

Waist Belts prescribed unlawful practices in connection with the sale of belts when not offered for sale as part of a garment. Among other things, the Rule prohibited the sale of belts that looked like leather, but that were made of split, ground, pulverized, or shredded leather or non-leather material, absent disclosures.<sup>7</sup>

- The Guides for Shoe Content Labeling and Advertising required leather, split leather, and concealed insoles “containing . . . non-leather material which are concealed from view, but which also contain other visible parts of leather,” to bear a label clearly disclosing the presence of the non-leather innersole.<sup>8</sup>

- The Hosiery Guides established that the term “long staple cotton” used to describe hosiery “is understood to mean cotton fiber which is not less than 1 1/8” in length of staple” and that the term “lisle” represents hosiery “made of yarn composed of two or more ply of combed long staple cotton fiber.”<sup>9</sup>

A federal statute mandated that the FTC promulgate the Energy Labeling Rule.<sup>10</sup> The FTC must implement the will of Congress, but it need not adopt a prescriptive approach while doing so. Here, the FTC itself has chosen to specify the trim size dimensions for labels, including the precise width (between 5 1/4” to 5 1/2”) and length (between 7 3/8” and 7 5/8”); the number of picas for the copy set (between 27 and 29); the type style (Arial) and setting; the weight of the paper stock on which the labels are printed (not less than 58 pounds per 500 sheets or equivalent); and a suggested minimum peel adhesive capacity of 12 ounces per square inch.<sup>11</sup> I urged the Commission take the opportunity to review these detailed labeling requirements in 2018, and again in 2019, when the Commission sought comment and revised other sections of this Rule.<sup>12</sup>

<sup>7</sup> 16 CFR 405.4, [https://www.ftc.gov/sites/default/files/documents/federal\\_register\\_notices/trade-regulation-rule-misbranding-and-deception-leather-content-waist-belts-16-cfr-part-405/960522traderegulationruleonmisbranding.pdf](https://www.ftc.gov/sites/default/files/documents/federal_register_notices/trade-regulation-rule-misbranding-and-deception-leather-content-waist-belts-16-cfr-part-405/960522traderegulationruleonmisbranding.pdf).

<sup>8</sup> 16 CFR 231.3, [https://www.ftc.gov/sites/default/files/documents/federal\\_register\\_notices/guides-luggage-and-related-products-industry-guides-shoe-content-labeling-and-advertising-and-guides/950918luggageandrelatedproducts.pdf](https://www.ftc.gov/sites/default/files/documents/federal_register_notices/guides-luggage-and-related-products-industry-guides-shoe-content-labeling-and-advertising-and-guides/950918luggageandrelatedproducts.pdf).

<sup>9</sup> 16 CFR 22.3, [https://www.ftc.gov/sites/default/files/documents/federal\\_register\\_notices/guides-hosiery-industry-16-cfr-part-22/960202hosieryindustry.pdf](https://www.ftc.gov/sites/default/files/documents/federal_register_notices/guides-hosiery-industry-16-cfr-part-22/960202hosieryindustry.pdf).

<sup>10</sup> Energy Policy and Conservation Act, 42 U.S.C. 6295.

<sup>11</sup> See 16 CFR §§ 305.13 and 305.20

<sup>12</sup> Dissenting Statement of Commissioner Christine S. Wilson on the Notice of Proposed Rulemaking: Energy Labeling Rule (Dec. 10, 2018), <https://www.ftc.gov/public-statements/2018/12/dissenting-statement-commissioner-christine-s>

The Commission last conducted a full review of the Energy Labeling Rule in 2015; under our 10-year regulatory schedule, the next review is scheduled for 2025. However, since 2015, the Commission has sought comment on provisions of this Rule at least three times, including the current proceeding, and has made numerous amendments.<sup>13</sup> This piecemeal approach has clarified the Rule’s requirements—and I appreciate FTC staff’s efforts to keep this Rule clear and current—but the Commission can and should do more.

Specifically, the Commission should conduct a full review of the Rule to consider removing all dated and prescriptive provisions, and to consider the recent comments suggesting changes. Nothing prevents the Commission from conducting this review now—we do not have to wait until the 10-year anniversary. I urge the Commission to act on these comments, eliminate the more prescriptive aspects of the Rule, and maximize the positive impact of this Rule for consumers. If we are statutorily mandated to maintain this Rule, we should endeavor to make it beneficial for consumers and competition.

[FR Doc. 2020–28880 Filed 2–11–21; 8:45 am]

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## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[TD 9933]

RIN 1545–B079

#### Unrelated Business Taxable Income Separately Computed for Each Trade or Business; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document contains corrections to the final regulations (Treasury Decision 9933) that published in the **Federal Register** on Wednesday,

*wilson-notice-proposed*; Dissenting Statement of Commissioner Christine S. Wilson on the Notice of Proposed Rulemaking: Energy Labeling Rule (Oct. 22, 2019), [https://www.ftc.gov/system/files/documents/public\\_statements/1551786/r611004\\_wilson\\_dissent\\_energy\\_labeling\\_rule.pdf](https://www.ftc.gov/system/files/documents/public_statements/1551786/r611004_wilson_dissent_energy_labeling_rule.pdf).

<sup>13</sup> See 81 FR 62861 (Sept. 12, 2016) (seeking comment on proposed amendments regarding portable air conditioners, ceiling fans, and electric water heaters); 84 FR 9261 (Mar. 14, 2019) (proposing amendments to organize the Rule’s product descriptions); 85 FR 20218 (Apr. 10, 2020) (seeking comment on proposed amendments regarding central and portable air conditioners).

December 2, 2020. The final regulations provide guidance on how an exempt organization subject to the unrelated business income tax determines if it has more than one unrelated trade or business, and, if so, how the exempt organization calculates unrelated business taxable income.

**DATES:** These corrections are effective on February 12, 2021 and are applicable on December 2, 2020.

**FOR FURTHER INFORMATION CONTACT:** Jonathan A. Carter at (202) 317–5800 or Stephanie N. Robbins at (202) 317–4086 (not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

##### Background

The final regulations (TD 9933) that are the subject of this correction are issued under section 512 of the Internal Revenue Code.

##### Need for Correction

As published the final regulations (TD 9933) contain errors that needs to be corrected.

##### Correction of Publication

Accordingly, the final regulations (TD 9933), that are the subject of FR Doc. 2020–25954, published on December 2, 2020 (85 FR 77952), are corrected to read as follows:

1. On page 77952, the third column, the seventeenth line from the top of the second full paragraph, the language “balances legislative” is corrected to read “balances the legislative”.

2. On page 77954, the third column, the first line of the first full paragraph, the language “Because the NAICS” is corrected to read “Because NAICS”.

3. On page 77961, the second column, the third line from the bottom of the first partial paragraph, the language “rule” is corrected to read “test”.

4. On page 77964, the second column, removing the language “of the supported organization” from the third and fourth lines from the bottom of the last full paragraph.

5. On page 77964, the third column, the second line from the bottom of the last partial paragraph, the language “Accordingly, the” is corrected to read “The”.

6. On page 77965, the second column, the thirteenth line from the top of the first partial paragraph, the language “owns interest” is corrected to read “owns the interest”.

7. On page 77965, the third column, the third line from the bottom of the first full paragraph, the language “E.O.,” is corrected to read “exempt organization”.

8. On page 77967, the second column, the fifth line from the bottom of the first

partial paragraph, the language “Accordingly,” is corrected to read “Therefore.”.

9. On page 77968, the first column, the first full paragraph of the first and second sentences, the language “Furthermore, allowing an exempt organization to elect to treat the debt-financed income as part of a 2-digit NAICS code, instead of including such income as part of an organization’s investment activities, would not reduce the burden upon the exempt organization or the burden on the IRS. Such income would still need to be identified as debt-financed income and an additional determination of the underlying activity would also need to be made to determine a 2-digit NAICS code.” is corrected to read “Furthermore, allowing an exempt organization to elect to treat the debt-financed income as part of a NAICS 2-digit code, instead of including such income as part of an organization’s investment activities, would not reduce the burden on the exempt organization or the burden on the IRS. Such income would still need to be identified as debt-financed income and an additional determination of the underlying activity would also need to be made to determine a NAICS 2-digit code.”

10. On page 77968, the second column, the fourth line from the bottom of the last partial paragraph, the language “(Form 1120S)” is corrected to read “(Form1120-S)”.

11. On page 77968, the third column, the fourth line from the bottom of the first paragraph, the language “1120S) is needed” is corrected to read “1120-S) is necessary”.

12. On page 77970, the third column, the tenth line from the top of the first full paragraph, the language “describe” is corrected to read “described”.

13. On page 77971, the first column, the fifth and sixth line from the top of the first full paragraph, the language “Hospitality” is corrected to read “the Hospitality” and “and Club” is corrected to read “and the Club”.

14. On page 77971, the third column, removing the language, “in the proposed regulations” in the third and fourth line from the top of the partial paragraph.

15. On page 77972, the third column, the second line of the second paragraph, the language “an organization” is corrected to read “an exempt organization”.

16. On page 77978, the first column, the third line from the top of the last

partial paragraph, the language “rules are” is corrected to read “rules is”.

**Crystal Pemberton,**

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

**Editorial note:** This document was received for publication by the Office of the Federal Register on January 6, 2021. [FR Doc. 2021–00342 Filed 2–11–21; 8:45 am]

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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9933]

**RIN 1545–B079**

**Unrelated Business Taxable Income Separately Computed for Each Trade or Business; Correction**

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

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains corrections to the final regulations (Treasury Decision 9933) that published in the **Federal Register** on Wednesday, December 2, 2020. The final regulations provide guidance on how an exempt organization subject to the unrelated business income tax determines if it has more than one unrelated trade or business, and, if so, how the exempt organization calculates unrelated business taxable income.

**DATES:** These corrections are effective on February 12, 2021 and are applicable on December 2, 2020.

**FOR FURTHER INFORMATION CONTACT:** Jonathan A. Carter at (202) 317–5800 or Stephanie N. Robbins at (202) 317–4086 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations (TD 9933) that are the subject of this correction are issued under section 512 of the Internal Revenue Code.

**Need for Correction**

As published on December 2, 2020 (85 FR 77952), the final regulations (TD 9933) contain errors that needs to be corrected.

**List of Subjects in 26 CFR Part 1**

Income taxes, Reporting and recordkeeping requirements.

**Correction of Publication**

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 \* \* \*

**§ 1.512(a)–6 [Amended]**

■ **Par. 2.** Section 1.512(a)–6 is amended:

■ **a.** In paragraph (a)(3)(i) by adding a semicolon after the word “year”.

■ **b.** In the third sentence of paragraph (h)(2) by removing the language “trade or business” and adding in its place “trades or businesses”.

**Crystal Pemberton,**

*Senior Federal Register Liaison, Legal Processing Division, Associate Chief Counsel, (Procedure and Administration).*

**Editorial Note:** This document was received for publication by the Office of the Federal Register on January 6, 2021.

[FR Doc. 2021–00341 Filed 2–11–21; 8:45 am]

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**DEPARTMENT OF THE INTERIOR**

**Office of Natural Resources Revenue**

**30 CFR Parts 1206 and 1241**

[Docket No. ONRR–2020–0001; DS63644000 DRT000000.CH7000 212D1113RT]

**RIN 1012–AA27**

**ONRR 2020 Valuation Reform and Civil Penalty Rule: Delay of Effective Date; Request for Public Comment**

**AGENCY:** Office of Natural Resources Revenue (“ONRR”), Interior.

**ACTION:** Final rule; delay of effective date and opening of comment period.

**SUMMARY:** In accordance with the January 20, 2021 White House Memorandum on Regulatory Freeze Pending Review and the Office of Management and Budget Memorandum M–21–14 of the same date, this action delays the effective date of the final rule entitled “ONRR 2020 Valuation Reform and Civil Penalty Rule” that published in the **Federal Register** on January 15, 2021 (“2020 Rule”). In addition, this action opens a 30-day comment period to allow interested parties to comment on the impact of the delay to the 2020 Rule’s effective date as well as issues of fact, law, and policy raised by that rule.

**DATES:** *Effective date:* This action is effective February 12, 2021. The