of the Currency ( OCC )****RIN:** 1557-AC91**Title:** Implementation of a Revised Basel Capital Accord (Basel II)

**Abstract:** As part of 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, OCC is amending various provisions of the capital rules for national banks. This change involves the implementation of the new framework for the Basel Capital Accord (Basel II). OCC is conducting this rulemaking jointly with the other Federal Banking Agencies. In addition, the Federal Banking Agencies also have published for comment additional proposed Basel II Guidance. See 72 FR 9084 (February 28, 2007).

**Priority:** Economically Significant**Agenda Stage of Rulemaking:** Final Rule**Major:** Yes**Unfunded Mandates:** Private Sector**CFR Citation:** 12 CFR 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 93a; 12 USC 3907; 12 USC 3909**Legal Deadline:** None**Regulatory Plan:**

**Statement of Need:** This rulemaking is necessary to implement an international initiative regarding the capital adequacy regulation of certain domestic financial institutions. Specifically, this rulemaking implements the "International Convergence of Capital Measurement and Capital Standards" (Basel II), which comprehensively revises the 1988 "International Convergence of Capital Measurement and Capital Standards" into the standards and requirements that will govern the largest banks in the United States.

**Legal Basis:** OCC is implementing the Basel II capital framework for certain domestic financial institutions. This initiative is based on the OCC's general rulemaking authority in 12 U.S.C. 93a and its specific authority under 12 U.S.C. 3907 and 3909. 12 U.S.C. 3907(a)(2) specifically authorizes OCC to establish minimum capital levels for financial institutions that OCC, in its discretion, deems necessary or appropriate.

**Alternatives:** Please see the OCC's regulatory impact analysis, which can be found in its entirety at <http://www.occ.treas.gov/law/basel.htm> under the link of "Regulatory Impact Analysis for Risk-Based Capital Standards: Revised Capital Adequacy Guidelines (Basel II), Office of the Comptroller of the Currency, International and Economic Affairs (2006)."

**Costs and Benefits:** Not yet determined.**Risks:** Not yet determined.**Timetable:**

Action	Date	FR Cite
ANPRM	08/04/2003	68 FR 45900
NPRM	09/25/2006	71 FR 55830
NPRM Comment Period Extended	12/26/2006	71 FR 77518
NPRM Comment Period End	01/23/2007	
Final Action	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Related RINs:** Split From 1557-AB14

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**Department of the Treasury (TREAS)****Comptroller of the Currency ( OCC )****RIN:** 1557-AC99**Title:** Risk-Based Capital Standards: Market Risk

**Abstract:** As part of the ongoing effort to implement the Basel II capital framework, the OCC is amending the current market risk capital requirements for national banks. See the International Convergence of Capital Measurement and Capital Standards: A Revised Framework (June 2004) and the Application of Basel II to Trading Activities and the Treatment of Double Default (April 2005). This rule is part of a rulemaking with the other Federal banking agencies to make the current market risk capital requirements generally more risk sensitive for trading activities in banks and bank holding companies. Specifically, the Federal banking agencies plan to issue a final rule to require banks to hold additional capital for the risk of default of trading positions beyond the 10-day horizon currently required by the current market risk capital requirement. A bank may develop its own approach or use an approach similar to that for credit risk of its non-trading positions to calculate the capital charge.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 3 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 1 et seq; 12 USC 93a; 12 USC 161; 12 USC 1818; 12 USC 3907; 12 USC 3909**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	09/25/2006	71 FR 55958
NPRM Comment Period End	01/23/2007	
Final Action	12/00/2007	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Ron Shimabukuro

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**Department of the Treasury (TREAS)****Comptroller of the Currency ( OCC )****RIN:** 1557-AD03

**Title:** Lending Limits Pilot Program

**Abstract:** On June 7, 2007, the OCC issued an interim rule with a request for comment that made permanent the limits pilot program, which authorizes special national bank lending limits for one to four family residential real estate loans, small business loans, and small farm loans. The OCC will issue a final rule that reflects comments received from the public.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Final Rule

**Major:** Undetermined

**Unfunded Mandates:** No

**CFR Citation:** 12 CFR 32 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 12 USC 1 et seq; 12 USC 84; 12 USC 93a

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	06/07/2007	
Interim Final Rule	06/07/2007	72 FR 31441
Interim Final Rule Comment Period End	07/09/2007	
Final Action	01/00/2008	

**Regulatory Flexibility Analysis Required:** No

**Government Levels Affected:** No

**Federalism:** No

**Energy Affected:** No

**Related RINs:** Related to 1557-AB82; Related to 1557-AC83

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**Department of the Treasury (TREAS)****Comptroller of the Currency ( OCC )****RIN:** 1557-AB93

**Title:** Recordkeeping Requirements for Bank Exceptions From Securities Broker or Dealer Registration

**Abstract:** This joint rulemaking would implement section 204 of the Gramm-Leach-Bliley Act (GLB Act). Section 204 directs OCC, the Board of Governors of the Federal Reserve System (FRB), the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision to establish recordkeeping requirements for banks relying on exceptions to the definitions of "broker" and "dealer" contained in paragraphs (4) and (5) of section 3(a) of the Securities Exchange Act of 1934. Pursuant to section 101 of the Financial Services Regulatory Relief Act of 2006, the Securities & Exchange Commission (SEC) and the FRB jointly published proposed rules to implement the "broker" provisions of the GLB Act on December 26, 2006, with a public comment period that closes on March 26, 2007. The rulemaking to implement section 204 of the GLB Act will commence upon the adoption of a final rule by the SEC and the FRB.

**Priority:** Substantive, Nonsignificant

**Agenda Stage of Rulemaking:** Long-term Action

**Major:** No

**Unfunded Mandates:** No

**CFR Citation:** Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#))

**Legal Authority:** 12 USC 93a; 12 USC 1828(t)

**Legal Deadline:** None

**Timetable:**

Action	Date	FR Cite
NPRM	00/00/0000	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Stuart E. Feldstein

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**Department of the Treasury (TREAS)****Comptroller of the Currency ( OCC )****RIN:** 1557-AC80**Title:** Interagency Proposal for Model Privacy Form Under the Gramm-Leach-Bliley Act

**Abstract:** Pursuant to section 728 of the Financial Services Regulatory Relief Act, the OCC, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of Thrift Supervision, the National Credit Union Administration, the Federal Trade Commission, the Commodities Futures Trading Commission, and the Securities and Exchange Commission jointly are proposing to amend their rules that implement sections 502 and 503 of the Gramm-Leach-Bliley Act to allow financial institutions to provide a safe harbor model privacy form. This proposal also would remove the sample clauses contained in these rules as of 2 years after the publication date of a final rule.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 40 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 15 USC 6801 et seq

**Legal Deadline:** Section 728 of the Financial Services Regulatory Relief Act of 2006 (Pub. L. 109-351, Oct. 13, 2006) requires that a model privacy form be issued in proposed form for comment no later than April 11, 2007.

Action	Source	Date
NPRM	Statutory	04/11/2007

**Timetable:**

Action	Date	FR Cite
Final Action	00/00/0000	
ANPRM	12/30/2003	68 FR 75164
ANPRM Comment Period End	03/29/2004	
NPRM	03/29/2007	72 FR 14940
NPRM Comment Period End	05/29/2007	

**Regulatory Flexibility Analysis****Required:** Undetermined**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No

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**Department of the Treasury (TREAS)****Comptroller of the Currency ( OCC )****RIN:** 1557-AC88**Title:** Fair Credit Reporting: Affiliate Marketing Regulations

**Abstract:** 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 plan to issue a rulemaking that would implement the affiliate-sharing provisions of section 214 of the Fair and Accurate Credit Transactions Act (FACT Act). The regulation would implement the consumer notice and opt-out provisions of the FACT Act regarding the sharing of consumer information among affiliates for marketing purposes.

**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 41 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )

**Legal Authority:** 12 USC 1 et seq; 12 USC 24 (seventh); 12 USC 93a; 12 USC 481; 12 USC 484; 12 USC 1818; 15 USC 1681a; 15 USC 1681b; 15 USC 1681s; 15 USC 1681w; 15 USC 6801; 15 USC 6805; PL 108-159

**Legal Deadline:**

Action	Source	Date
Other	Statutory	09/04/2004

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/2004	69 FR 42502
Final Action	11/07/2007	72 FR 62909
Final Action Effective	01/01/2008	

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Patrick T. Tierney

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**Department of the Treasury (TREAS)  
Comptroller of the Currency ( OCC )****RIN:** 1557-AD01**Title:** Management Official Interlocks

**Abstract:** OCC, along with the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision amended their rules regarding management interlocks to implement section 610 of the Financial Services Regulatory Relief Act of 2006 and to correct an inaccurate cross-reference in their existing regulations.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 26 (To search for a specific CFR, visit the [Code of Federal Regulations](#) )**Legal Authority:** 12 USC 93a; 12 USC 3201 to 3208**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	01/11/2007	
Interim Final Rule	01/11/2007	72 FR 1274
Interim Final Rule Comment Period End	02/12/2007	
Final Action	07/16/2007	72 FR 38753

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Heidi M. Thomas

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E-Mail: [heidi.thomas@occ.treas.gov](mailto:heidi.thomas@occ.treas.gov)**Department of the Treasury (TREAS)  
Comptroller of the Currency ( OCC )****RIN:** 1557-AD02**Title:** Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks

**Abstract:** The OCC issued final rule to amend 12 CFR part 4, the rule concerning the frequency of examination of national banks. The rule implements section 605 of the Financial Services Regulatory Relief Act of 2006, Public Law 109-351, 120 Stat. 1966 (2006)(FSRRA), and conforming amendments made in H.R. 6345, Public Law 109-473, 120 Stat. 3561 (2007). Section 605 of the FSRRA increased the availability of the extended 18-month examination cycle to well-qualified banks, e.g. those that are well-managed and well-capitalized, with composite Uniform Financial Institutions Rating System (UFIRS) supervisory ratings of "outstanding" (UFIRS 1) and assets of \$500 million or less. Under the current version of part 4, extended examination cycles are only available to well-qualified banks with assets of \$250 million or less. OCC revised part 4 to raise that figure to \$500 million. The rule also implements the discretion granted the OCC in H.R. 6345 to permit well-qualified banks with \$500 million or less in total assets and composite ratings of "good" (UFIRS 1 or 2) to qualify for an 18-month examination cycle. The rule defines the term "well managed" to mean a bank with a UFIRS rating of 1 or 2 for management in the bank's latest supervisory review.

**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action

**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 4 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 93a; 5 USC 552; EO 12600; 5 USC 301; 12 USC 161; 12 USC 481 to 482; 12 USC 484(a); 12 USC 1442; 12 USC 1817(a)(3); 12 USC 1818(u) to 1818(v); 12 USC 1820(d)(6); 12 USC 1820(k); 12 USC 1821(c); 12 USC 1821(o); 12 USC 1821(t); 12 USC 1831m; 12 USC 1831p-1; 12 USC 1831o; 12 USC 1867; 12 USC 1951 et seq; 12 USC 2601 et seq; 12 USC 2801 et seq; 12 USC 2901 et seq; 12 USC 3101 et seq; 12 USC 3401 et seq; 15 USC 77uu(b); 15 USC 78q(c) (3); 18 USC 641; 18 USC 1905 to 1906; 29 USC 1204; 31 USC 9701; 42 USC 3601; 44 USC 3506; 44 USC 3510; 12 USC 1833e**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Interim Final Rule Effective	04/10/2007	
Interim Final Rule	04/10/2007	72 FR 17798
Interim Final Rule Comment Period End	05/10/2007	
Final Action	09/25/2007	72 FR 54347

**Regulatory Flexibility Analysis Required:** No**Government Levels Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Mitchell Plave

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