

agreement filed pursuant to § 1.367(a)–8.

\* \* \* \* \*

(c) \* \* \*

(1) through (4)(i) [Reserved]. For further guidance, see § 1.6038B–1T(c)(1) through (4)(i).

(ii) *Stock or securities*. Describe any stock or securities that are transferred, including the adjusted tax basis and fair market value of the stock or securities, the class or type, amount, and characteristics of the stock or securities, and the name, address, place of incorporation, and general description of the corporation issuing the stock or securities. In addition, if any provision of § 1.367(a)–3 applies to except the transfer of the stock or securities from section 367(a)(1), provide information supporting the claimed application of such provision. However, see paragraph (b)(2) of this section for certain exceptions and special rules for reporting transfers of stock or securities under section 367(a).

(5) [Reserved]. For further guidance, see § 1.6038B–1T(c)(5).

\* \* \* \* \*

(e) \* \* \*

(4) *Reporting rules for section 367(e)(2) distributions by domestic liquidating corporations*—(i) *General rule*. Except as provided in paragraph (e)(4)(ii) of this section, if the distributing corporation makes a distribution of property in complete liquidation under section 332 to a foreign distributee corporation that meets the stock ownership requirements of section 332(b) with respect to the stock of the distributing corporation, then the distributing corporation shall complete a Form 926 and attach a signed copy of such form to its timely filed U.S. income tax return for the taxable years that include one or more liquidating distributions. The property description contained in Part III of the Form 926 shall contain a description, including the adjusted tax basis and fair market value, of all property distributed by the distributing corporation (regardless of whether the distribution of the property qualifies for nonrecognition treatment). The description shall also identify the items of property for which nonrecognition treatment is claimed under § 1.367(e)–2(b)(2)(ii) or (iii), as applicable.

(ii) *Special rule*. Except as provided in paragraph (e)(4)(iii) of this section, if the distributing corporation distributes items of property that will be used by the foreign distributee corporation in the conduct of a trade or business in the United States and the distributing corporation does not recognize gain or

loss on such distribution under § 1.367(e)–2(b)(2)(i) with respect to such property, then the distributing corporation may satisfy the requirements of this section by completing Part I and Part II of Form 926, noting in Part III that the information required by Form 926 is contained in a statement required by § 1.367(e)–2(b)(2)(i)(C)(2), and attaching a signed copy of Form 926 to its timely filed U.S. income tax return for the taxable years that include one or more distributions in liquidation. In addition, if the distributing corporation distributes stock of a domestic subsidiary corporation and does not recognize gain or loss on such distribution under § 1.367(e)–2(b)(2)(iii) with respect to such stock, then the distributing corporation may satisfy the requirements of this section by completing Part I and Part II of Form 926, noting in Part III that the information required by Form 926 is contained in a statement required by § 1.367(e)–2(b)(2)(iii)(D), and attaching a signed copy of Form 926 to its timely filed U.S. income tax return for the taxable years that include one or more distributions of domestic subsidiary stock.

(iii) *Properly filed statement*. Paragraph (e)(4)(ii) will not apply if there is a failure to file an initial liquidation document as determined under § 1.367(e)–2(e)(3)(i), but for purposes of this section, determined without regard to § 1.367(e)–2(f). However, see paragraph (f)(3) of this section for certain relief that may be available.

(f) \* \* \*

(2) \* \* \*

(iii) With respect to an initial gain recognition agreement filed under § 1.367(a)–8, a failure to comply as determined under § 1.367(a)–8(j)(8), but for purposes of this section, determined without regard to the application of § 1.367(a)–8(p).

(iv) With respect to an initial liquidation document filed under § 1.367(e)–2(b)(1), a failure to comply as determined under § 1.367(e)–2(e)(4)(i), but for purposes of this section, determined without regard to the application of § 1.367(e)–2(f).

\* \* \* \* \*

(g) \* \* \*

(5) The second sentence of paragraph (b)(1)(i) and paragraphs (b)(2)(i)(B)(1), (b)(2)(iii), (b)(2)(iv), (c), (e)(4), (f)(2)(iii), and (f)(2)(iv) of this section will apply to documents required to be filed with a timely filed return on or after the date of publication of the Treasury decision adopting these rules as final regulations

in the **Federal Register**, as well as to any requests for relief for failures to file documents, or failures to comply, if such requests are submitted on or after the date of publication of the Treasury decision adopting these rules as final regulations in the **Federal Register**.

**Steven T. Miller,**

*Deputy Commissioner for Services and Enforcement.*

[FR Doc. 2013–01749 Filed 1–30–13; 8:45 am]

**BILLING CODE 4830–01–P**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG–130507–11]

RIN 1545–BK44

#### Net Investment Income Tax; Correction

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Correction to notice of proposed rulemaking and notice of public hearing.

**SUMMARY:** This document contains corrections to a notice of proposed rulemaking and notice of public hearing (REG–130507–11) that was published in the **Federal Register** on Wednesday, December 5, 2012 (77 FR 72612). The proposed regulations provide guidance under section 1411 of the Internal Revenue Code.

**FOR FURTHER INFORMATION CONTACT:** David H. Kirk, or Adrienne Mikolashek at (202) 622–3060 (not a toll free number).

#### SUPPLEMENTARY INFORMATION:

##### Background

The notice of proposed rulemaking and notice of public hearing (REG–130507–11) that is the subject of these corrections is under Section 1411 of the Internal Revenue Code.

##### Need for Correction

As published, the notice of proposed rulemaking and notice of public hearing (REG–130507–11) contains errors that may prove to be misleading and are in need of clarification.

##### Correction of Publication

Accordingly, the notice of proposed rulemaking and notice of public hearing (REG–130507–11), that was the subject of FR Doc. 2012–29238, is corrected as follows:

■ 1. On page 72612, in the preamble, column 1, under the caption **FOR**

**FURTHER INFORMATION**, lines 2 and 3, the language “Michala Irons, (202) 622–3050, or David H. Kirk, (202) 622–3060; concerning” is corrected to read “David H. Kirk, or Adrienne Mikolashek (202) 622–3060; concerning”.

■ 2. On page 72621, in the preamble, column 2, line 3, the language “corporation, is engaged in trade or” is corrected to read “corporation, is engaged in a trade or”.

■ 3. On page 72630, in the preamble, column 3, line 7, the language “the meaning section 316(a), or any gain” is corrected to read “the meaning of section 316(a), or any gain”.

■ 4. On page 72631, in the preamble, column 3, line 13 from the bottom of the column, the language “adjusted gross, or the estate’s or trust’s” is corrected to read “adjusted gross income, or the estate’s or trust’s”.

**§ 1.1411–4 [Corrected]**

■ 5. On page 72638, column 3, under the paragraph heading § 1.1411–4 Definition of net investment income., § 1.1411–4(c)(2), line 3, the language “described in § 1.1411–5(a)(2),” is corrected to read “described in § 1.1411–5(a)(2),”.

**§ 1.1411–7 [Corrected]**

■ 6. On page 72646, column 1, under the paragraph heading § 1.1411–7 Exception for dispositions of interests in partnerships and S corporations., § 1.1411–7(b)(4), line 2, the language “Because both properties are used in PRS’s in” is corrected to read “Because both properties are used in PRS’s”.

■ 7. On Page 72646, column 1, under the same paragraph heading, § 1.1411–7(b)(4) *Example 7* (i), line 9, the language “a trade or business is described in § 1.1411–” is corrected to read “a trade or business described in § 1.1411–”.

■ 8. On Page 72646, column 2, under the same paragraph heading, § 1.1411–7(b)(4) *Example 8* (i), line 2 from the bottom of the column, the language “following adjusted basis and fair market”, is corrected to read “following adjusted bases and fair market”.

**§ 1.1411–10 [Corrected]**

■ 9. On page 72649, column 1, under the paragraph heading § 1.1411–10 Controlled foreign corporations and passive foreign investment companies., § 1.1411–10(d)(1)(i), line 5, the language “by an individual, estate or trust” is corrected to read “by an individual, estate, or trust”.

■ 10. On page 72649, column 2, under the same paragraph heading, § 1.1411–10(d)(1)(i)(B), line 2, the language “individual, estate or trust pursuant to”

is corrected to read “individual, estate, or trust pursuant to”.

■ 11. On page 72651, column 1, under the same paragraph heading, § 1.1411–10(h) *Example 2* (ii)(A), line 2, the language “1411(c)(1)(A)(i) and § 1411(c)(1)(A)(i).” Is corrected to read “1411(c)(1)(A)(i) and § 1.1411–4(a)(1)(i).”.

**LaNita VanDyke,**

*Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

[FR Doc. 2013–02039 Filed 1–30–13; 8:45 am]

**BILLING CODE 4830–01–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket No. USCG–2012–1069]

RIN 1625–AA00

**Safety Zone—Chelsea River, Boston Inner Harbor, Boston, MA**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Advance notice of proposed rulemaking; solicitation for comments.

**SUMMARY:** The Coast Guard is soliciting public comment on the continued applicability of, or the need to amend an existing regulation; 33 CFR 165.120, Safety Zone: Chelsea River, Boston Inner Harbor, Boston, MA. This advance notice allows the Coast Guard to gather information from the public and waterway stakeholders that use the Chelsea River that may result in an amendment to, or the disestablishment of, the existing regulation. Any proposed amendments should reflect the recent changes to the Chelsea Street Bridge and the modification of the surrounding navigational channel. The comments and recommendations received from this advanced notice may lead to future rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before May 31, 2013.

Requests for additional public meetings must be received by the Coast Guard on or before March 18, 2013.

**ADDRESSES:** You may submit comments identified by docket number USCG–2012–1069 using any one of the following methods:

- (1) *Federal eRulemaking Portal:* <http://www.regulations.gov>.
- (2) *Fax:* 202–493–2251.
- (3) *Mail:* Docket Management Facility (M–30), U.S. Department of

Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590–0001.

(4) *Hand delivery:* Same as mail address above, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

To avoid duplication, please use only one of these four methods. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this proposed rule, call or email Mr. Mark Cutter, Coast Guard Sector Boston Waterways Management Division, telephone 617–223–4000, email [Mark.E.Cutter@uscg.mil](mailto:Mark.E.Cutter@uscg.mil). If you have questions on viewing or submitting material to the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:**

TABLE OF ACRONYMS

COTP .....	Captain of the Port
DHS .....	Department of Homeland Security
FR .....	Federal Register
NPRM .....	Notice of Proposed Rulemaking

**A. Public Participation and Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related materials. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal information you have provided.

*1. Submitting comments*

If you submit a comment, please include the docket number for this rulemaking (USCG–2012–1069), indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (via <http://www.regulations.gov>) or by fax, mail, or hand delivery, but please use only one of these means. If you submit a comment online via [www.regulations.gov](http://www.regulations.gov), it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility. We