

III. Other Matters

Impact on the Environment

A Finding of No Significant Impact with respect to the environment was made in accordance with HUD regulations at 24 CFR part 50 that implement section 102(2)(C) of the National Environmental Policy Act of 1969, 42 U.S.C. 4332, in connection with the HFA Risk Sharing final rule. That Finding of No Significant Impact remains applicable to this technical confirming rule, and is available for public inspection and copying during regular business hours (7:30 a.m. to 5:30 p.m.) in the Office of the Rules Docket Clerk, room 10276, 451 Seventh Street, SW, Washington, DC 20410-0500.

Federalism Impact

The General Counsel, as the Designated Official under section 6(a) of Executive Order 12612, Federalism, has determined that the policies contained in this rule do not have significant impact on States or their political subdivisions since the requirements of the rule are limited to technical amendments necessary to carry out accurately the provisions of programs whose regulations were not amended in the original Consolidated Plan rule.

Impact on the Family

The General Counsel, as the Designated Official under Executive Order 12606, The Family, has determined that this rule does not have potential for significant impact on family formation, maintenance, and general well-being, and, thus is not subject to review under the Order since it is only a technical, confirming rule.

Impact on Small Entities

The Secretary, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this rule before publication and by approving it certifies that this rule will not have a significant impact on a substantial number of small entities, because it imposes no new burdens on jurisdictions.

Regulatory Agenda

This rule was not listed in the Department's Semiannual Regulatory Agenda published on November 14, 1994 (59 FR 57632, 57641), under Executive Order 12866 and the Regulatory Flexibility Act.

List of Subjects in 24 CFR Part 266

Aged, Fair housing, Intergovernmental relations, Mortgage insurance, Low and moderate income housing, Reporting and recordkeeping requirements.

In accordance with the reasons set forth in the preamble, 24 CFR part 266 is amended as follows:

PART 266—HOUSING FINANCE AGENCY RISK-SHARING PROGRAM FOR INSURED AFFORDABLE MULTIFAMILY PROJECT LOANS

1. The authority citation for part 266 continues to read as follows:

Authority: 12 U.S.C. 1707; 42 U.S.C. 3535(d).

2. In § 266.201, paragraph (b) is revised to read as follows:

§ 266.210 HUD-retained review functions.

* * * * *

(b) *Environmental review requirements.* To determine compliance with the requirements of the National Environmental Policy Act of 1969 and related laws and authorities, the HUD Field Office (or other responsible entity through such delegation as may be in effect by regulation hereafter) will visit each project site proposed for insurance under this part and prepare the applicable environmental reviews as set forth in 24 CFR part 50 (or as set forth in 24 CFR part 58 for the other responsible entity). These requirements must be completed before HUD may issue the firm approval letter.

* * * * *

Dated: March 28, 1995.

Nicolas P. Retsinas,

Assistant Secretary for Housing-Federal Housing Commissioner.

[FR Doc. 95-8054 Filed 3-30-95; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 8584]

RIN 1545-AK03

Capitalization of Interest; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document contains corrections to the final regulations [TD 8584] which were published in the **Federal Register** for Thursday, December 29, 1994 (59 FR 67187). The final regulations relate to the requirement to capitalize interest with respect to the production of property.

EFFECTIVE DATE: January 1, 1995.

FOR FURTHER INFORMATION CONTACT: Jan L. Skelton, (202) 622-4970 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these corrections are under section 263A(f) of the Internal Revenue Code.

Need for Correction

As published, the final regulations contains errors that are misleading and in need of correction.

Correction of Publication

Accordingly, the publication of final regulations which is the subject of FR Doc. 94-31431, is corrected as follows:

1. On page 67190, column 1, in the preamble following the paragraph heading "In General", second full paragraph, eighth line from the bottom of the paragraph, the word "that" is corrected to read "than".

2. On page 67190, column 1, in the preamble following the paragraph heading "In General", second full paragraph, sixth line from the bottom of the paragraph, the word "for" is corrected to read "under".

3. On page 67190, column 2, in the preamble following the paragraph heading "Accounts Payable and Simplification Rule for Tracing", third full paragraph, line 8, the language "expenditures for all property. IRS and" is corrected to read "expenditures for all property. The IRS and".

4. On page 67191, column 1, in the preamble following the paragraph heading "Notional Principal Contracts", line 1, the word "principle" is corrected to read "principal".

5. On page 67192, in the preamble following the paragraph heading "Land Attributable to Benefitted Property", line 11 from the top of column 1, the word "on" is corrected to read "of".

6. On page 67192, column 3, in the preamble following the paragraph heading "Utilities—Construction Work in Process", paragraph 2, line 7, the language "FAS" is corrected to read "SFAS".

7. On page 67195, column 1, in the preamble following the paragraph heading "In General", paragraph 2, line 1, the date "August 17, 1998" is corrected to read "August 17, 1988".

8. On page 67195, column 2, in the preamble following the paragraph heading "Consolidated Return Interest Rule", first full paragraph, line 5 from the bottom of the paragraph, the language "interest intragroup debt, but at the same" is corrected to read

“interest on intragroup debt, but at the same”.

9. On page 67195, in the preamble following the paragraph heading “Comments on Related Person Rules”, line 4 from the top of column 3, the language “Rev. Proc.” is corrected to read “Notice”.

§ 1.263A-0 [Corrected]

10. On page 67197, column 1, § 1.263A-0, the contents entry for § 1.263A-9(g)(6) is corrected to read as follows:

§ 1.263A-0 Outline of regulations under section 263A.

* * * * *

§ 1.263A-9 The avoided cost method.

* * * * *

(g) * * *

(6) Notional principal contracts and other derivatives. [Reserved]

* * * * *

§ 1.263A-8 [Corrected]

11. On page 67198, column 2, § 1.263A-8, paragraph (b)(2)(iii), line 3, the language “the thresholds under paragraphs” is corrected to read “the classification thresholds under paragraphs”.

12. On page 67198, column 3, § 1.263A-8, paragraph (c)(1), last line of the paragraph, the language “windowpanes.)” is corrected to read “windowpanes).”.

13. On page 67199, column 3, § 1.263A-8, paragraph (d)(2)(v)(B), line

3, the language “meaning of section 460(e)(6)(A) with” is corrected to read “meaning of section 460(e)(6)(A) with”.

14. On page 67199, column 3, § 1.263A-8, paragraph (d)(2)(v)(B), line 5, section “460(d)(1)(B)(i)” is corrected to read “460(e)(1)(B)(i)”.

§ 1.263A-9 [Corrected]

15. On page 67200, column 3, § 1.263A-9, paragraph (b)(2), line 7 from the bottom of the paragraph, the language “the rules of § 1.163-8T Traced debt also” is corrected to read “the rules of § 1.63-8T. Traced debt also”.

16. On page 67200, column 3, § 1.263A-9, in the paragraph heading of paragraph (c)(1), line 2, the word “Rule” is corrected to read “rule”.

17. On page 67200, column 3, § 1.263A-9, paragraph (c)(1) introductory text, last line in the column, the word “production” is corrected to read “product”.

18. On page 67201, column 1, § 1.263A-9, paragraph (c)(3), paragraph (i) of *Example.*, line 12, the language “\$1,000,000 (loan #). The loan is nontraced” is corrected to read “\$1,000,000 (loan #1). The loan is nontraced”.

19. On page 67201, column 2, § 1.263A-9, paragraph (c)(5)(i)(B), in the *Example.*, line 6, the figure “\$2,500,00” is corrected to read “\$2,500,000”.

20. On page 67202, column 1, § 1.263A-9, in paragraph (c)(5)(iii)(D), line 2, the language “nontraced debt or

rate is contingent—If” is corrected to read “nontraced debt or rate is contingent. If”.

21. On page 67202, column 2, § 1.263A-9, paragraph (c)(6), paragraph (ii) of *Example 2.*, line 9, the language “([1,400,000 – 1,000,000]+” is corrected to read “([1,400,000 – 1,000,000)+”

22. On page 67202, column 2, § 1.263A-9, in the paragraph heading of paragraph (c)(7), line 3, the period is removed.

23. On page 67202, column 3, § 1.263A-9, paragraph (c)(7)(ii)(A), line 3, the word “expenditures” is corrected to read “expenditure”.

24–25. On page 67203, column 1, § 1.263A-9, paragraph (e)(1), line 11, the word “trade” is corrected to read “trace”.

26. On page 67203, column 1, § 1.263A-9, paragraph (e)(2), line 7, the language “\$10,000,000 gross receipts test for all” is corrected to read “\$10,000,000 gross receipts test) and the taxpayer has met the \$10,000,000 gross receipts for all”.

27. On page 67203, column 1, § 1.263A-9, in the paragraph heading of paragraph (f), line 3, the period is removed.

28. On page 67204, § 1.263A-9, paragraph (f)(3), paragraph (i) of *Example 3.*, line 2 of the table is corrected to read as follows:

No.	Principal	Annual rate (percent)	Period outstanding	Use of proceeds
2	2,000,000	11	6/01–12/31	Nontraced.

29. On page 67204, column 1, § 1.263A-9, paragraph (f)(3), paragraph (v) of *Example 3.*, last line, the language “\$500,000+\$1,000,000+\$1,600,000+4.” is corrected to read “\$500,000+\$1,000,000+\$1,600,000+4).”.

30. On page 67205, column 2, § 1.263A-9, the paragraph designated (g)(2)(iv)(c) is correctly designated paragraph (g)(2)(iv)(C).

31. On page 67205, column 2, § 1.263A-9, paragraph (g)(2)(v), line 4, the word “provisions” is corrected to read “provision”.

32. On page 67205, column 3, § 1.263A-9, paragraph (g)(2)(v), paragraph (i) of *Example 1.*, line 2 from the bottom of the paragraph, the language “[135,000×\$108,000)], \$75,000 is deferred” is corrected to read

“[135,000+\$108,000)], \$75,000 is deferred”.

33. On page 67205, column 3, § 1.263A-9, paragraph (g)(2)(v), paragraph (ii) of *Example 1.*, line 6, the language “is 11.6 percent ([135,000×\$108,000]÷” is corrected to read “is 11.6 percent ([135,000+\$108,000]÷”.

34. On page 67206, column 3, § 1.263A-9, paragraph (g)(3)(iii)(E), in the *Example.*, line 7 from the bottom of the column, the letter “S” is corrected to read “X”.

35. On page 67206, column 3, § 1.263A-9, paragraph (g)(3)(iii)(E), in the *Example.*, line 3 from the bottom of the column, the language “segment is 3-year inventory. Under paragraph” is corrected to read “segment is 3-year old inventory. Under paragraph”.

36. On page 67207, column 2, § 1.263A-9, paragraph (g)(5)(iii), paragraph (i) of *Example.*, the last line of the paragraph, the language “([600,000÷\$6,000,000]×5,000,000).” is corrected to read “(600,000÷\$6,000,000×5,000,000).”.

§ 1.263A-10 [Corrected]

37. On page 67207, column 3, the section heading designated “§ 1.263-10” is correctly designated “§ 1.263A-10”.

38. On page 67209, column 1, § 1.263A-10, paragraph (b)(5)(iv), the first line of column 1, the word “period” is corrected to read “periods”.

39. On page 67209, column 2, § 1.263A-10, paragraph (b)(6), paragraph (ii) of *Example 3.*, line 7, the word “lost” is corrected to read “lot”.

40. On page 67209, column 2, § 1.263A-10, paragraph (b)(6), paragraph (ii) of *Example 3*, line 8, the word "paragraph" is corrected to read "paragraphs".

41. On page 67209, column 2, § 1.263A-10, paragraph (b)(6), paragraph (ii) of *Example 3*, line 6 from the bottom of the paragraph, the language "paragraph (b)(5) of this section. Under" is corrected to read "paragraph (b)(5) of this section). Under".

42. On page 67210, column 1, § 1.263A-10, paragraph (b)(6), in *Example 6*, line 7, the language "the costs of the allocable share of swimming" is corrected to read "the costs of the allocable share of the swimming".

§ 1.263A-11 [Corrected]

43. On page 67211, column 1, § 1.263A-11, paragraph (c)(2), line 3, the regulation section "§ 1.263A-8(d)(2)(ii)" is corrected to read "1.263A-8(d)(2)(ii)".

44. On page 67211, column 1, § 1.263A-11, paragraph (d)(1), line 23, the language "or units of production, If an asset used" is corrected to read "or units of production. If an asset used".

45. On page 67211, column 2, § 1.263A-11, paragraph (e)(1)(ii) introductory text, line 2, the language "a unit of real property" is corrected to read "a unit of real property—".

46. On page 67211, column 3, § 1.263A-11, paragraph (e)(1)(iii), line 4, the word "the" is corrected to read "that".

47. On page 67211, column 3, § 1.263A-11, paragraph (e)(2), line 5, the language "property costs are excluded from the" is corrected to read "property costs) are excluded from the".

§ 1.263A-12 [Corrected]

48. On page 67212, column 3, § 1.263A-12, paragraph (d)(4), line 3, the word "example" is corrected to read "examples".

49. On page 67212, column 3, § 1.263A-12, paragraph (e)(2) introductory text, line 1, the word "The" is corrected to read "The".

§ 1.263A-13 [Corrected]

50. On page 67213, column 3, § 1.263A-13, paragraph (a), line 2 from the bottom of the paragraph, the language "and costs of features based on the" is corrected to read "and costs of common features based on the".

51. On page 67214, column 3, § 1.263A-13, paragraph (c)(7), paragraph (ii) of *Example*, line 2, the language "the meaning of paragraph (c)(2)(i) of

this" is corrected to read "the meaning of paragraph (c)(2)(i) of this".

Cynthia E. Grigsby,
Chief, Regulations Unit, Associate Chief Counsel (Corporate).

[FR Doc. 95-7857 Filed 3-30-95; 8:45 am]

BILLING CODE 4830-01-P

26 CFR Part 1

[TD 7837]

Income Tax; Taxable Years Beginning After December 31, 1953; Treatment of Losses on Small Business Stock; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correcting amendments.

SUMMARY: This document contains a correction to final regulations [TD 7837] which were published in the **Federal Register** for Wednesday, September 29, 1982 (47 FR 42728). The final regulations restate and clarify a formula relating to the computation of the amount received for designated stock by a small business corporation.

EFFECTIVE DATE: March 31, 1995.

FOR FURTHER INFORMATION CONTACT: Christina Vasquez, (202) 622-7190 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of these correcting amendments are under section 1244 of the Internal Revenue Code of 1954.

Need for Correction

As published, the final regulations contains an error that is misleading and in need of correction.

List of Subjects in 26 CFR Part 1

Income taxes, Reporting and recordkeeping requirements.

Accordingly, 26 CFR Part 1 is corrected by making the following correcting amendments:

PART 1—INCOME TAXES

Paragraph 1. The authority citation for Part 1 continues to read in part as follows:

Authority: 26 U.S.C. 7805 * * *.

Par. 2. Section 1.1244(c)-2(b)(2)(i) is amended by revising the last sentence as follows:

§ 1.1244(c)-2 Small business corporation defined.

* * * * *
(b) * * *

(2) * * *

(i) * * * The amount received for designated stock shall not exceed \$1,000,000 less amounts received—

(A) In exchange for stock in years prior to the transitional year;

(B) As contributions to capital in years prior to the transitional year; and

(C) As paid-in surplus in years prior to the transitional year.

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Cynthia E. Grigsby,

Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

[FR Doc. 95-7969 Filed 3-30-95; 8:45 am]

BILLING CODE 4830-01-P

26 CFR Part 18

[TD 7976]

Certain Elections Under the Deficit Reduction Act of 1984; Correction

AGENCY: Internal Revenue Service, Treasury.

ACTION: Correcting amendment.

SUMMARY: This document contains a correction to the temporary regulations (TD 7976), which were published in the **Federal Register** on Monday, September 10, 1984 (49 FR 35486), relating to the time and manner of making certain elections under the Deficit Reduction Act of 1984.

EFFECTIVE DATE: March 31, 1995.

FOR FURTHER INFORMATION CONTACT: Cynthia Grigsby, (202) 622-7180 (not a toll-free call).

SUPPLEMENTARY INFORMATION:

Background

The temporary regulations that are the subject of this correction are under various sections of the Internal Revenue Code of 1954 and the Deficit Reduction Act of 1984 (98 Stat. 494).

Need for Correction

As published, TD 7976 contains an error which may prove to be misleading and is in need of clarification.

List of Subjects in 26 CFR Part 18

Income taxes, Reporting and recordkeeping requirements.

Accordingly, 26 CFR part 18 is corrected by making the following correcting amendment:

PART 18—TEMPORARY INCOME TAX REGULATIONS UNDER THE SUBCHAPTER S REVISION ACT OF 1982

Paragraph 1. The authority citation for part 18 continues to read in part as follows: