

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

[REG–121509–00]

RIN 1545–AY54

**Exclusion From Gross Income of Previously Taxed Earnings and Profits, and Adjustments to Basis of Stock in Controlled Foreign Corporations and of Other Property****AGENCY:** Internal Revenue Service (IRS), Treasury.**ACTION:** Withdrawal of notice of proposed rulemaking.

**SUMMARY:** This document withdraws a notice of proposed rulemaking published in the **Federal Register** on August 29, 2006. The notice of proposed rulemaking relates to the exclusion from gross income of previously taxed earnings and profits under section 959 of the Internal Revenue Code (the “Code”) and related basis adjustments under section 961 of the Code.

**DATES:** The proposed regulations are withdrawn on October 21, 2022.

**FOR FURTHER INFORMATION CONTACT:** Joshua P. Roffenbender, (202) 317–6934, or Chadwick Rowland, (202) 317–6937 (not toll-free numbers).

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

On August 29, 2006, the Treasury Department and the IRS issued a notice of proposed rulemaking relating to the exclusion from gross income of previously taxed earnings and profits under section 959 and related basis adjustments under section 961 (71 FR 51155), corrections to which were published in the **Federal Register** on December 8, 2006 (71 FR 71116) (together, the “2006 proposed regulations”). On December 14, 2018, the Treasury Department and the IRS issued Notice 2019–01 (2019–02 I.R.B. 275), which announced an intent to withdraw the 2006 proposed regulations and issue a new notice of proposed rulemaking under sections 959 and 961 (the “new proposed regulations”).

This document withdraws the 2006 proposed regulations. Those proposed regulations were never finalized, never went into effect, and did not indicate that taxpayers could rely on them. Withdrawing the proposed regulations at this point will help prevent possible abuse or other misuse of them—such as inappropriate basis adjustments in certain stock acquisitions to which section 304(a)(1) applies—while the

Treasury Department and the IRS continue to develop the new proposed regulations. The IRS may, where appropriate, challenge taxpayer positions giving rise to inappropriate results.

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

Income taxes, Reporting and recordkeeping requirements.

**Withdrawal of a Notice of Proposed Rulemaking**

■ Accordingly, under the authority of 26 U.S.C. 7805, the notice of proposed rulemaking (REG–121509–00) published in the **Federal Register** on August 29, 2006 (71 FR 51155), corrections to which were published in the **Federal Register** on December 8, 2006 (71 FR 71116), is withdrawn.

**Douglas W. O’Donnell,**  
*Deputy Commissioner for Services and Enforcement.*

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[Docket Number USCG–2022–0806]

RIN 1625–AA00

**Safety Zones in Reentry Sites; Jacksonville, Daytona, Cape Canaveral, Tampa, and Tallahassee, Florida****AGENCY:** Coast Guard, DHS.**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This proposed rule would implement a special activities provision of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021. The Coast Guard is proposing to establish five temporary safety zones for the safe splashdown and recovery of reentry vehicles launched by Space Exploration Technologies Corporation (SpaceX) in support of National Aeronautics and Space Administration (NASA) and privately chartered missions. The proposed temporary safety zones are located within the Coast Guard District Seven area of responsibility (AOR) offshore of Jacksonville, Daytona, Cape Canaveral, Tampa, and Tallahassee, Florida. This proposed rule would prohibit U.S.-flagged vessels from entering any of the temporary safety zones unless authorized by the District

Commander of the Seventh Coast Guard District, a Coast Guard Captain of the Port, or a designated representative. Foreign-flagged vessels would be encouraged to remain outside the safety zones. This action is necessary to protect vessels and waterway users from the potential hazards created by reentry vehicle splashdowns and recovery operations in the U.S. Exclusive Economic Zone (EEZ). It is also necessary to provide for the safe recovery of reentry vehicles, and any personnel involved in reentry services, after the splashdown. We invite your comments on this proposed rulemaking.

**DATES:** Comments and related material must be received by the Coast Guard on or before November 21, 2022.

**ADDRESSES:** You may submit comments identified by docket number USCG–2022–0806 using the Federal Decision Making Portal at <https://www.regulations.gov>. See the “Public Participation and Request for Comments” portion of the **SUPPLEMENTARY INFORMATION** section for further instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this proposed rulemaking, call or email Lieutenant Ryan Gilbert, District 7 Waterways Division (dpw), U.S. Coast Guard; telephone (305) 415–6748, email [Ryan.A.Gilbert@uscg.mil](mailto:Ryan.A.Gilbert@uscg.mil).

**SUPPLEMENTARY INFORMATION:****I. Table of Abbreviations**

AOR	Area of Responsibility
BNM	Broadcast Notice to Mariners
CFR	Code of Federal Regulations
COTP	Captain of the Port
DHS	Department of Homeland Security
EEZ	Exclusive Economic Zone
FAA	Federal Aviation Administration
FL	Florida
FR	Federal Register
MSIB	Marine Safety Information Bulletin
NASA	National Aeronautics and Space Administration
NM	Nautical Mile
NPRM	Notice of Proposed Rulemaking
§	Section
SpaceX	Space Exploration Technologies Corporation
U.S.	United States
U.S.C.	United States Code

**II. Background, Purpose, and Legal Basis**

On January 1, 2021, the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (Pub. L. 116–283) (Authorization Act) was enacted. Section 8343 (134 Stat. 4710) calls for the Coast Guard to conduct a two-year pilot program to establish and implement a process to establish safety zones to address special