

**DEPARTMENT OF THE TREASURY****Internal Revenue Service****26 CFR Part 1**

[TD 8635]

RIN 1545-AS92

**Nonbank Trustee Net Worth Requirements; Correction**

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to final regulations (TD 8635) which were published in the Federal Register on Wednesday, December 20, 1995 (60 FR 65547), and relates to nonbank trustees with respect to the adequacy of net worth requirements that must be satisfied in order to be or remain an approved nonbank trustee.

**EFFECTIVE DATE:** December 20, 1995.

**FOR FURTHER INFORMATION CONTACT:** Marjorie Hoffman, (202) 622-6030 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

The final regulations that are the subject of these corrections are under sections 401 and 408 of the Internal Revenue Code.

**Need for Correction**

As published, the final regulations (TD 8635) contain errors that are misleading and in need of clarification.

**Correction of Publication**

Accordingly, the publication of the final regulations (TD 8635), which was the subject of FR Doc. 95-30684, is corrected as follows:

**§ 1.401(f)-1 [Corrected]**

1. On page 65549, column 1, amendatory instruction 2. under "Par. 4.", line 1 is corrected by adding a closed quotation mark following the number "401(d)(1)".

**§ 1.408-2 [Corrected]**

2. On page 65549, column 1, amendatory instruction 8. under "Par. 5.", line 3, the language "the language '(n)(3) to (n)(7)' and" is corrected to read "the language '(n)(3) to (7)' and".

3. On page 65549, column 1, amendatory instruction 9. under "Par. 5.", in line 5, the language "adding 'the address prescribed by the'" is corrected to read "adding 'address prescribed by the'"; and in the last two lines, the language "(e)(6)(9)(iv), and in the first

sentence of newly designated (e)(6)(v)(B)." is corrected to read "(e)(6)(iv), and in the first sentence of newly designated (e)(7)(v)(B)."

4. On page 65549, column 2, amendatory instruction 17. under "Par. 5." is corrected to read as follows:

17. Removing the language "subparagraph, subdivision (n)(3)(v)" and adding "paragraph (e)(5), and paragraph (e)(2)(v)" in its place, and removing the language "subparagraph (n)(8)" and adding "paragraph (e)(7)" in its place, in newly designated paragraph (e)(5)(viii).

5. On page 65549, column 2, amendatory instruction 18. under "Par. 5.", line 3, the language "(e)(5)(i)(A)(3)" in its place, and " is corrected to read "(e)(5)(i)(A)(3)" in its place, and".

6. On page 65549, column 2, amendatory instruction 20. under "Par. 5." is corrected to read as follows:

20. Adding new paragraphs (e)(5)(ii)(A) and (D).

7. On page 65549, column 2, § 1.408-2 (e)(5)(ii)(A), second line from the bottom of the paragraph, the reference to "paragraph (e)(6)(ii)(B) and (C)" is corrected to read "paragraph (e)(5)(ii)(B) and (C)".

8. On page 65549, column 3, § 1.408-2 (e)(5)(ii)(D), sixth line from the top of the column, the reference to "paragraph (e)(5)(ii)(B)(2)" is corrected to read "paragraph (e)(5)(ii)(B)(2)".

9. On page 65549, column 3, § 1.408-2 (e)(5)(ii)(D), eighth line from the top of the column, the reference to "paragraph (e)(5)(ii)(C)(2)" is corrected to read "paragraph (e)(5)(ii)(C)(2)".

10. On page 65549, column 3, § 1.408-2 (e)(5)(ii)(D)(2), paragraph (c) of the *Example*, line 2, the reference to "§ 1.408-2 (e)(6)(ii)(B)" is corrected to read "§ 1.408-2 (e)(5)(ii)(B)".

11. On page 65550, column 1, § 1.408-2 (e)(5)(ii)(D)(2), paragraph (d) of the *Example*, line 2, the reference to "§ 1.408-2 (e)(6)(ii)(C)" is corrected to read "§ 1.408-2 (e)(5)(ii)(C)".

Michael L. Slaughter,

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

[FR Doc. 96-6624 Filed 3-19-96; 8:45 am]

BILLING CODE 4830-01-P

**26 CFR Parts 1, 31, and 35a**

[TD 8637]

RIN 1545-AT76

**Backup Withholding, Statement Mailing Requirements, and Due Diligence; Correction**

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Correction to final and temporary regulations.

**SUMMARY:** This document contains corrections to final and temporary regulations (TD 8637) which were published in the Federal Register Thursday, December 21, 1995 (60 FR 66105), providing final and temporary rules on backup withholding, statement mailing requirements, and due diligence.

**EFFECTIVE DATE:** December 21, 1995.

**FOR FURTHER INFORMATION CONTACT:** Renay France of the Office of Assistant Chief Counsel (Income Tax and Accounting) with respect to domestic transactions, (202) 622-4910 (not a toll-free call); and Teresa Burrige Hughes of the Office of Assistant Chief Counsel (International) with respect to international transactions, (202) 622-3880 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

The final and temporary regulations that are the subject of these corrections are under sections 3406, 6042, 6044, 6049, and 6050N of the Internal Revenue Code.

**Need for Correction**

As published, the final and temporary regulations (TD 8637) contain errors which may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication of the final regulations (TD 8637), which was the subject of FR Doc. 95-30733, is corrected as follows:

**§ 1.6049-6 [Corrected]**

1. On page 66111, column 2, in the Par. 4. amendatory instruction, an amendatory instruction is added after 2.c. to read "d. Paragraph (a), fifth sentence."

**§ 31.3406(d)-4 [Corrected]**

2. On page 66126, column 1, § 31.3406(d)-4 (a)(3), line 18, the language "as described in sections 3406(a)(1)(B) or" is corrected to read "as described in section 3406(a)(1)(B) or".

3. On page 66126, column 2, § 31.3406(d)-4 (b)(1)(iii), line 4, the language "subject to withholding under sections" is corrected to read "subject to withholding under section".

**§ 31.3406(h)-2 [Corrected]**

4. On page 66130, column 3, § 31.3406(h)-2 (b)(2)(i), line 5, the language "under section 3406 31 percent of the fair" is corrected to read

"under section 3406, 31 percent of the fair".

#### **PART 35a— [CORRECTED]**

5. On page 66134, columns 1 and 2, Par. 12 and Par. 13 amendatory instructions are corrected to read as follows:

Par. 12. The authority citation for part 35a continues to read in part as follows:

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

Par. 13. Section 35a.3406-2 is amended by adding paragraph (l) to read as follows:

#### **§ 35a.3406-2 Imposition of backup withholding for notified payee underreporting of reportable interest or dividend payments.**

\* \* \* \* \*

(l) *Effective date.* This section is effective until December 31, 1996.

Michael L. Slaughter,

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

[FR Doc. 96-6623 Filed 3-19-96; 8:45 am]

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## **PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION**

### **36 CFR Chapter IX**

#### **Transfer of Responsibilities and Effectiveness of PADC Regulations After PADC Termination**

**AGENCIES:** Pennsylvania Avenue Development Corporation; General Services Administration; National Capital Planning Commission; National Park Service.

**ACTION:** Notification of transfer of responsibilities and status of regulations.

**SUMMARY:** The Pennsylvania Avenue Development Corporation (PADC) is issuing this document to inform the public of the transfer of its responsibilities to successor agencies and of the effectiveness of the PADC's regulations after PADC's termination. In accordance with Pub. L. 104-99, PADC will terminate on April 1, 1996, and the General Services Administration (GSA), the National Capital Planning Commission (NCPC), and the National Park Service (NPS) will succeed PADC for any remaining actions and will be responsible for managing any remaining assets and liabilities of PADC. Congress included a provision preserving the effectiveness of PADC's regulations until such time as they are suspended by GSA. PADC is publishing this document to inform the public that,

when GSA, NCPC, and NPS assume responsibility for PADC's functions at termination, PADC's regulations generally will continue to govern the successor agencies' performance of these functions for occurrences that arise post-termination.

**EFFECTIVE DATE:** April 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Madeleine B. Schaller, General Counsel, Pennsylvania Avenue Development Corporation, Suite 1220 North, 1331 Pennsylvania Avenue, N.W., Washington, D.C. 20004, (202) 724-9084.

#### **SUPPLEMENTARY INFORMATION:**

##### **A. General Rule**

Pub. L. 104-99 provides that PADC will terminate as of April 1, 1996. At that time, GSA, NCPC, and NPS will succeed PADC for any remaining actions and will be responsible for managing any remaining PADC assets and liabilities, in accordance with Pub. L. 104-99. Congress included a provision preserving the effectiveness of PADC's regulations, 36 CFR Chapter IX, until the regulations are suspended by GSA. Therefore, after PADC terminates on April 1, 1996, and its functions are transferred to GSA, NCPC, and NPS, PADC's regulations relating to the Pennsylvania Avenue Development Corporation Act of 1972 (40 USC 971) and the Federal Triangle Development Act (40 USC 1101-1109) as contained in 36 CFR Chapter IX (July 1, 1995, edition) generally will continue to govern GSA's, NCPC's, or NPS's performance of such functions in dealing with occurrences that arise post-termination until such time as the regulations are suspended by GSA.

The termination of PADC does not affect rights or obligations of PADC or third parties that have arisen under PADC's regulations prior to PADC's termination.

##### **B. General Division of Responsibilities**

###### **1. The Federal Triangle Project**

The Federal Triangle Project will continue to be administered by GSA. Contact Person: Lester M. Hunkele, III, Project Executive, General Services Administration, Suite 1220 North, 1331 Pennsylvania Avenue, N.W., Washington, D.C. 20004, (202) 724-9073.

###### **2. Maintenance and Use of Public Spaces**

Contact Person: Arnold Goldstein, Superintendent, National Capital Parks Central, 900 Ohio Drive, S.W., Washington, D.C. 20242, (202) 485-9880.

### **3. Square Development**

Contact Person: Judith Binder, Senior Asset Manager (WPT), Room 7618, GSA Regional Office Building, 7th and D Streets, S.W., Washington, D.C. 20407, (202) 708-8174.

### **4. Compliance With the Pennsylvania Avenue Plan**

Sandra H. Shapiro, General Counsel, National Capital Planning Commission, 801 Pennsylvania Avenue, N.W., Suite 301, Washington, D.C. 20576, (202) 724-0187.

By order of the Executive Director.

Dated at Washington, DC, this 14th day of March 1996.

Diane G. Smith,

*Secretary, Pennsylvania Avenue Development Corporation.*

The following note is added to 36 CFR chapter IX:

Note: Public Law 104-99, which incorporated the terms of the Department of the Interior and Related Agencies Appropriations Act, 1996 (H.R. 1977), as passed by the House of Representatives on December 13, 1995, provides that the Pennsylvania Avenue Development Corporation terminates as of April 1, 1996. H.R. 1977 provides that "any regulations prescribed by the [Pennsylvania Avenue Development] Corporation in connection with the Pennsylvania Avenue Development Corporation Act of 1972 (40 U.S.C. 871-885) and the Federal Triangle Development Act (40 U.S.C. 1101-1109) shall continue in effect until suspended by regulations prescribed by the Administrator of the General Services Administration." Accordingly, the authority to administer the regulations in 36 CFR Chapter IX is transferred to the General Services Administration. See the Pennsylvania Avenue Development Corporation document, "Transfer of Responsibilities and Effectiveness of PADC Regulations After PADC Termination", published at 61 FR \_\_\_\_\_, March 20, 1996.

[FR Doc. 96-6626 Filed 3-19-96; 8:45 am]

BILLING CODE 7630-01-P

## **DEPARTMENT OF VETERANS AFFAIRS**

### **38 CFR Part 0**

#### **RIN 2900-AH80**

#### **Standards of Ethical Conduct and Related Responsibilities**

**AGENCY:** Department of Veterans Affairs.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Department of Veterans Affairs (VA) regulations captioned "STANDARDS OF ETHICAL CONDUCT AND