FEDERAL TRADE COMMISSION

16 CFR Part 310

Telemarketing Sales Rule

AGENCY: Federal Trade Commission.

ACTION: Final rule; correction.

SUMMARY: The Federal Trade Commission (“Commission”) published a final rule on August 10, 2010, adopting amendments to the Telemarketing Sales Rule that address the telemarketing of debt relief services. This document makes technical corrections to that final rule.

DATES: Effective Date: September 27, 2010.


SUPPLEMENTARY INFORMATION:

In FR Doc. 2010–20839 filed on Tuesday, August 24, 2010, page 48523, in the first column, § 310.8 [Corrected] is corrected to read “§310.8”.

§ 310.8 [Corrected]

1. On page 48523, in the first column, in §310.8 (c), “$54” is corrected to read “$55” and, “$14,580” is corrected to read “$15,058”.

2. On the same page, in the second column, in §310.8 (d), in the fourth line, “$54” is corrected to read “$55”.

Donald S. Clark, Secretary.

BILLING CODE 6750–01–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9499]

RIN 1545–BF65

Clarification to Section 6411 Regulations

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations and removal of temporary regulations.

SUMMARY: This document contains final regulations amending existing regulations under section 6411 of the Internal Revenue Code (Code) relating to the computation and allowance of the tentative carryback adjustment. These regulations adopt without change the rules of the temporary regulations, which clarify that, for purposes of allowing a tentative adjustment, the IRS may credit or reduce the tentative adjustment by both assessed and certain unassessed tax liabilities. These final regulations affect taxpayers that file an application for a tentative carryback allowance.

DATES: Effective Date: August 24, 2010.

Applicability Date: These regulations are effective on August 24, 2010.

FOR FURTHER INFORMATION CONTACT: Donald S. Clark, Manager, Transport Airplane Directorate, Aircraft Certification Service.

ACTION: Final rule; correction.

SUMMARY: This document contains final regulations amending existing regulations under section 6411 of the Internal Revenue Code (Code) relating to the computation and allowance of the tentative carryback adjustment. These regulations adopt without change the rules of the temporary regulations, which clarify that, for purposes of allowing a tentative adjustment, the IRS may credit or reduce the tentative adjustment by both assessed and certain unassessed tax liabilities. These final regulations affect taxpayers that file an application for a tentative carryback allowance.

DATES: Effective Date: September 27, 2010.

FOR FURTHER INFORMATION CONTACT: Donald S. Clark, Manager, Transport Airplane Directorate, Aircraft Certification Service.

ATTENTION: The following corrections are made:


The sole commenter asserted that the IRS lacks the authority to credit a tax decrease due to a tentative carryback adjustment against a tax liability unless the liability has been assessed against the taxpayer. According to the commenter, an assessed liability is the only proper interpretation of the terms “due and payable” and “then due for purposes of section 6411(b). The Treasury Department and the IRS disagree with this position. The general authority to apply credits is provided by section 6402, which permits the IRS to credit the amount of any overpayment, including interest, against any tax liability of the person who made the overpayment. Nothing in section 6402 or the applicable regulations specifies when a liability arises for purposes of crediting overpayments. The Treasury Department and IRS have determined that both assessed and certain unassessed liabilities are appropriately considered “then due” for purposes of section 6411. Accordingly, the