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**Monday,
May 14, 2001**

Part XV

**Department of the
Treasury**

Semiannual Regulatory Agenda

DEPARTMENT OF THE TREASURY (TREAS)

DEPARTMENT OF THE TREASURY

31 CFR Subtitle A, Chs. I and II

Semiannual Agenda and Fiscal Year 2001 Regulatory Plan

AGENCY: Department of the Treasury.

ACTION: Semiannual regulatory agenda.

SUMMARY: This notice is given pursuant to the requirements of the Regulatory

Flexibility Act (Pub. L. 96-354, September 19, 1980) and Executive Order (E.O.) 12866 (“Regulatory Planning and Review,” September 30, 1993), which require the publication by the Department of a semiannual agenda of regulations.

FOR FURTHER INFORMATION CONTACT: For additional information about a specific entry in the agenda, contact the “Agency Contact” identified in the agenda item relating to that regulation.

SUPPLEMENTARY INFORMATION: The semiannual agenda of the Department of the Treasury conforms to the Unified Agenda format developed by the Regulatory Information Service Center (RISC).

Dated: March 15, 2001.

Richard S. Carro,
Senior Counsel for Regulatory and Legislative Affairs.

Departmental Offices—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2576	12 CFR 1501.2 Secretary's Determination of Real Estate Brokerage	1505-AA84

Departmental Offices—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2577	12 CFR 1510 Resolution Funding Corporation Operations	1505-AA79
2578	Financial Activities of Financial Subsidiaries	1505-AA80
2579	Financial Subsidiaries	1505-AA81
2580	17 CFR 450 Amendments to the Government Securities Act Regulations	1505-AA82

Departmental Offices—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2581	31 CFR ch II Possible Regulation of Access to Accounts at Financial Institutions Through Payment Service Providers	1505-AA74
2582	12 CFR 1501.2 Secretary's Determination of Other Activities Financial in Nature	1505-AA85

Departmental Offices—Completed Actions

Sequence Number	Title	Regulation Identification Number
2583	12 CFR 1501 Comparable Requirement for National Banks Among the Second Fifty Largest Insured National Banks	1505-AA77
2584	12 CFR 1500 Merchant Banking	1505-AA78

Financial Crimes Enforcement Network—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2585	31 CFR 103 Amendments to the Bank Secrecy Act Regulations—Suspicious Activity Reporting—Broker/Dealers ...	1506-AA21

TREAS

Financial Crimes Enforcement Network—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2586	31 CFR 103 Amendment to the Bank Secrecy Act Regulations Regarding Reporting of Cross-Border Transportation of Certain Monetary Instruments	1506-AA15
2587	31 CFR 103 Amendments to the Bank Secrecy Act Regulations—Suspicious Activity Reporting—Casinos	1506-AA22
2588	31 CFR 103 Amendment to the Bank Secrecy Act Regulations—Exemptions from the Requirement to Report Transactions in Currency	1506-AA23

Financial Crimes Enforcement Network—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2589	31 CFR 103 Amendment to the Bank Secrecy Act Regulations—Delegation of Authority to Assess Civil Money Penalties on Depository Institutions	1506-AA08
2590	31 CFR 103 Amendments to the Bank Secrecy Act Regulations—Special Reporting and Recordkeeping Requirements—Money Services Businesses (MSBs)	1506-AA19

Financial Crimes Enforcement Network—Completed Actions

Sequence Number	Title	Regulation Identification Number
2591	31 CFR 103 Amendment to the Bank Secrecy Act Regulations—Requirement That Financial Institutions Carry Out Anti-Money-Laundering Programs	1506-AA05

Financial Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2592	31 CFR 245 Claims on Account of Treasury Checks	1510-AA51
2593	31 CFR 285.14 Public Dissemination of Identity of Delinquent Debtors	1510-AA72
2594	31 CFR 203 Payment of Federal Taxes and the Treasury Tax and Loan Program	1510-AA79

Financial Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2595	31 CFR 205 Rules and Procedures for Efficient Federal-State Funds Transfers	1510-AA38
2596	31 CFR 240 Indorsement and Payment of Checks Drawn on the United States Treasury	1510-AA45
2597	31 CFR 256 Payments Under Judgment and Private Relief Acts	1510-AA52
2598	31 CFR 285.5 Offset of Federal Payments (Other Than Tax Refund and Federal Benefit Payments) To Collect Past-Due, Legally Enforceable Nontax Debt	1510-AA65
2599	31 CFR 285.7 Salary Offset	1510-AA70
2600	31 CFR 285.8 Offset of Tax Refund Payment To Collect State Income Tax Obligations	1510-AA78
2601	31 CFR 210 Federal Government Participation in the Automated Clearinghouse	1510-AA81

Financial Management Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2602	31 CFR 281 Foreign Exchange Operations	1510-AA48

TREAS

Financial Management Service—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2603	31 CFR 285.6 Offset of Federal Payments (Other Than Tax Refund and Federal Benefit Payments) To Collect Past-Due Debts Owed to States (Other Than Child Support)	1510-AA66

Financial Management Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
2604	31 CFR 900 to 904 Federal Claims Collection Standards	1510-AA57
2605	31 CFR 285.8 Offset of Tax Refund Payments To Collect State Income Tax Obligations	1510-AA82
2606	31 CFR 203 Payment of Federal Taxes and the Treasury Tax and Loan Program	1510-AA83
2607	31 CFR 210 Federal Government Participation in the Automated Clearinghouse	1510-AA84

Bureau of Alcohol, Tobacco and Firearms—Prerule Stage

Sequence Number	Title	Regulation Identification Number
2608	27 CFR 16 Alcohol Beverage Health Warning Statement	1512-AC12

Bureau of Alcohol, Tobacco and Firearms—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2609	27 CFR 252 Exportation of Liquors	1512-AA98
2610	27 CFR 7 Alcoholic Content Labeling for Malt Beverages	1512-AB17
2611	27 CFR 7 Revision of Brewery Regulations and Issuance of Regulations for Taverns on Brewery Premises (Brewpubs)	1512-AB37
2612	27 CFR 4 Prohibition of Alcohol Beverage Containers and Standard of Fill for Distilled Spirits and Wine	1512-AB89
2613	27 CFR 4 Amended Standard of Identity for Sherry	1512-AB96
2614	27 CFR 24 Processes Authorized for the Treatment of Wine, Juice and Distilling Material	1512-AC05
2615	27 CFR 4 Petition to Recognize Counoise and St. Laurent as New Grape Varieties	1512-AC26
2616	27 CFR 251 Recodification of Part 251	1512-AC27
2617	27 CFR 4 Albarino, Black Corinth and Fiano Grape Varieties	1512-AC29
2618	27 CFR Part 55 Identification Markings Placed on Explosive Materials	1512-AC25
2619	27 CFR 55 Commerce in Explosives-Sport Rocket Motors	1512-AC30
2620	27 CFR 55 Commerce in Explosives (Including Explosives in the Fireworks Industry)	1512-AB48
2621	27 CFR 55 Implementation of Public Law 104-208, the Omnibus Consolidated Appropriations Act of 1997, Relating to the Establishment of a National Repository for Arson and Explosives Information	1512-AB73
2622	27 CFR 178 Implementation of Public Law 105-277, Making Omnibus Consolidated and Emerg. Supplemental Appropriations for FY 1999, Relating to the Permanent Provisions of the Brady Handgun Violence Prevention Act	1512-AB83
2623	27 CFR 178 Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for FY99, Relating to Firearms Disabilities for Nonimmigrant Aliens	1512-AB93
2624	27 CFR 70 Delegation of Authority in Part 70	1512-AC19
2625	27 CFR 13 Delegation of Authority in 27 CFR Part 13	1512-AC21
2626	27 CFR 275 Prohibited Marks on Packages of Tobacco Products and Cigarette Papers and Tubes Imported or Brought into the United States	1512-AC14
2627	27 CFR 270 Determination of Tax and Recordkeeping on Large Cigars	1512-AC22
2628	27 CFR 275 Tobacco Products and Cigarette Papers and Tubes Shipped from Puerto Rico to the United States ...	1512-AC24
2629	27 CFR 270 Elimination of Application to Remove Tobacco Products from Manufacturer's Premises for Experimental Purposes	1512-AC32
2630	27 CFR 270 Elimination of Statistical Classes for Large Cigars	1512-AC33
2631	27 CFR 275 Implementation of Public Law 106-476, Sections 4002 and 4003, Relating to Tobacco Importation Restrictions, Markings, Repackaging and Destruction of Forfeited Tobacco Products	1512-AC35

TREAS

Bureau of Alcohol, Tobacco and Firearms—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2632	27 CFR 9 American Viticultural Areas	1512-AA07
2633	27 CFR 5 Labeling of Unaged Grape Brandy	1512-AB46
2634	27 CFR 22.21 Distribution and Use of Tax-Free Alcohol	1512-AB51
2635	27 CFR 19.11 Distilled Spirits Plant Regulatory Initiative Proposal	1512-AB58
2636	27 CFR 18.56 Production of Volatile Fruit Flavored Concentrate	1512-AB59
2637	27 CFR 24.278 Implementation of Wine Credit Provisions of Public Law 104-188	1512-AB65
2638	27 CFR 24.66 Implementation of Public Law 105-34, Section 1416 Relating to Refund of Tax for Domestic Wine Returned to Bond Regardless of Merchantability (Taxpayer Relief Act of 1997)	1512-AB74
2639	27 CFR 24.178 Implementation of Public Law 105-34, Section 1417, Related to the Use of Ameliorating Material in Certain Wines	1512-AB78
2640	27 CFR 4 Health Claims and Other Health Related Statements in the Labeling and Advertising of Alcohol Beverages	1512-AB97
2641	27 CFR 170 Recodification of Part 170 into Part 29	1512-AC34
2642	27 CFR 178 Commerce in Firearms and Ammunition (Omnibus Consolidated Appropriations Act of 1997)	1512-AB64
2643	27 CFR 178 Residency Requirement for Persons Acquiring Firearms	1512-AB66
2644	27 CFR 178 Identification Markings Placed on Firearms	1512-AB84
2645	27 CFR 178 Commerce in Firearms and Ammunition—Annual Inventory	1512-AC08
2646	5 CFR 1320.7(f)(2) Implementation of the Paperwork Reduction Act	1512-AB90
2647	27 CFR 19 Delegation of Authority in 27 CFR Part 19	1512-AC06
2648	27 CFR 53 Delegation of Authority in 27 CFR Part 53	1512-AC18
2649	27 CFR 170 Delegation of Authority in 27 CFR Part 170	1512-AC23
2650	27 CFR 200 Balanced Budget Act of 1997, Public Law 105-33, Restriction on the Importation of Domestic Tobacco Products and Cigarette Papers and Tubes Returned to the United States	1512-AB81
2651	27 CFR 275 Implementation of Public Law 105-33, Section 9302, Requiring the Qualification of Tobacco Product Importers and Miscellaneous Technical Amendments	1512-AC07

Bureau of Alcohol, Tobacco and Firearms—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2652	Sake Regulations	1512-AC09
2653	Flavored Malt Beverages	1512-AC11
2654	27 CFR 4.32(d) Removal of Requirement to Disclose Saccharin in the Labeling of Wine, Distilled Spirits and Malt Beverages	1512-AC17
2655	27 CFR 70 Recodification of Statement of Procedural Rules	1512-AB54
2656	27 CFR 7 Plain Language in Part 7	1512-AC10
2657	27 CFR 290 Exportation of Tobacco Products and Cigarette Papers and Tubes, Without Payment of Tax, or With Drawback of Tax	1512-AB03

Bureau of Alcohol, Tobacco and Firearms—Completed Actions

Sequence Number	Title	Regulation Identification Number
2658	27 CFR 20 Distribution of Denatured Alcohol and Rum	1512-AB57
2659	27 CFR 21.3 Formulas for Denatured Alcohol and Rum	1512-AB60
2660	27 CFR 24 Implementation of Public Law 105-34, Sections 1421 and 1422	1512-AB75
2661	27 CFR 4 Alteration of Labels on Containers of Distilled Spirits, Wine and Beer	1512-AB76
2662	27 CFR 4.91 New Grape Varietal (Dornfelder)	1512-AC03
2663	27 CFR 18 Delegation of Authority in 27 CFR Part 18	1512-AB99
2664	27 CFR 47 Delegation of Authority in 27 CFR Part 47	1512-AC04
2665	27 CFR 20 Delegation of Authority in Parts 20, 21 and 22	1512-AC13
2666	27 CFR 4 Technical Amendments to 27 CFR Parts 4, 9, 24, 70 and 275	1512-AC15
2667	27 CFR 30 Delegation of Authority in 27 CFR Part 30	1512-AC16
2668	27 CFR 25 Delegation of Authority in Part 25	1512-AC20

TREAS

Comptroller of the Currency—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2669	12 CFR 19 Uniform Rules of Practice and Procedure; Regulation Review	1557-AB43
2670	12 CFR 37 Debt Cancellation Contracts and Debt Suspension Agreements	1557-AB75
2671	12 CFR 7.1002 Bank Activities and Operations	1557-AB76
2672	Fair Credit Reporting Regulations	1557-AB78
2673	12 CFR 9 Fiduciary Activities of National Banks	1557-AB79
2674	31 CFR 1 Notice of Exempt Privacy Act Systems of Records	1557-AB83
2675	Recordkeeping Requirements for Bank Exceptions from Securities Broker or Dealer Registration	1557-AB93
2676	12 CFR 25 Prohibition Against Use of Interstate Branches Primarily for Deposit Production	1557-AB95
2677	12 CFR 8 Assessment of Fees; National Banks; District of Columbia	1557-AB96

Comptroller of the Currency—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2678	12 CFR 3 Capital Rules	1557-AB14
2679	12 CFR 32 Lending Limits	1557-AB82
2680	12 CFR 8 Assessment of Fees; National Banks; District of Columbia Banks	1557-AB90
2681	12 CFR 5.34 Operating Subsidiaries of Federal Branches and Agencies	1557-AB92
2682	12 CFR 1 Investment Securities; Bank Activities and Operations; and Leasing	1557-AB94

Comptroller of the Currency—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2683	12 CFR 12 Qualification Requirements for Transactions in Certain Securities	1557-AB54
2684	Rules and Procedures for Claims Against OCC-Appointed Receiverships for Uninsured Financial Institutions	1557-AB59
2685	12 CFR 34 Real Estate Appraisals	1557-AB70
2686	12 CFR 21 Minimum Security Devices and Procedures	1557-AB71

Comptroller of the Currency—Completed Actions

Sequence Number	Title	Regulation Identification Number
2687	12 CFR 8 Assessment of Fees; National Banks; District of Columbia Banks	1557-AB72
2688	12 CFR 14 Consumer Protections for Depository Institution Sales of Insurance	1557-AB81
2689	12 CFR 30, app D Interagency Guidelines Establishing Standards for Safeguarding Customer Information	1557-AB84
2690	12 CFR 35 Disclosure and Reporting of CRA Related Agreements	1557-AB85
2691	12 CFR 19 Rules of Practice and Procedure	1557-AB88
2692	12 CFR 1 Investment Securities; Bank Activities and Operations; Leasing	1557-AB89

United States Customs Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2693	19 CFR 159 Liquidation; Extension; Suspension	1515-AB66
2694	19 CFR 12 Detention, Seizure, and Forfeiture of "Bootleg" Sound Recording and Music Videos of Live Musical Performances	1515-AB74
2695	19 CFR 142 Reconciliation	1515-AB85
2696	19 CFR 111 Remote Location Filing	1515-AC23
2697	19 CFR 177 Administrative Rulings	1515-AC56
2698	19 CFR 4 User and Navigation Fees; Other Reimbursable Charges	1515-AC63

TREAS

United States Customs Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2699	19 CFR 123 Simplification of In-Transit Truck Shipments Between Canada and the United States	1515-AC65
2700	19 CFR 142 National Sanctions Due to the Delinquent Payment of Customs Bills	1515-AC68
2701	19 CFR 145 Customs Examination of In-Transit Mail Shipments	1515-AC71
2702	19 CFR 122 Private Aircraft Programs: Establishment of the General Aviation Telephonic Entry (GATE) Program and Revisions to the Overflight Program	1515-AC73
2703	19 CFR 146 Expanded Weekly Entry Procedure for Foreign Trade Zones	1515-AC74
2704	19 CFR 24 Reimbursable Customs Inspectional Services: Increase in Hourly Rate Charge	1515-AC77
2705	19 CFR 24 User Fees	1515-AC81
2706	19 CFR 159 Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers	1515-AC84

United States Customs Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2707	19 CFR 181 North American Free Trade Agreement (NAFTA)—Implementation of Duty-Deferral Program Provisions	1515-AB87
2708	19 CFR 12 Entry of Softwood Lumber Shipments From Canada	1515-AB97
2709	19 CFR 141 Customs Entry Documentation Pursuant to Anticounterfeiting Consumer Protection Act	1515-AC15
2710	19 CFR 134 Country of Origin Marking	1515-AC32
2711	19 CFR 24 Expanded Methods of Payment of Duties, Taxes, Interest and Fees	1515-AC40
2712	19 CFR 113 Importation and Entry Bond Conditions Regarding Other Agency Documentation Requirements	1515-AC44
2713	19 CFR 4 General Order Warehouses	1515-AC57
2714	19 CFR 4 Deferral of Duty on Large Yachts Imported for Sale	1515-AC58
2715	19 CFR 10 Civil Aircraft	1515-AC59
2716	19 CFR 12 Entry of Softwood Lumber Shipments from Canada	1515-AC62
2717	19 CFR 24 Time Limitation for Requesting Refunds of Harbor Maintenance Fee and for Making Other Claims Against Customs	1515-AC64
2718	19 CFR 191 Merchandise Processing Fee Eligible to be Claimed as Unused Merchandise Drawback	1515-AC67
2719	19 CFR 162 Civil Asset Forfeiture	1515-AC69
2720	19 CFR 10 African Growth and Opportunity Act and Generalized System of Preferences	1515-AC72
2721	19 CFR 10 United States-Caribbean Basin Trade Partnership Act and Caribbean Basin Initiative	1515-AC76
2722	19 CFR 10 Duty-Free Treatment for Certain Beverages Made with Caribbean Rum	1515-AC78
2723	19 CFR 102 Rules of Origin for Textile and Apparel Products	1515-AC80
2724	19 CFR 24 Amended Procedure for Obtaining Refunds of Harbor Maintenance Fees Paid on Exports of Merchandise	1515-AC82
2725	19 CFR 132 Licenses for Certain Worsted Wool Fabrics Subject to Tariff-Rate Quota	1515-AC83
2726	19 CFR 10 Amendment to Wool Duty Refund Program	1515-AC85

United States Customs Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2727	19 CFR 4 Harbor Maintenance Fee	1515-AA57
2728	19 CFR 24 Donated Cargo Exemption From Harbor Maintenance Fee	1515-AA87
2729	19 CFR 113 Automated Surety Interface	1515-AB25
2730	19 CFR 12 Textiles and Textile Products Subject to Textile Trade Agreements	1515-AB54
2731	19 CFR 134 Country-of-Origin Marking Requirements for Frozen Produce Packages	1515-AB61
2732	19 CFR 12 Determination of the Country of Origin of Textiles and Textile Products	1515-AC00
2733	19 CFR 123 Designated Land Border Crossing Locations for Certain Conveyances	1515-AC12
2734	19 CFR 103 Public Disclosure of Aircraft Manifests	1515-AC13
2735	19 CFR 102 NAFTA Preference Override	1515-AC25
2736	19 CFR 19 Personal-Use Limitation for Purchases at Duty-Free Stores	1515-AC50

TREAS

United States Customs Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
2737	19 CFR 24 Fees Assessed for Defaulted Payments	1515-AB38
2738	19 CFR 148 Treatment of Merchandise Imported by Foreign Governments or Designated International Organizations	1515-AB92
2739	19 CFR 4 Foreign Repairs to American Vessels	1515-AC30
2740	19 CFR 143 Informal Entry of Low-Value Duty-Free Merchandise	1515-AC38
2741	19 CFR 12 Amended Bond Procedures for Articles Subject to Exclusion Orders Issued by the U.S. International Trade Commission	1515-AC43
2742	19 CFR 12 Assessment of Liquidated Damages Regarding Imported Merchandise That Is Not Admissible Under the Food, Drug and Cosmetic Act	1515-AC45
2743	19 CFR 132 Export Certificates for Lamb Meat Subject to Tariff-Rate Quota	1515-AC54
2744	19 CFR 12 Import Restrictions Imposed on Archaeological Material Originating in Italy and Representing the Pre-Classical, Classical and Imperial Roman Periods	1515-AC66
2745	19 CFR 12 Import Restrictions Imposed on Archaeological Material From the Prehispanic Cultures of the Republic of Nicaragua	1515-AC70
2746	19 CFR 10 Refund of Duties Paid on Imports of Certain Wool Products	1515-AC79

Internal Revenue Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
2747	Foreign Insurance Companies	1545-AL82
2748	Clarification of Treatment of Separate Limitation Losses	1545-AM11
2749	Section 361 Outbound Transfers of Property to Foreign Corporations	1545-AM97
2750	Foreign Insurance Company—Domestic Election	1545-AO25
2751	Information Reporting and Record Maintenance Under Section 6038C	1545-AP10
2752	Integrated Financial Transaction	1545-AR20
2753	Section 6048 Regulations	1545-AR25
2754	Applications of Section 1503(d) to Partnerships and Other Items	1545-AR26
2755	Intercompany Transfer Pricing for Services	1545-AR32
2756	Reporting Requirements for Widely Held Fixed Investment Trusts	1545-AU15
2757	Civil Cause of Action for Certain Unlawful Collection Actions	1545-AU68
2758	Source Rules for Payments Made Pursuant to Certain Swap Arrangements	1545-AU89
2759	Application of Attribution Rules to Foreign Trusts	1545-AU91
2760	Special Rules Applicable to Sales of Debt Instrument Between Record Dates and the End of Accrual Periods	1545-AU95
2761	Agreements for Payment of Tax Liabilities in Installments	1545-AU97
2762	Return of Levied Property in Certain Cases	1545-AV01
2763	Removal of Temporary Regulations That Provide Rules for Substantiating Travel Expense Deductions for Members of Congress	1545-AV55
2764	Foreign Tax Credit Antiabuse Regulation	1545-AV97
2765	Transportation of Persons and Property by Air—Sections 4261 and 4271	1545-AW19
2766	Estate Tax Deduction for Qualified Family-Owned Business Interests (QFOBI)	1545-AW21
2767	Section 988—Contingent Debt Instrument	1545-AW33
2768	Capital Gain Guidance Relating to CRTs	1545-AW35
2769	Merchandise Regulation	1545-AW61
2770	Reporting of Payments to Attorney	1545-AW72
2771	Constructive Sales of Appreciated Financial Positions	1545-AW97
2772	Rules for Sourcing Certain Transportation Income, Space or Ocean Activity Income, and Related Foreign Base Company Shipping Income	1545-AX02
2773	Highway Vehicle—Definition	1545-AX10
2774	Deposit of Excise Taxes—Revision	1545-AX11
2775	Guidance on Cost Recovery in the Entertainment Industry	1545-AX12
2776	Straddles—One Side Larger Than the Other	1545-AX16
2777	Definition of Accounting Method	1545-AX21
2778	Sections 401(k) and 410(m) Cash or Deferred Arrangements	1545-AX26
2779	Definition of “Issued” With Regard to Chief Counsel Advice	1545-AX40
2780	Grouping Rules for Foreign Sales Corporation Transfer Pricing	1545-AX41
2781	401(k) and 401(m) Regulations	1545-AX43

TREAS

Internal Revenue Service—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2782	Notional Principal Contracts and Other Financial Products	1545-AX45
2783	Section 7430 Regulations	1545-AX46
2784	Section 414(q) Regulation	1545-AX48
2785	Address Correction	1545-AX51
2786	Compensation Deferred Under Eligible Section 457(b) Plans (Section 457 Regulations)	1545-AX52
2787	Tax on Insurance Companies Other Than Life Insurance Companies	1545-AX54
2788	Modification to Section 367(a) Stock Transfer Regulations	1545-AX77
2789	Definition of Passive Foreign Investment Company Under Section 1297	1545-AX78
2790	Procurement/Purchasing Card Reporting	1545-AX86
2791	Statute of Limitations on Collection Installment Agreements	1545-AX89
2792	Clarification of Foreign-Based Company Sales Income Rules	1545-AX91
2793	Assumption of Partnership Liabilities	1545-AX93
2794	Determination of Basis of Partners' Interest; Special Rules	1545-AX94
2795	Like-Kind Exchanges Under Section 168	1545-AX95
2796	Definition of Diesel Fuel	1545-AX97
2797	Transfers of Property to Third Parties on Behalf of a Spouse	1545-AX99
2798	Guidance Under Section 894	1545-AY03
2799	Guidance Necessary To Facilitate Electronic Tax Administration	1545-AY04
2800	Revision of Circular No. 230	1545-AY05
2801	Damages Under Section 7433	1545-AY08
2802	Guidance Under Section 894 (Temporary)	1545-AY13
2803	Electing Mark-to-Market for Marketable Stock of a PFIC	1545-AY17
2804	Active Conduct of an Insurance Business Under PFIC Rules	1545-AY20
2805	Guidance on Changes to the Laws for Corporate Estimated Taxes	1545-AY22
2806	Section 1445 Regulation	1545-AY24
2807	Disallowance of Deductions and Credits for Failure To File Timely Return	1545-AY26
2808	Section 1503(d) Regulation	1545-AY27
2809	Withholding Tax on Foreign Partners' Share of Effectively Connected Income	1545-AY28
2810	Taxable Years of CFCs and FPHCs	1545-AY30
2811	Mid-Contract Change in Taxpayer	1545-AY31
2812	Guidance Under Section 6050P Regarding Information Reporting on Cancellation of Indebtedness	1545-AY35
2813	Allocation of Income and Deductions from Intangibles	1545-AY38
2814	Dollar-Value LIFO	1545-AY39
2815	Section 83-1032 Conforming Changes	1545-AY40
2816	Section 367(d) Regulations	1545-AY41
2817	Section 355(e) Guidance	1545-AY42
2818	Guidance Under Section 817A Regarding Modified Guaranteed Contracts	1545-AY48
2819	Application of Section 338 to Insurance Companies	1545-AY49
2820	Electronic Furnishing of Payee Statements	1545-AY50
2821	Previously Taxed Earnings and Profits Under Subpart F	1545-AY54
2822	Liabilities Assumed in Certain Corporate Transactions	1545-AY55
2823	Guidance Necessary to Facilitate Electronic Tax Administration	1545-AY56
2824	Normal Retirement Age for Pension Plans	1545-AY61
2825	Section 706 and Foreign Partners	1545-AY66
2826	Liabilities Assumed in Certain Corporate Transactions	1545-AY74
2827	Normalization	1545-AY75
2828	Qualified S Election for Testamentary Trusts	1545-AY76
2829	Disclosure of Returns and Return Information of Other Agencies	1545-AY77

Internal Revenue Service—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
2830	Income Tax—Taxpayer's Obligation To File a Notice of Redetermination of Foreign Tax and Civil Penalties for Failure to File	1545-AC09
2831	Income Tax—Reciprocal Exemptions for Certain Transportation Income	1545-AJ57
2832	Regulations Under Section 367 To Reflect Section 131 of the Tax Reform Act of 1984 (Pub. L. 98-369)	1545-AK74

TREAS

Internal Revenue Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2833	Nonrecognition of Corporate Distributions and Reorganizations Under the Foreign Investment in Real Property Tax Act	1545-AK79
2834	Computation of a Branch's Taxable Income; Taxation of Exchange Gain or Loss on Branch Remittances	1545-AM12
2835	Earnings and Profits of Controlled Foreign Corporations	1545-AM90
2836	Limitations on Passive Activity Losses and Credits—Self-Charged Items	1545-AN64
2837	Earnings Stripping Payments	1545-AO24
2838	Fringe Benefit Sourcing Under Section 861	1545-AO72
2839	Foreign Grantor Trusts	1545-AO75
2840	Taxation of Global Trading	1545-AP01
2841	Charitable Contributions	1545-AP30
2842	Section 1.163-1(b)(2)	1545-AP33
2843	Definition of "Highly Compensated Employee"	1545-AQ74
2844	Escrow Funds and Other Similar Funds	1545-AR82
2845	Passive Foreign Investment Companies—Special Rules for Foreign Banks and Securities Dealers	1545-AS46
2846	Effect of the Family and Medical Leave Act on the Operation of Cafeteria Plans	1545-AT47
2847	Proposed Regulation Under Sections 882 and 884	1545-AT96
2848	Treatment of Obligation-Shifting Transactions	1545-AU19
2849	Electing Small Business Trust	1545-AU76
2850	Withdrawal of Notice of Federal Tax Lien	1545-AV00
2851	Regulations Under Section 1441 Regarding the Electronic Transmission of Withholding Certificates	1545-AV27
2852	EIC Eligibility	1545-AV61
2853	Qualified Zone Academy Bonds	1545-AV75
2854	Interest on Education Loans	1545-AW01
2855	Averaging of Farm Income	1545-AW05
2856	Mark-to-Market Accounting for Dealers in Commodities and Traders in Securities and Commodities	1545-AW06
2857	Stocks and Securities Safe Harbor Exception	1545-AW13
2858	Election To Treat Trust as Estate—Section 645	1545-AW24
2859	Corporate Tax Shelter Registration	1545-AW26
2860	Intercompany Obligations	1545-AW30
2861	Disregarded Entities	1545-AW36
2862	Payment of Taxes by Credit Card and Debit Card	1545-AW37
2863	Middleman Regulation Under Sections 6041 and 6045	1545-AW48
2864	Special Rules Regarding the Simplified Production and Resale Methods with Historic Absorption Ratio Election	1545-AW54
2865	Guidance Under Subpart F Relating to Certain Hybrid Transactions	1545-AW63
2866	Relief From Joint and Several Liability on Joint Return	1545-AW64
2867	Education Credits	1545-AW65
2868	Information Reporting for Payments of Tuition and Interest on Education Loans	1545-AW67
2869	Modifications and Additions to the Unified Partnership Audit Procedures	1545-AW86
2870	Compromises	1545-AW88
2871	Notice and Opportunity for Hearing Before Levy	1545-AW90
2872	Notice and Opportunity for Hearing Upon Filing of Notice of Lien	1545-AW91
2873	Certain Asset Transfers to Regulated Investment Companies (RICs) and Real Estate Investment Trusts (REITs) ..	1545-AW92
2874	Qualified Offers	1545-AW99
2875	Notice of Contact of Third Parties—Section 7602(c)	1545-AX04
2876	Allocation of Research Credit	1545-AX05
2877	Delay Rental Payments	1545-AX06
2878	Coordination of Sections 755 and 1060	1545-AX18
2879	Dollar-Value LIFO Regulations	1545-AX20
2880	Exclusion of Gain on the Sale or Exchange of Principal Residence	1545-AX28
2881	Changes in Entity Classification: Special Rule for Certain Foreign Eligible Entities	1545-AX39
2882	Agent for the Group Under Section 1.1502-77	1545-AX56
2883	Stock Transfer Rules: Carryover of Earnings and Taxes	1545-AX65
2884	Loans Under Section 72(p)	1545-AX68
2885	Disclosures of Return Information to Officers and Employees of the Department of Agriculture for Certain Statistic Purposes and Related Activities	1545-AX69
2886	Allocation and Apportionment of Interest Expense and Certain Other Expenses	1545-AX72
2887	Clarification of Entity Classification Rules Regarding Entities Classified as Corporations	1545-AX75
2888	Requirement to Maintain List of Investors in Potentially Abusive Tax Shelters	1545-AX79
2889	Tax Shelter Disclosure Statements	1545-AX81

TREAS

Internal Revenue Service—Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
2890	HIPAA Portability	1545-AX84
2891	Disclosure of Return and Return Information to Designee of Taxpayer	1545-AX85
2892	Application of Separate Foreign Tax Credit Limitations	1545-AX88
2893	Definition of Income Under Section 643	1545-AX96
2894	Regulations Governing Practice Before the Internal Revenue Service	1545-AY07
2895	Classification of Certain Employee Benefit Trusts	1545-AY09
2896	Guidance Under Section 6302 Regarding the Federal Tax Deposit System	1545-AY10
2897	Broker's Commissions and Similar Fees	1545-AY15
2898	Check the Box Regulations—Amendment	1545-AY16
2899	"Authorized Placement Agency" Under Section 152	1545-AY18
2900	Disqualified Persons	1545-AY19
2901	Recognition of Gain on Certain Transfers to Foreign Trusts and Estates	1545-AY25
2902	Nondiscrimination Requirements for Certain Defined Contribution Retirement Plans	1545-AY36
2903	Regulations Implementing Section 420(c)(3)(E)	1545-AY43
2904	Special Rules for S Corporations Under Section 301.7701(b)-7	1545-AY44
2905	Guidance Under Subpart F Relating to Partnerships	1545-AY45
2906	6302 De Minimis Threshold	1545-AY47
2907	Disclosure of Return Information to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities	1545-AY52
2908	Time For Filing Form 1139 by a Consolidated Group	1545-AY58
2909	Guidance Under Section 1275(a)(1)(B)(ii)	1545-AY60
2910	Guidance on Reporting of Deposit Interest Paid to Nonresident Aliens	1545-AY62
2911	Excise Taxes on Excess Benefit Transactions	1545-AY65
2912	Tax Treatment of Cafeteria Plans	1545-AY67
2913	Disclosure of Returns and Return Information of Other Agencies (Temporary)	1545-AY78

Internal Revenue Service—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
2914	Income Tax—Definition of Qualified Possession Source Investment Income for Purposes of Puerto Rico and Possession Tax Credit	1545-AC10
2915	Golden Parachute Payments	1545-AH49
2916	FSC Transfer Pricing Rules, Distributions, Dividends Received, Deduction, and Other Special Rules for FSC	1545-AI16
2917	Information From Passport and Immigration Applicants	1545-AJ93
2918	Income of Foreign Governments and International Organizations	1545-AL93
2919	CBI Investments of Section 936 Funds	1545-AM91
2920	Railroad Unemployment Repayment Tax	1545-AN40
2921	Consolidated Alternative Minimum Tax	1545-AN73
2922	Conforming Taxable Years of CFCs and FPHCs: 1989 Change	1545-AO22
2923	Guidance in Notice 89-37, Which Treats the Receipt of a Corporate Partner's Stock by the Corporate Partner as a Circumvention of General Utilities Repeal	1545-AP52
2924	Use of GAAP Earnings as E&P of Foreign Corporations	1545-AQ55
2925	Interest-Free Adjustments	1545-AQ61
2926	The Treatment of Accelerated Death Benefits Under Sections 101, 7702 and 7702A of the Internal Revenue Code	1545-AQ70
2927	Mark-to-Market Upon Disposition	1545-AS85
2928	Straddles—Miscellaneous Issues	1545-AT46
2929	Allocation of Accrued Benefits Between Employer and Employee Contributions	1545-AT82
2930	Application of Grantor Trust Rules to Nonexempt Employees' Trust	1545-AU29
2931	Recomputation of Life Insurance Reserves	1545-AU49
2932	FASIT—Start-up/Operational/Transition	1545-AU94
2933	Definition of "Private Activity Bonds"—Allocation and Accounting Regulations	1545-AU98
2934	Required Distributions From Qualified Plans and Individual Retirement Plans	1545-AV82
2935	Allocation of Loss on Disposition of Personal Property	1545-AW09
2936	Conversion to the Euro	1545-AW43
2937	Source of Income for Space and Certain Ocean Activities and for Communications Income	1545-AW50
2938	Transfer of REMIC Residual Interest	1545-AW98

TREAS

Internal Revenue Service—Long-Term Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2939	Qualified Zone Academy Bonds Credit Rate	1545-AX03
2940	Change of Annual Accounting Period	1545-AX15
2941	Guaranteed Investment Contracts	1545-AX22
2942	Special Rules for Retroactive Payments Under Section 417(a)(7)(a) for Qualified Retirement Plans	1545-AX34
2943	Definition of Private Activity Bond—Refunding Regulations	1545-AX55
2944	Equity Options with Flexible Terms	1545-AX66
2945	Capitalization of Interest and Carrying Charges Properly Allocable to Straddles	1545-AX92
2946	Automatic Extension for Form 706	1545-AX98
2947	Hedging Transactions Under Section 1221(a)(7) and Section 446	1545-AY02
2948	Investment Type Property (Prepayment)	1545-AY12
2949	Interest Free Adjustments Under Section 6205	1545-AY21
2950	HIPAA General Nondiscrimination	1545-AY32
2951	HIPAA Nondiscrimination/Exception for Church Plans	1545-AY33
2952	HIPAA Nondiscrimination/Bona Fide Wellness Programs	1545-AY34
2953	Notice to Interested Parties	1545-AY68
2954	Required Distributions from Retirement Plans	1545-AY69
2955	Required Distributions from Retirement Plans	1545-AY70
2956	Obligation of States and Political Subdivisions	1545-AY71
2957	Withdrawal of Section 301.6656-1 and Section 301.6656-2	1545-AY79

Internal Revenue Service—Completed Actions

Sequence Number	Title	Regulation Identification Number
2958	Treatment of Funded Welfare Benefit Plans	1545-AG14
2959	Credit for Increasing Research Activities	1545-AO51
2960	Accounting for Long-Term Contracts	1545-AQ30
2961	Research Credit II	1545-AV14
2962	Electronic Tip Reporting	1545-AV28
2963	Removal of Temporary Regulations	1545-AV36
2964	Clarification of 4958 Excise Taxes	1545-AV60
2965	Continuity of Interest	1545-AV81
2966	Disclosure of Return Information to the Bureau of the Census	1545-AV84
2967	Relief for Presidentially Declared Disaster	1545-AV92
2968	Merchandise	1545-AW00
2969	HIPAA Nondiscrimination Rules	1545-AW02
2970	Qualified Lessee Construction Allowances for Short-Term Leases	1545-AW16
2971	Definition of Contribution in Aid of Construction Under Section 118(c)	1545-AW17
2972	Capital Gains and Partnership Provisions	1545-AW22
2973	GRAT and Notes	1545-AW25
2974	Section 411(d)(6); Protected Benefits Exceptions	1545-AW27
2975	Section 148—Clarification of the Treatment of Prepayments	1545-AW44
2976	Guidance Under Section 355(d)	1545-AW71
2977	Preparer Due Diligence Requirements for Determining Earned Income Credit Eligibility	1545-AW73
2978	Section 355(e) Guidance	1545-AW79
2979	Timely Mailing Treated as Timely Filing/Electronic Postmark	1545-AW81
2980	Continuation Coverage Requirements Applicable to Group Health Plans	1545-AW94
2981	Qualified Offers	1545-AX00
2982	GST Issues	1545-AX08
2983	Allocation of Partnership Debt	1545-AX09
2984	Definition of Last Known Address	1545-AX13
2985	Qualified Transportation Fringe Benefits	1545-AX33
2986	351(g) Guidance Project	1545-AX38
2987	Partnership Mergers and Divisions	1545-AX42
2988	Section 1374 Timber	1545-AX50
2989	Permitted Election Changes Under Section 125	1545-AX59
2990	Reopenings	1545-AX60

TREAS

Internal Revenue Service—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
2991	Prevention of Abuse of Charitable Remainder Trusts	1545-AX62
2992	Stock Transfer Rules: Supplemental Rules	1545-AX63
2993	Definition of Hyperinflationary Currency for Purposes of Section 988	1545-AX67
2994	Tiered Structures—ESBTs and ESOPs	1545-AX71
2995	Applying Section 197 to Partnership Transactions	1545-AX73
2996	Lifetime Charitable Lead Trusts	1545-AX74
2997	Obligation of States and Political Subdivisions	1545-AX87
2998	Electronic Payee Statements	1545-AY00
2999	Qualified Zone Academy Bonds	1545-AY01
3000	Final Regulations on Disclosures to Department of Commerce-Bureau of Census; Section 301.6103(j)(1)-1	1545-AY06
3001	Guidance Under 6302 Regarding the Federal Tax Deposit System (Temporary)	1545-AY11
3002	Tax Treatment of Cafeteria Plans	1545-AY23
3003	Application of Separate Foreign Tax Credit Limitations	1545-AY29
3004	6302 De Minimis Threshold (Temporary)	1545-AY46
3005	Disclosure of Return Information to Officers and Employees of the Department of Commerce for Certain Statistical Purposes and Related Activities (Temporary)	1545-AY51
3006	Stock Transfer Rules: Transition Rules	1545-AY53
3007	Time For Filing Form 1139 by a Consolidated Group	1545-AY57
3008	Disclosure of Return and Return Information to Designee of Taxpayer	1545-AY59
3009	Liabilities Assumed in Certain Corporate Transactions	1545-AY63
3010	Excise Taxes on Excess Benefit Transactions (Temporary)	1545-AY64
3011	Withdrawal of Obsolete Proposed Regulations	1545-AY72
3012	Purchase Price Allocations in Deemed and Actual Asset Acquisitions	1545-AY73

Office of Thrift Supervision—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3013	12 CFR 567 Capital Rules	1550-AB11
3014	12 CFR 545 Types of Offices	1550-AB18
3015	12 CFR 545 Directors and Officers	1550-AB19
3016	12 CFR 545 Nondeposit Investment Products	1550-AB22
3017	12 CFR 590 Due-On-Sale and Usury Preemption	1550-AB25
3018	12 CFR 584 Holding Company Activities	1550-AB29
3019	Fair Credit Reporting	1550-AB33
3020	12 CFR 560 Lending and Investment	1550-AB37
3021	12 CFR 567 Capital: Qualifying Mortgage Loan, Interest Rate Risk Component, and Miscellaneous Changes	1550-AB45

Office of Thrift Supervision—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3022	12 CFR 563b Mutual Savings Associations, Mutual Holding Company Reorganizations, and Conversions	1550-AB24
3023	12 CFR 506 Removal of Liquidity Requirement	1550-AB42

Office of Thrift Supervision—Completed Actions

Sequence Number	Title	Regulation Identification Number
3024	12 CFR 516 Application Processing	1550-AB14
3025	12 CFR 500 Organizational Regulations	1550-AB30
3026	12 CFR 573 Community Reinvestment Act Disclosure	1550-AB32
3027	12 CFR 536 Insurance Customer Protections	1550-AB34

TREAS

Office of Thrift Supervision—Completed Actions (Continued)

Sequence Number	Title	Regulation Identification Number
3028	12 CFR 568 Interagency Guidelines Establishing Standards for Safeguarding Customer Information and Rescission of Year 2000 Standards for Safety and Soundness	1550-AB36
3029	12 CFR Part 552 Amendment to Preapproved Bylaws	1550-AB39
3030	12 CFR 559 Lending and Investment - Miscellaneous Changes	1550-AB40
3031	5 CFR 3101 Supplemental Standards of Ethical Conduct for Employees of the Department of the Treasury	1550-AB43
3032	12 CFR 509 Rules of Practice and Procedure for Adjudicatory Proceedings; Civil Money Penalty Inflation Adjustment	1550-AB44

DEPARTMENT OF THE TREASURY (TREAS)
Departmental Offices (DO)

Proposed Rule Stage

2576. • SECRETARY'S DETERMINATION OF REAL ESTATE BROKERAGE

Priority: Substantive, Nonsignificant
Legal Authority: 5136A of the Revised Statutes, 12 USC 24a

CFR Citation: 12 CFR 1501.2

Legal Deadline: None

Abstract: The Department of the Treasury and Federal Reserve Board are jointly seeking comment on whether to determine by rule that real estate brokerage and/or real estate

management are financial in nature or incidental to a financial activity, and therefore permissible activities for financial holding companies and financial subsidiaries of national banks under the Gramm-Leach-Bliley Act.

Timetable:

Action	Date	FR Cite
NPRM	01/03/01	66 FR 307
NPRM Comment Period End	03/02/01	
NPRM Comment Period Extended	05/01/01	66 FR 12440

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton, Senior Banking Counsel, Office of General Counsel, Department of the Treasury, Room 2014, 1500 Pennsylvania Avenue NW, Washington, DC 20220
Phone: 202 622-1976
Fax: 202 622-1974
Email: gary.sutton@do.treas.gov

RIN: 1505-AA84

DEPARTMENT OF THE TREASURY (TREAS)
Departmental Offices (DO)

Final Rule Stage

2577. RESOLUTION FUNDING CORPORATION OPERATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1441b; PL 105-216, sec 14(d)

CFR Citation: 12 CFR 1510

Legal Deadline: None

Abstract: This interim final rule revises the regulation governing the operations of the Resolution Funding Corporation (Funding Corporation). The Funding Corporation is a mixed-ownership government corporation which, among other things, pays interest on certain debt obligations that it issued to finance resolution of the savings and loan crisis in the late 1980s. Congress recently transferred oversight of the Funding Corporation to the Secretary of the Treasury and made changes affecting how the Funding Corporation funds interest payments. The revisions in the interim final rule implement

these changes and generally streamline the regulation by eliminating provisions that are no longer necessary.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/08/00	65 FR 12064
Interim Final Rule Effective	03/08/00	
Interim Final Rule Comment Period End	04/07/00	
Final Rule	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Brandon B. Straus, Attorney Advisor, Department of the Treasury, Room 2030, 1500 Pennsylvania Avenue, NW, Washington, DC 20220
Phone: 202 622-1964
Fax: 202 622-1974

RIN: 1505-AA79

2578. FINANCIAL ACTIVITIES OF FINANCIAL SUBSIDIARIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 24a

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This interim rule was issued by the Department of the Treasury (Treasury) to implement section 121 of the Gramm-Leach-Bliley Act (GLBA), Public Law 106-102, 113 Stat. 1338. Section 121 authorizes Treasury, in coordination with the Board of Governors of the Federal Reserve System (Board), to determine that activities are financial in nature or incidental to activities financial in nature, and therefore permissible activities for financial subsidiaries of national banks. This rule will discuss activities that are financial in nature and set forth the procedures for national banks and other interested

TREAS—DO

Final Rule Stage

parties to follow in order to request that Treasury determine whether an activity is financial in nature or incidental to a financial activity.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/20/00	65 FR 14819
Interim Final Rule Effective	03/14/00	
Interim Final Rule Comment Period End	05/15/00	
Final Rule	07/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton, Senior Banking Counsel, Office of General Counsel, Department of the Treasury, Room 2014, 1500 Pennsylvania Avenue NW, Washington, DC 20220
Phone: 202 622-1976
Fax: 202 622-1974
Email: gary.sutton@do.treas.gov

RIN: 1505-AA80

2579. FINANCIAL SUBSIDIARIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 24a

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This joint rule will be adopted by the Department of the Treasury and the Board of Governors of the Federal Reserve System to

implement section 121 of the Gramm-Leach-Bliley Act. The Rule will establish a portion of an indexing mechanism to adjust the maximum aggregate consolidated assets of all financial subsidiaries of a national bank permitted under the Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton, Senior Banking Counsel, Office of General Counsel, Department of the Treasury, Room 2014, 1500 Pennsylvania Avenue NW, Washington, DC 20220
Phone: 202 622-1976
Fax: 202 622-1974
Email: gary.sutton@do.treas.gov
RIN: 1505-AA81

2580. AMENDMENTS TO THE GOVERNMENT SECURITIES ACT REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 78o-5(b)(1)(A); 15 USC 78o-5(b)(4); 15 USC 78o-5(b)(5)(B); 31 USC 3121; 31 USC 9110

CFR Citation: 17 CFR 450

Legal Deadline: None

Abstract: The rule amends the regulations issued under the Government Securities Act of 1986

(GSA). Section 208 of the Gramm-Leach-Bliley Act amended the definition of the term "Government Securities" in the Securities Exchange Act of 1934 to include as applied to a bank, qualified Canadian government obligations. The rule would make a technical amendment to the GSA regulations to conform to this change in definition.

Timetable:

Action	Date	FR Cite
NPRM	02/26/01	66 FR 11548
NPRM Comment Period End	03/28/01	
Final Rule	05/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lee Grandy, Associate Director, Department of the Treasury, Bureau of the Public Debt, Room 315, 999 E Street NW., Washington, DC 20239-0001
Phone: 202 691-3632
Email: govsecreg@bpd.treas.gov

Deidere Brewer, Government Securities Specialist, Department of the Treasury, Bureau of the Public Debt, Room 315, Government Securities Regulations Staff, 999 E Street NW., Washington, DC 20239-0001
Phone: 202 691-3632

RIN: 1505-AA82

DEPARTMENT OF THE TREASURY (TREAS)

Long-Term Actions

Departmental Offices (DO)

2581. POSSIBLE REGULATION OF ACCESS TO ACCOUNTS AT FINANCIAL INSTITUTIONS THROUGH PAYMENT SERVICE PROVIDERS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

CFR Citation: 31 CFR ch II

Timetable:

Action	Date	FR Cite
ANPRM	01/08/99	64 FR 1149
ANPRM Comment Period End	04/08/99	
Next Action	Undetermined	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Roger Bezdek
Phone: 202 622-1807

RIN: 1505-AA74

2582. • SECRETARY'S DETERMINATION OF OTHER ACTIVITIES FINANCIAL IN NATURE

Priority: Substantive, Nonsignificant

Legal Authority: 5136A of the Revised Statutes, 12 USC 24a

CFR Citation: 12 CFR 1501.2

Legal Deadline: None

Abstract: The Department of the Treasury and Federal Reserve Board are

jointly soliciting comment on interim rules that would implement provisions of the Gramm-Leach-Bliley Act by finding three general types of activities to be financial in nature or incidental to a financial activity, and creating a mechanism by which financial holding companies and national banks may request that either agency define particular activities to fall within one of the three categories.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/02/01	66 FR 257
Interim Final Rule Effective	01/02/01	

TREAS—DO

Long-Term Actions

Action	Date	FR Cite	Regulatory Flexibility Analysis Required:	Government Levels Affected:	Agency Contact:	Treasury, Room 2014, 1500 Pennsylvania Avenue NW, Washington, DC 20220
Interim Final Rule Comment Period End	02/02/01		No	None	Gary W. Sutton, Senior Banking Counsel, Office of General Counsel, Department of the	Phone: 202 622-1976 Fax: 202 622-1974 Email: gary.sutton@do.treas.gov
Next Action Undetermined						RIN: 1505-AA85

DEPARTMENT OF THE TREASURY (TREAS)
Departmental Offices (DO)

Completed Actions

2583. COMPARABLE REQUIREMENT FOR NATIONAL BANKS AMONG THE SECOND FIFTY LARGEST INSURED NATIONAL BANKS

Priority: Substantive, Nonsignificant
CFR Citation: 12 CFR 1501

Completed:

Reason	Date	FR Cite
Final Rule	02/02/01	66 FR 8748
Final Rule Effective	03/05/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton
Phone: 202 622-1976
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Email: gary.sutton@do.treas.gov

RIN: 1505-AA77

2584. MERCHANT BANKING

Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 1500

Completed:

Reason	Date	FR Cite
Final Rule	01/31/01	66 FR 8465
Final Rule Effective	02/15/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Gary W. Sutton
Phone: 202 622-1976
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Email: gary.sutton@do.treas.gov

RIN: 1505-AA78

BILLING CODE 4810-25-S

DEPARTMENT OF THE TREASURY (TREAS)
Financial Crimes Enforcement Network (FINCEN)

Proposed Rule Stage

2585. AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—SUSPICIOUS ACTIVITY REPORTING—BROKER/DEALERS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5318(g)

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This NPRM will propose to require suspicious activity reporting by broker/dealers.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Agency Contact: Stephen R. Kroll,
Chief Counsel, Department of the
Treasury, Financial Crimes
Enforcement Network, Suite 200, 2070
Chain Bridge Road, Vienna, VA 22182
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA21

DEPARTMENT OF THE TREASURY (TREAS)
Financial Crimes Enforcement Network (FINCEN)

Final Rule Stage

2586. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS REGARDING REPORTING OF CROSS-BORDER TRANSPORTATION OF CERTAIN MONETARY INSTRUMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5312(a)(3),
Bank Secrecy Act

CFR Citation: 31 CFR 103

Legal Deadline: None

Abstract: This rule will require reporting of cross-border transportation of certain negotiable instruments.

Timetable:

Action	Date	FR Cite
NPRM	01/22/97	62 FR 3249
NPRM Comment Period End	04/22/97	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Stephen R. Kroll,
Chief Counsel, Department of the
Treasury, Financial Crimes

Enforcement Network, Suite 200, 2070
Chain Bridge Road, Vienna, VA 22182
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA15

2587. AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—SUSPICIOUS ACTIVITY REPORTING—CASINOS

Priority: Substantive, Nonsignificant

Legal Authority: 31 USC 5318(g)

TREAS—FINCEN

Final Rule Stage

CFR Citation: 31 CFR 103**Legal Deadline:** None**Abstract:** This NPRM will propose to require suspicious activity reporting by casinos.**Timetable:**

Action	Date	FR Cite
NPRM	05/18/98	63 FR 27230
Final Rule	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Stephen R. Kroll, Chief Counsel, Department of the Treasury, Financial Crimes Enforcement Network, Suite 200, 2070 Chain Bridge Road, Vienna, VA 22182
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA22**2588. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—EXEMPTIONS FROM THE REQUIREMENT TO REPORT TRANSACTIONS IN CURRENCY****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5330**CFR Citation:** 31 CFR 103**Legal Deadline:** None

Abstract: This document contains an interim rule that further reforms and simplifies the process by which depository institutions may exempt transactions of retail and other businesses from the requirement to report transactions in currency in excess of \$10,000. The interim rule is part of a continuing program to reduce unnecessary burdens upon financial institutions complying with the Bank Secrecy Act and increase the cost-effectiveness of the counter-money

laundrying policies of the Department of the Treasury.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/28/00	65 FR 46356
Interim Final Rule Effective	07/31/00	
Interim Final Rule Comment Period End	09/26/00	
Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

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Fax: 703 905-3735

RIN: 1506-AA23

DEPARTMENT OF THE TREASURY (TREAS)

Long-Term Actions

Financial Crimes Enforcement Network (FINCEN)

2589. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—DELEGATION OF AUTHORITY TO ASSESS CIVIL MONEY PENALTIES ON DEPOSITORY INSTITUTIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 103**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal

Agency Contact: Stephen R. Kroll
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA08**2590. AMENDMENTS TO THE BANK SECRECY ACT REGULATIONS—SPECIAL REPORTING AND RECORDKEEPING REQUIREMENTS—MONEY SERVICES BUSINESSES (MSBS)****Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 103**Timetable:**

Action	Date	FR Cite
NPRM	05/21/97	62 FR 27909
NPRM Comment Period End	09/30/97	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

Agency Contact: Stephen R. Kroll
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA19

DEPARTMENT OF THE TREASURY (TREAS)

Completed Actions

Financial Crimes Enforcement Network (FINCEN)

2591. AMENDMENT TO THE BANK SECRECY ACT REGULATIONS—REQUIREMENT THAT FINANCIAL INSTITUTIONS CARRY OUT ANTI-MONEY-LAUNDERING PROGRAMS**Priority:** Substantive, Nonsignificant**CFR Citation:** 31 CFR 103**Completed:**

Reason	Date	FR Cite
Withdrawn	02/23/01	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None

Agency Contact: Stephen R. Kroll
Phone: 703 905-3590
Fax: 703 905-3735

RIN: 1506-AA05
BILLING CODE 4820-02-S

DEPARTMENT OF THE TREASURY (TREAS)
Financial Management Service (FMS)

Proposed Rule Stage

**2592. CLAIMS ON ACCOUNT OF
TREASURY CHECKS**
Priority: Substantive, Nonsignificant**Legal Authority:** 31 USC 321; 31 USC 3328; 31 USC 3331; 31 USC 3343; 31 USC 3702; 31 USC 3712**CFR Citation:** 31 CFR 245**Legal Deadline:** None

Abstract: 31 CFR part 245 governs the issuance of replacement checks for checks drawn on the United States Treasury when: 1) the original check has been lost, stolen, destroyed or mutilated or defaced to such an extent that it is rendered non-negotiable; 2) the original check has been negotiated and paid on a forged or unauthorized indorsement; and 3) the original check has been cancelled pursuant to 31 CFR part 240. The regulation is being revised to update the regulation's definitions to make them consistent with the language of the proposed revisions to the definitions in 31 CFR part 240. Other revisions will govern the use of the Check Forgery Insurance Fund (Fund). The Fund is a revolving fund established to settle payee claims of non-receipt where the original check has been fraudulently negotiated. The Fund ensures that innocent payees, whose Treasury checks have been fraudulently cashed, receive replacement checks in a timely manner.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Ella White, Customer Liaison Specialist, Department of the Treasury, Financial Management Service, Room 8D25, 3700 East-West Highway, Hyattsville, MD 20782

Phone: 202 874-8445

RIN: 1510-AA51
**2593. PUBLIC DISSEMINATION OF
IDENTITY OF DELINQUENT DEBTORS**
Priority: Substantive, Nonsignificant**Legal Authority:** 31 USC 321; 31 USC 3720E**CFR Citation:** 31 CFR 285.14**Legal Deadline:** None

Abstract: This rule implements the authority provided in the Debt Collection Improvement Act for Federal Agencies to publicly disseminate information regarding the identity of delinquent debtors.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** Gerry Isenberg, Financial Program Specialist, Debt Management Service, Department of the Treasury, Financial Management Service, Room 44AB, 401 14th Street SW., Washington, DC 20227
Phone: 202 874-7131**RIN:** 1510-AA72
**2594. PAYMENT OF FEDERAL TAXES
AND THE TREASURY TAX AND LOAN
PROGRAM**
Priority: Other Significant**Unfunded Mandates:** Undetermined**Legal Authority:** 12 USC 90; 12 USC 265; 12 USC 266; 12 USC 321; 12 USC 323; 12 USC 332; 12 USC 391; 12 USC 1452(d); 12 USC 1464(k); 12 USC 1767; 12 USC 1789(a); 12 USC 2013; 12 USC 2122; 12 USC 3102; 12 USC 6302; 31 USC 3301 to 3304**CFR Citation:** 31 CFR 203**Legal Deadline:** None

Abstract: This first rule proposes to change the Treasury Tax and Loan (TT&L) interest rate from the Federal funds rate, less 25 basis points, to a rate based on the overnight repurchase agreement rate. The prevailing overnight rate in the repurchase market has closely tracked the Federal funds rate on average during the last two years. Based on these statistics, using the overnight repurchase agreement rate would compensate the Treasury adequately for the use of the TT&L note balances on a basis which is similar to the market interest rate for collateralized lending. The second rule includes general revisions which will provide needed updates to support operational changes to the system used for the collection of corporate withholding taxes and the investment of the Government's excess operating funds; streamline the regulation by converting to the plain language standard; and incorporate other needed updates.

Timetable:**General Revisions**

NPRM 05/00/01

Final Action 12/00/01

Treasury Tax and Loan Rate of Interest

NPRM 07/30/99 (64 FR 41747)

NPRM Comment Period End 09/28/99

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Cynthia L. Johnson, Director, Cash Management Policy and Planning Division, Department of the Treasury, Financial Management Service, Room 420, 401 14th Street SW., Washington, DC 20227
Phone: 202 874-6657**RIN:** 1510-AA79
DEPARTMENT OF THE TREASURY (TREAS)
Financial Management Service (FMS)

Final Rule Stage

**2595. RULES AND PROCEDURES FOR
EFFICIENT FEDERAL-STATE FUNDS
TRANSFERS**
Priority: Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 5 USC 301; 31 USC 321; 31 USC 3335; 31 USC 6501; 31 USC 6503**CFR Citation:** 31 CFR 205**Legal Deadline:** None

Abstract: This regulation governs the transfer of Federal assistance funds to State governments and implements the Cash Management Improvement Act of 1990, as amended. Revisions to the regulation will address concerns raised

by both States and Federal agencies about intergovernmental financing. Rules and procedures for funds transfers will be revised to provide more options and greater flexibility.

TREAS—FMS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/12/00	65 FR 60796
Final Action	06/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** State, Federal**Federalism:** This action may have federalism implications as defined in EO 13132.**Agency Contact:** Sally Phillips, Financial Program Specialist, Cash Management Policy & Planning Division, Department of the Treasury, Financial Management Service, Room 403, 401 14th Street SW., Washington, DC 20227
Phone: 202 874-7106**RIN:** 1510-AA38**2596. INDORSEMENT AND PAYMENT OF CHECKS DRAWN ON THE UNITED STATES TREASURY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 12 USC 391; 31 USC 321; 31 USC 3327; 31 USC 3328; 31 USC 3331; 31 USC 3334; 31 USC 3343; 31 USC 3702; 31 USC 3702 note; 31 USC 3711; 31 USC 3712; 31 USC 3716; 31 USC 3717; 318 US 363 (1943); 332 US 234 (1947)**CFR Citation:** 31 CFR 240**Legal Deadline:** None**Abstract:** Notice of proposed rulemaking II (NPRM II) was a reissuance of NPRM I published on 9/21/95, which proposed to fix the time by which Treasury can decline payment on Treasury checks, provide financial institutions with a date certain for final payments, and provide greater clarity by defining previously undefined terms. NPRM I also proposed that the Department of the Treasury may instruct Federal Reserve Banks to intercept benefit payment checks to deceased payees and to return, unpaid, those checks. In addition to the revisions proposed in NPRM I, NPRM II announced the Department of the Treasury's intent that this regulation supersede Federal common law regarding the risk of loss on checks containing forged disbursing officer signatures, such as counterfeits. The Interim Final Rule will amend this regulation to implement provisions of the Debt Collection Improvement Act

of 1996 authorizing the collection of debts owed by presenting banks through Treasury Check Offset. NPRM III is a reissuance of NPRM II and will address, at a minimum, the issues in NPRMs I and II.

Timetable:

Action	Date	FR Cite
NPRM I	09/21/95	60 FR 48940
NPRM Comment Period End	11/06/95	
NPRM II	05/30/97	62 FR 29314
Interim Final Rule	04/00/01	
NPRM III	09/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Lester Smalls, Manager, Reclamation Branch, Department of the Treasury, Financial Management Service, Room 700D, 3700 East-West Highway, Hyattsville, MD 20782

Phone: 202 874-7770

Email: lester.smalls@fms.treas.gov

RIN: 1510-AA45**2597. PAYMENTS UNDER JUDGMENT AND PRIVATE RELIEF ACTS****Priority:** Substantive, Nonsignificant**Legal Authority:** PL 104-53; PL 104-316; 28 USC 2414; 28 USC 2517; 31 USC 1304**CFR Citation:** 31 CFR 256**Legal Deadline:** None**Abstract:** This regulation governs the procedure for securing payment for money judgments against the United States. The proposed revision will update the procedure for making claims. This will benefit claimants and others in understanding the claims process. This regulation currently describes a process that involves the General Accounting Office (GAO) and the Treasury Department. The change would eliminate the GAO from this description to reflect legislative amendments that effect this change. Also, the regulation currently identifies monetary thresholds that no longer exist. The change would reflect the removal of these monetary limitations and the resulting submission requirements. These changes in the regulation would make it consistent with current practices for claimants securing money judgments against the United States.**Timetable:**

Action	Date	FR Cite
NPRM	01/08/96	61 FR 552
NPRM Comment Period End	02/07/96	
Final Action	04/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Wanda Rogers, Director, Financial Accounting and Services Division, Department of the Treasury, Financial Management Service, Room 620D, 3700 East-West Highway, Hyattsville, MD 20782
Phone: 202 874-8380
Email: wanda.rogers@fms.treas.gov**RIN:** 1510-AA52**2598. OFFSET OF FEDERAL PAYMENTS (OTHER THAN TAX REFUND AND FEDERAL BENEFIT PAYMENTS) TO COLLECT PAST-DUE, LEGALLY ENFORCEABLE NONTAX DEBT****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 321; 31 USC 3716**CFR Citation:** 31 CFR 285.5**Legal Deadline:** None**Abstract:** This rule governs administrative offset of Federal payments by disbursing officials of the United States.**Timetable:**

Action	Date	FR Cite
Interim Final Rule	09/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Gerry Isenberg, Financial Program Specialist, Debt Management Service, Department of the Treasury, Financial Management Service, Room 44AB, 401 14th Street SW., Washington, DC 20227
Phone: 202 874-7131**RIN:** 1510-AA65**2599. SALARY OFFSET****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 5514**CFR Citation:** 31 CFR 285.7**Legal Deadline:** None

TREAS—FMS

Final Rule Stage

Abstract: This rule governs the centralized computer matching of Federal Employee Records for purposes of salary offset to collect nontax delinquent debt owed the Federal Government.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/28/98	63 FR 23353
Final Action	09/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Gerry Isenberg, Financial Program Specialist, Debt Management Service, Department of the Treasury, Financial Management Service, Room 44AB, 401 14th Street SW., Washington, DC 20227
Phone: 202 874-7131

RIN: 1510-AA70

2600. OFFSET OF TAX REFUND PAYMENT TO COLLECT STATE INCOME TAX OBLIGATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6402(e)

CFR Citation: 31 CFR 285.8

Legal Deadline: None

Abstract: This rule governs the offset of Federal tax refund payments to collect delinquent State income taxes.

Timetable:

Action	Date	FR Cite
NPRM	12/20/99	64 FR 71233
Interim Final Rule	12/20/99	64 FR 71227
Final Action	06/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: State, Federal

Federalism: Undetermined

Agency Contact: Dean Balamaci, Director, Business and Agency Liaison Division, Department of the Treasury, Financial Management Service
Phone: 202 874-6660

RIN: 1510-AA78

2601. FEDERAL GOVERNMENT PARTICIPATION IN THE AUTOMATED CLEARINGHOUSE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 5525; 12 USC 391; 31 USC 321; 31 USC 3301; 31 USC 3302; 31 USC 3321; 31 USC 3332; 31 USC 3335; 31 USC 3720

CFR Citation: 31 CFR 210

Legal Deadline: None

Abstract: One revision of 31 CFR part 210 will reconcile Government Automated Clearing House (ACH) regulations and private industry rules, as set forth by the National Automated Clearing House Association, by updating the incorporation of certain industry rules into Federal law for the year 2001. The second revision will provide needed updates to support movement of ACH transactions on the Internet for Federal collections, and the use of check truncation and check conversion in Federal collections.

Timetable:**2001 ACH Rules**

Interim Final Rule 02/16/01 (66 FR 10578)

Check Conversion and Internet**Transactions**

NPRM 04/12/01 (66 FR 18888)

Final Action 10/00/01

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Agency Contact: Cynthia L. Johnson, Director, Cash Management Policy and Planning Division, Department of the Treasury, Financial Management Service, Room 420, 401 14th Street SW., Washington, DC 20227
Phone: 202 874-6657

RIN: 1510-AA81

DEPARTMENT OF THE TREASURY (TREAS)

Long-Term Actions

Financial Management Service (FMS)

2602. FOREIGN EXCHANGE OPERATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 31 CFR 281

Timetable:

Action	Date	FR Cite
NPRM	01/29/96	61 FR 2750
NPRM Comment Period End	02/28/96	

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Maria Guido

Phone: 202 874-8943

Email: maria.guido@fms.treas.gov

RIN: 1510-AA48

2603. OFFSET OF FEDERAL PAYMENTS (OTHER THAN TAX REFUND AND FEDERAL BENEFIT PAYMENTS) TO COLLECT PAST-DUE DEBTS OWED TO STATES (OTHER THAN CHILD SUPPORT)

Priority: Substantive, Nonsignificant

CFR Citation: 31 CFR 285.6

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Federalism: Undetermined

Agency Contact: Gerry Isenberg

Phone: 202 874-7131

RIN: 1510-AA66

DEPARTMENT OF THE TREASURY (TREAS)
Financial Management Service (FMS)

Completed Actions

2604. FEDERAL CLAIMS COLLECTION STANDARDS

Priority: Substantive, Nonsignificant

CFR Citation: 31 CFR 900 to 904

Completed:

Reason	Date	FR Cite
Final Action	11/22/00	65 FR 70390

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Gerry Isenberg

Phone: 202 874-7131

RIN: 1510-AA57

2605. OFFSET OF TAX REFUND PAYMENTS TO COLLECT STATE INCOME TAX OBLIGATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 31 CFR 285.8

Completed:

Reason	Date	FR Cite
Merged With RIN 1510-AA78	03/09/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State, Federal

Federalism: Undetermined

Agency Contact: Dean Balamaci

Phone: 202 874-6660

RIN: 1510-AA82

2606. PAYMENT OF FEDERAL TAXES AND THE TREASURY TAX AND LOAN PROGRAM

Priority: Substantive, Nonsignificant

CFR Citation: 31 CFR 203

Completed:

Reason	Date	FR Cite
Merged With RIN 1510-AA79	03/09/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Cynthia L. Johnson

Phone: 202 874-6657

RIN: 1510-AA83

2607. FEDERAL GOVERNMENT PARTICIPATION IN THE AUTOMATED CLEARINGHOUSE

Priority: Substantive, Nonsignificant

CFR Citation: 31 CFR 210

Completed:

Reason	Date	FR Cite
Merged With RIN 1510-AA81	03/09/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Agency Contact: Cynthia L. Johnson

Phone: 202 874-6657

RIN: 1510-AA84

BILLING CODE 4810-35-S

DEPARTMENT OF THE TREASURY (TREAS)
Bureau of Alcohol, Tobacco and Firearms (BATF)

Prerule Stage

ALCOHOL
2608. ALCOHOL BEVERAGE HEALTH WARNING STATEMENT

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205, 215

CFR Citation: 27 CFR 16

Legal Deadline: None

Abstract: ATF is considering amending the regulations concerning the placement, legibility and noticeability

of the congressionally mandated health warning statement required to appear on the labels of all containers of alcohol beverages. Based on a petition we have received, we wish to gather information by inviting comments from the public and industry as to whether the existing regulations should be revised.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC12

DEPARTMENT OF THE TREASURY (TREAS)
Bureau of Alcohol, Tobacco and Firearms (BATF)

Proposed Rule Stage

ALCOHOL
2609. EXPORTATION OF LIQUORS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 252

Legal Deadline: None

Abstract: ATF proposes the recodification of 27 CFR part 252 to part 28 to eliminate obsolete or unnecessary rules and forms and streamline export processing, while providing adequate protection for the revenue.

Timetable:

Action	Date	FR Cite
ANPRM	09/08/92	57 FR 40887

Action	Date	FR Cite
ANPRM Comment Period End	10/08/92	
ANPRM Comment Period Extended	10/15/92	57 FR 47320
ANPRM Comment Period Extended End	12/07/92	
ANPRM	08/09/96	61 FR 41500

TREAS—BATF

Proposed Rule Stage

Action	Date	FR Cite
ANPRM Comment	12/10/96	
Period End		
NPRM	11/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210
Email: mdruhfhq@atfhq.atf.treas.gov

William Foster, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AA98**2610. ALCOHOLIC CONTENT LABELING FOR MALT BEVERAGES****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205(e)**CFR Citation:** 27 CFR 7**Legal Deadline:** None

Abstract: An October 28, 1992 decision in the U.S. District Court for the District of Colorado held that the Federal Alcohol Administration Act prohibition against the statement of alcoholic content on malt beverage labels is unconstitutional under the First Amendment. ATF issued an interim rule on April 19, 1993, which permits the optional labeling of malt beverages with their alcoholic content. The Supreme Court heard oral arguments in the appeal of this court decision on November 30, 1994. The Supreme Court decided this case on April 19, 1995, in favor of Coors, and unanimously found the FAA Act prohibition against labeling malt beverages with their alcohol content unconstitutional. ATF will issue an NPRM on the subject of malt beverage labeling to request information on tolerances, type size, placement, and whether such an alcoholic content labeling requirement should be mandatory.

Timetable:

Action	Date	FR Cite
NPRM	04/19/93	58 FR 21233

Action	Date	FR Cite
Interim Final Rule	04/19/93	58 FR 21228
NPRM Comment	07/19/93	
Period End		
NPRM Comment	07/19/93	58 FR 38543
Period Extended		
NPRM Comment	09/17/93	
Period Extended		
End		
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: William Foster, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB17**2611. REVISION OF BREWERY REGULATIONS AND ISSUANCE OF REGULATIONS FOR TAVERNS ON BREWERY PREMISES (BREWPUBS)****Priority:** Other Significant**Legal Authority:** 26 USC 5051 to 5056; 26 USC 5401 to 5417; 27 USC 205**CFR Citation:** 27 CFR 7; 27 CFR 25**Legal Deadline:** None

Abstract: ATF intends to streamline regulations applying to breweries. ATF will eliminate obsolete regulatory provisions. A formula system for manufactured beer products will replace statements of process attached to the brewers notice. The annual notice for small brewers to pay the reduced rate of tax will be eliminated. Separate regulations for brewpubs will be added to part 25. A section will be added to part 25 to authorize and regulate the alternating use of brewery premises by different brewers. Regulations authorizing the operation of brew-on-premises facilities will be added to part 25.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: William Foster, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco

and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB37**2612. PROHIBITION OF ALCOHOL BEVERAGE CONTAINERS AND STANDARD OF FILL FOR DISTILLED SPIRITS AND WINE****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4; 27 CFR 5; 27 CFR 7**Legal Deadline:** None

Abstract: ATF proposes to amend regulations to clarify the standards of fill for distilled spirits and wine. ATF also proposes to amend regulations to prohibit certain alcohol beverage containers that are likely to mislead consumers as to the identity or character of the distilled spirits, wine or malt beverage products or are likely to be confused with other (nonalcohol) food products.

Timetable:

Action	Date	FR Cite
NPRM	02/09/99	64 FR 6486
NPRM Comment	04/12/99	
Period End		
Revised NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: William Foster, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB89**2613. AMENDED STANDARD OF IDENTITY FOR SHERRY****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4**Legal Deadline:** None

Abstract: ATF is considering a petition to allow certain types of wine to be labeled as "sherry" rather than "light sherry."

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

TREAS—BATF

Proposed Rule Stage

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210
Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB96

2614. PROCESSES AUTHORIZED FOR THE TREATMENT OF WINE, JUICE AND DISTILLING MATERIAL.

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5381; 26 USC 5382; 26 USC 5385; 26 USC 5386; 26 USC 5387

CFR Citation: 27 CFR 24

Legal Deadline: None

Abstract: ATF will issue a notice of proposed rulemaking proposing to add the addition of grape skin extract to the list of processes authorized for the treatment of wine, juice and distilling material.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC05

2615. • PETITION TO RECOGNIZE COUNOISE AND ST. LAURENT AS NEW GRAPE VARIETIES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: ATF has received two petitions proposing to add two new names, "Counoise" and "St. Laurent", to the list of prime grape variety names for use in designating American wines.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048

RIN: 1512-AC26

2616. • RECODIFICATION OF PART 251

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 81(c); 19 USC 1202; 26 USC 5001; 26 USC 5007; 26 USC 5008; 26 USC 5041; 26 USC 5051; 26 USC 5054; 26 USC 5061; 26 USC 5111; 26 USC 5112; 26 USC 5114; 26 USC 5121; 26 USC 5122; 26 USC 5124; 26 USC 5201; 26 USC 5205; 26 USC 5207; 26 USC 5232; 26 USC 5273; 26 USC 5301; 26 USC 5313; 26 USC 5355; 26 USC 6302; 26 USC 7805; 27 USC 203; 27 USC 205; 27 USC 206; 27 USC 215; ...

CFR Citation: 27 CFR 251

Legal Deadline: None

Abstract: Part 251 will be updated and recodified. It will be reissued as 27 CFR part 27.

Timetable:

Action	Date	FR Cite
NPRM	08/05/96	61 FR 40568
Second NPRM	09/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048

RIN: 1512-AC27

2617. • ALBARINO, BLACK CORINTH AND FIANO GRAPE VARIETIES

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None

Abstract: ATF has received petitions proposing to add the Albarino, Black Corinth and Fiano grapes to the list of prime grape variety names for use in designating American wines.

Timetable:

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048

RIN: 1512-AC29

EXPLOSIVES**2618. • IDENTIFICATION MARKINGS PLACED ON EXPLOSIVE MATERIALS**

Priority: Substantive, Nonsignificant

Legal Authority: 18 USC 847

CFR Citation: 27 CFR 55

Legal Deadline: None

Abstract: ATF is considering amending the regulations to require licensed importers to legibly identify by marking all imported explosive materials. Based on a petition we have received, we wish to gather information by inviting comments from the public and industry whether the regulations should be amended.

Timetable:

Action	Date	FR Cite
ANPRM	11/03/00	65 FR 67669
ANPRM Comment Period End	01/12/01	
NPRM	07/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC25

TREAS—BATF

Proposed Rule Stage

2619. • COMMERCE IN EXPLOSIVES-SPORT ROCKET MOTORS**Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 847**CFR Citation:** 27 CFR 55**Legal Deadline:** None**Abstract:** ATF is amending the regulations to clarify which explosives are not subject to ATF importation, distribution, and storage requirements.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/01	
Interim Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AC30**FIREARMS****2620. COMMERCE IN EXPLOSIVES (INCLUDING EXPLOSIVES IN THE FIREWORKS INDUSTRY)****Priority:** Other Significant**Legal Authority:** 5 USC 552(a); 31 USC 9303 to 9304; 40 USC 304(k); 18 USC 847; 18 USC 921 to 930; 18 USC 1261; 19 USC 1612 to 1613; 19 USC 1618; 26 USC 7101; 26 USC 7322 to 7326; 31 USC 9301**CFR Citation:** 27 CFR 55**Legal Deadline:** None**Abstract:** Pursuant to section 610 of the Regulatory Flexibility Act, ATF published a notice on January 10, 1997, seeking public comments on whether it should revise its regulations, codified at 27 CFR part 55, governing Commerce in Explosives (Including Explosives in the Fireworks Industry). Based on comments received, ATF plans to initiate a rulemaking to revise these regulations in 2001.**Timetable:**

Action	Date	FR Cite
General Notice of Regulatory Review	01/10/97	62 FR 1386
NPRM	06/00/01	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Agency Contact:** James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AB48**2621. IMPLEMENTATION OF PUBLIC LAW 104-208, THE OMNIBUS CONSOLIDATED APPROPRIATIONS ACT OF 1997, RELATING TO THE ESTABLISHMENT OF A NATIONAL REPOSITORY FOR ARSON AND EXPLOSIVES INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 846(b)**CFR Citation:** 27 CFR 55**Legal Deadline:** None**Abstract:** ATF will issue this temporary rule to implement certain provisions of Public Law 104-208, the Omnibus Consolidated Appropriations Act of 1997 (the Act), enacted September 30, 1996. The Act amended the Federal explosives laws in 18 U.S.C. chapter 40, to require all Federal agencies to report to ATF any information involving arson or the suspected criminal misuse of explosives. The Act also authorizes ATF to establish a repository for this information. In addition, the law provides that such repository will contain information on incidents voluntarily reported to ATF by State and local authorities.**Timetable:**

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AB73**2622. IMPLEMENTATION OF PUBLIC LAW 105-277, MAKING OMNIBUS CONSOLIDATED AND EMERG. SUPPLEMENTAL APPROPRIATIONS FOR FY 1999, RELATING TO THE PERMANENT PROVISIONS OF THE BRADY HANDGUN VIOLENCE PREVENTION ACT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)**CFR Citation:** 27 CFR 178**Legal Deadline:** None**Abstract:** ATF will amend the regulations to implement the provision of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999, relating to the permanent provisions of the Brady Handgun Violence Prevention Act. The new law allows a licensed pawnbroker to contact the national instant criminal background check system (NICS) prior to taking or receiving a firearm in pawn. If NICS advises the pawnbroker that receipt or possession of the firearm would be in violation of the law, the licensee must advise local law enforcement within 48 hours after receipt of information.**Timetable:**

Action	Date	FR Cite
NPRM	07/00/01	
Interim Final Rule	07/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Federal**Agency Contact:** James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AB83**2623. PUBLIC LAW 105-277, MAKING OMNIBUS CONSOLIDATED AND EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FY99, RELATING TO FIREARMS DISABILITIES FOR NONIMMIGRANT ALIENS****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)

TREAS—BATF

Proposed Rule Stage

CFR Citation: 27 CFR 178**Legal Deadline:** None

Abstract: ATF will issue a temporary rule amending the regulations to implement the provisions of Public Law 105-277, Making Omnibus Consolidated and Emergency Supplemental Appropriations for Fiscal Year 1999. The regulations implement the law by prohibiting, with certain exceptions, the transfer to and possession of firearms by aliens admitted to the United States under a nonimmigrant visa. Regulations are also prescribed with regard to applicants for dealer's licenses to certify that secure gun storage or safety devices will be available at any place where firearms are sold to nonlicensed individuals, and an amended definition of "antique firearm" to include certain muzzle loading firearms.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Interim Final Rule	06/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB93**PROCEDURAL****2624. DELEGATION OF AUTHORITY IN PART 70****Priority:** Info./Admin./Other**Legal Authority:** 26 USC 7805**CFR Citation:** 27 CFR 70**Legal Deadline:** None

Abstract: This final rule places most ATF authorities contained in 27 CFR 70 with the "appropriate ATF officer," and requires that persons file documents required by part 70 with the "appropriate ATF officer," or in accordance with the instructions on the ATF form.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC19**2625. DELEGATION OF AUTHORITY IN 27 CFR PART 13****Priority:** Info./Admin./Other**Legal Authority:** 27 USC 205(e); 26 USC 5301; 26 USC 7805**CFR Citation:** 27 CFR 13**Legal Deadline:** None

Abstract: This final rule places all ATF authorities contained in 27 CFR 13 with the "appropriate ATF officer," and requires that persons file documents required by part 13 with the "appropriate ATF officer," or in accordance with the instructions on the ATF form. This final rule removes the definitions to specific officers subordinate to the Director. This rule also adds a new section 13.20 about ATF forms and makes a typographical amendment clarifying section 13.72(b).

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Lisa Marie Gesser, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC21**TOBACCO PRODUCTS****2626. PROHIBITED MARKS ON PACKAGES OF TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES IMPORTED OR BROUGHT INTO THE UNITED STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 5723**CFR Citation:** 27 CFR 275**Legal Deadline:** None

Abstract: This notice proposes a new rule that will prohibit any mark on packages of tobacco products and cigarette papers and tubes imported or brought into the United States (U.S.) indicating that U.S. tax has not been paid or that the product is not intended for sale or use in the U.S. Because current regulations only prohibit a marking on such packages that state or indicate that U.S. tax has been paid, U.S. tax-exempt and prohibiting sale or use in the U.S. packages of such products are being imported or brought into the U.S. ATF and U.S. Customs Service have encountered problems with these packages when ensuring that Federal excise tax has been paid and enforcing the provisions of section 5761(c) of the Internal Revenue Code of 1986 (title 26 of the United States Code). The proposed regulations will minimize the problems associated with such markings on tobacco products and cigarette papers and tubes imported or brought into the United States.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC14**2627. DETERMINATION OF TAX AND RECORDKEEPING ON LARGE CIGARS****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 5701 and 5702**CFR Citation:** 27 CFR 270; 27 CFR 275**Legal Deadline:** None

Abstract: This notice incorporates the parts of ATF Industry Circular 91-3, dated March 19, 1991, entitled "Large Cigar Taxes On and After January, 1991" that have not been placed in the regulations. ATF Industry Circular 91-3 addressed questions about

TREAS—BATF

Proposed Rule Stage

determining the amount of tax for a large cigars based on their sale price. In addition, this notice proposes: 1) to give guidance on tax adjustments for large cigars provided at no cost in connection with a sale; and 2) recordkeeping requirements for persons in Puerto Rico, who bring large cigars upon prepayment or deferred payment of tax into the United States from Puerto Rico.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AC22**2628. TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES SHIPPED FROM PUERTO RICO TO THE UNITED STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 27 USC 5701; 27 USC 7652**CFR Citation:** 27 CFR 275**Legal Deadline:** None

Abstract: This temporary rule eliminates ATF onsite supervision of tobacco products and cigarette papers and tubes of Puerto Rican manufacture that are shipped from Puerto Rico to the United States and related ATF forms. Specifically, this temporary rule eliminates the requirements: 1) that persons who ship such articles notify ATF prior to the shipment; and 2) that an ATF officer inspects, certifies that the amount of tax on such articles has been calculated correctly for, and releases, each shipment. Consequently, four ATF forms are eliminated. However, this rule requires that persons who ship such articles maintain records so that the amount of tax is calculated and recorded for ATF audit and examination. Also, this temporary rule revises certain sections to simplify and clarify and corrects a few errors.

Timetable:

Action	Date	FR Cite
NPRM	03/08/01	66 FR 13864
NPRM Comment Period End	05/07/01	
Interim Final Rule	03/08/01	66 FR 13849
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AC24**2629. • ELIMINATION OF APPLICATION TO REMOVE TOBACCO PRODUCTS FROM MANUFACTURER'S PREMISES FOR EXPERIMENTAL PURPOSES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 5704**CFR Citation:** 27 CFR 270**Legal Deadline:** None

Abstract: This rule eliminates the requirements that manufacturers of tobacco products apply to ATF to remove tobacco products from their factories in bond for experimental purposes and maintain the approved applications for their records.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	
Interim Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AC32**2630. • ELIMINATION OF STATISTICAL CLASSES FOR LARGE CIGARS****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 27 CFR 270**Legal Deadline:** None

Abstract: This notice proposes to revise reporting categories in regulations to reflect industry practice.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226 Phone: 202 927-8210

RIN: 1512-AC33**2631. • IMPLEMENTATION OF PUBLIC LAW 106-476, SECTIONS 4002 AND 4003, RELATING TO TOBACCO IMPORTATION RESTRICTIONS, MARKINGS, REPACKAGING AND DESTRUCTION OF FORFEITED TOBACCO PRODUCTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 5704(d); 26 USC 5754; 26 USC 5761(c); PL 106-476; PL 106-554**CFR Citation:** 27 CFR 275; 27 CFR 290; 27 CFR 296**Legal Deadline:** None

Abstract: Sections 4002 and 4003 of the Tariff Suspension and Trade Act of 2000, which included the Imported Cigarette Compliance Act of 2000, revised Title 26 U.S.C., the Internal Revenue Code of 1986 (IRC). These revisions: 1) require that tobacco products and cigarette papers and tubes manufactured in the United States and labeled for exportation can only be re-imported by the original manufacturer, or by an export warehouse authorized to do so by the original manufacturer; 2) provide that articles may not be sold or held for sale for domestic consumption in the United States unless they are removed from their export packaging and repackaged by the original manufacturer into new packaging that does not contain an export label; and 3) require the destruction of tobacco products forfeited under section 5761(c). These new provisions of the law are effective February 7, 2001.

TREAS—BATF

Proposed Rule Stage

The Consolidated Appropriations Act 2001, also revised the IRC by allowing travelers to bring personal-use quantities of tobacco products into the United States (up to the quantity allowed entry free of tax and duty under the Harmonized Tariff Schedule of the United States). This provision of

the law was made retroactive to January 1, 2000.

Timetable:

Action	Date	FR Cite
NPRM	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daniel J. Hiland, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC35

DEPARTMENT OF THE TREASURY (TREAS)

Final Rule Stage

Bureau of Alcohol, Tobacco and Firearms (BATF)

ALCOHOL

2632. AMERICAN VITICULTURAL AREAS

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None

Abstract: This rule establishes grape-growing regions as American viticultural areas for purposes of labeling and advertising of wine.

Timetable:**Applegate Valley, OR**

NPRM 05/06/99 (64 FR 24308)
NPRM Comment Period End 07/06/99
Final Action 12/14/00 (65 FR 78096)

Buena Vista Lake, CA (contact Nancy Sutton)

NPRM 06/00/01

California Coast, CA (contact Tom Busey)

NPRM 09/26/00 (65 FR 57763)

Chiles Valley, CA (contact Thomas Busey)

NPRM 03/20/98 (63 FR 13583)
Comment Period End 05/19/98
Final Action 02/17/99 (64 FR 7785)

Diamond Mountain, CA (contact Jennifer Berry)

NPRM 09/29/99 (64 FR 52483)
NPRM Comment Period End 01/28/00
Final Action 06/00/01

Fair Play (contact Lisa Gesser)

NPRM 07/25/00 (65 FR 45739)
NPRM Comment Period End 09/23/00
Final Action Completed by TD 02/26/01 (66 FR 11537)
Final Action Effective 04/27/01

Long Island (contact Lisa Gesser)

NPRM 11/06/00 (65 FR 66518)
Final Action 06/00/01

Oak Knoll District, CA (contact Joyce Drake)

NPRM 06/00/01

Red Mountain, CA (contact Jennifer Berry)

NPRM 05/19/00 (65 FR 31853)
Final Action 06/00/01

River Junction, CA (contact Tim DeVanney)

NPRM 08/10/00 (65 FR 48953)
Final Action 06/00/01

San Francisco Bay, CA (contact David Brokaw)

NPRM 10/20/97 (62 FR 54399)
Comment Period End 01/20/98
Final Rule 01/20/99 (64 FR 3015)
Final Action 01/20/99 (64 FR 3015)

Santa Rita Hills, CA (contact Joyce Drake)

NPRM 09/11/98 (63 FR 48658)
Comment Period End 12/10/98
Final Rule 06/00/01

West Elks (contact Lisa Gesser)

NPRM 10/16/00 (65 FR 61129)
Final Action Completed by TD 03/06/01 (66 FR 13429)
Final Action Effective 05/07/01

Yountville, CA (contact Thomas Busey)

NPRM 08/26/98 (63 FR 45427)
Final Rule 03/19/99 (64 FR 13511)

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: See Supplemental Timetable, American Viticultural Areas, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8230

RIN: 1512-AA07

2633. LABELING OF UNAGED GRAPE BRANDY

Priority: Substantive, Nonsignificant

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5

Legal Deadline: None

Abstract: ATF proposes to amend the regulations to permit the use of the word "unaged" as an alternative to "immature," to describe grape brandy that has not been stored in oak containers.

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30015

Action	Date	FR Cite
NPRM Comment Period End	09/11/96	
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: James Ficarella, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB46

2634. DISTRIBUTION AND USE OF TAX-FREE ALCOHOL

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5001; 26 USC 5552; 26 USC 5121; 26 USC 5142; 26 USC 5143; 26 USC 5146; 26 USC 5206; 26 USC 5214; 26 USC 5271 to 5276; 26 USC 5311

CFR Citation: 27 CFR 22.21; 27 CFR 22.25 to 22.27; 27 CFR 22.43; 27 CFR 22.59; 27 CFR 22.60; 27 CFR 22.62; 27 CFR 22.63; 27 CFR 22.68; 27 CFR 22.152

Legal Deadline: None

Abstract: This proposed rule will revise, eliminate, and liberalize certain regulatory requirements relating to tax-free alcohol. ATF believes these proposed revisions will greatly reduce and simplify the qualification process governing the tax-free alcohol permit application process.

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30019
NPRM Comment Period End	08/12/96	
Final Action	05/00/01	

TREAS—BATF

Final Rule Stage

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB51

2635. DISTILLED SPIRITS PLANT REGULATORY INITIATIVE PROPOSAL**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805

CFR Citation: 27 CFR 19.11; 27 CFR 19.1003; 27 CFR 19.1010; 27 CFR 19.49; 27 CFR 19.153; 27 CFR 19.201 to 206; 27 CFR 19.311; 27 CFR 19.454; 27 CFR 19.605; 27 CFR 19.770; 27 CFR 19.1001

Legal Deadline: None

Abstract: ATF proposes changes to the distilled spirits plant regulations to implement the Administration's Reinventing Government effort to reduce the regulatory burden and streamline requirements. ATF believes these proposed changes will benefit distilled spirits plant proprietors and other industry members by enabling them to operate more easily and with less regulatory oversight from the Government. ATF is also requesting comments on the possibility of revising the distilled spirits plant recordkeeping requirements to accomplish the Government's goals through a system that would be based, as much as possible, on proprietors' own recordkeeping methods.

Timetable:

Action	Date	FR Cite
NPRM	11/30/98	63 FR 65720
NPRM Comment Period End	01/29/99	
Final Action	06/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Steve Simon, Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB58

2636. PRODUCTION OF VOLATILE FRUIT FLAVORED CONCENTRATE**Priority:** Substantive, Nonsignificant

Legal Authority: 26 USC 5001; 44 USC 3504(h); 26 USC 5172; 26 USC 5178; 26 USC 5179; 26 USC 5203; 26 USC 5511; 26 USC 5552; 26 USC 6065; 26 USC 7805

CFR Citation: 27 CFR 18.56**Legal Deadline:** None

Abstract: This proposed rule would specifically authorize the transfer of volatile fruit-flavor concentrate (VFFC) unfit for beverage use from one VFFC plant to another for further processing. It would also clarify the regulations in order to allow greater flexibility in the production processes of VFFC plants.

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30017
NPRM Comment Period End	08/12/96	
Final Action	06/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB59

2637. IMPLEMENTATION OF WINE CREDIT PROVISIONS OF PUBLIC LAW 104-188**Priority:** Substantive, Nonsignificant

Legal Authority: 5 USC 552(a); 26 USC 5041

CFR Citation: 27 CFR 24.278; 27 CFR 24.279

Legal Deadline: None

Abstract: ATF is amending wine regulations to implement a change in the law that allows certain transferees in bond to deduct the tax credit for small wine producers. Changes to bond calculations are also included in this regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/02/97	62 FR 29681
Interim Final Rule	06/02/97	62 FR 29663

Action	Date	FR Cite
NPRM Comment Period End	08/01/97	
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB65

2638. IMPLEMENTATION OF PUBLIC LAW 105-34, SECTION 1416 RELATING TO REFUND OF TAX FOR DOMESTIC WINE RETURNED TO BOND REGARDLESS OF MERCHANTABILITY (TAXPAYER RELIEF ACT OF 1997)**Priority:** Substantive, Nonsignificant

Legal Authority: 26 USC 5044; 26 USC 5361; 26 USC 5367; 26 USC 5371

CFR Citation: 27 CFR 24.66; 27 CFR 24.295; 27 CFR 24.312

Legal Deadline: None

Abstract: ATF is issuing changes to the wine regulations as a result of the enactment of the Taxpayer Relief Act of 1997 and the Internal Revenue Service Reconstruction and Reform Act of 1998. This amendment informs interested parties of changes by these acts that provide for a refund of the tax for all wine returned to bond, rather than exclusively for unmerchantable or domestic wine returned to bond.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Marjorie D. Ruhf, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB74

TREAS—BATF

Final Rule Stage

2639. IMPLEMENTATION OF PUBLIC LAW 105-34, SECTION 1417, RELATED TO THE USE OF AMELIORATING MATERIAL IN CERTAIN WINES**Priority:** Substantive, Nonsignificant**Legal Authority:** PL 105-34, sec 1417**CFR Citation:** 27 CFR 24.178; 27 CFR 4.21; 27 CFR 4.22**Legal Deadline:** None**Abstract:** The wine regulations are amended to extend the amelioration and sweetening limitations of wines made from any fruit or berry.**Timetable:**

Action	Date	FR Cite
NPRM	09/16/99	64 FR 50265
Interim Final Rule	09/16/99	64 FR 50252
Final Action	07/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Jennifer Berry, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 111 W. Huron Street, Room 219, Buffalo, NY 14202-2301
Phone: 716 551-4048**RIN:** 1512-AB78**2640. HEALTH CLAIMS AND OTHER HEALTH RELATED STATEMENTS IN THE LABELING AND ADVERTISING OF ALCOHOL BEVERAGES****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Legal Authority:** 27 USC 205**CFR Citation:** 27 CFR 4; 27 CFR 5; 27 CFR 7**Legal Deadline:** None**Abstract:** ATF proposes to amend the regulations to prohibit the appearance on labels or in advertisements of any statement that makes a substantive claim regarding health benefits associated with the consumption of alcohol beverages unless such claim is properly qualified. This notice also addresses the use of directional health-related statements and seeks comments on whether the negative consequences of alcohol consumption, or abuse disqualify these products entirely from entitlement to any health-related statements.**Timetable:**

Action	Date	FR Cite
NPRM	10/25/99	64 FR 57413
NPRM Comment Period End	02/22/00	
Public Hearing	02/28/00	65 FR 10434
Cancellation/Rescheduling of Hearing	04/25/00	65 FR 24158
Comment Period Extended	04/25/00	
Final Action	07/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AB97**2641. • RECODIFICATION OF PART 170 INTO PART 29****Priority:** Substantive, Nonsignificant**Legal Authority:** Not Yet Determined**CFR Citation:** 27 CFR 170**Legal Deadline:** None**Abstract:** The Bureau of Alcohol, Tobacco and Firearms is recodifying the regulations pertaining to stills. The purpose of the recodification is to reissue the regulations in part 170 of title 27 of the Code of Federal Regulations (27 CFR part 170) as 27 CFR part 29.**Timetable:**

Action	Date	FR Cite
Final Action	07/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Lisa Marie Gesser, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AC34**FIREARMS****2642. COMMERCE IN FIREARMS AND AMMUNITION (OMNIBUS CONSOLIDATED APPROPRIATIONS ACT OF 1997)****Priority:** Substantive, Nonsignificant**Legal Authority:** 18 USC 847; 18 USC 921 to 930**CFR Citation:** 27 CFR 178**Legal Deadline:** None**Abstract:** The Omnibus Consolidated Appropriations Act of 1997 contains amendments to the Gun Control Act of 1968 (18 U.S.C. chapter 44). These amendments add to the category of "prohibited persons" anyone convicted of a "misdemeanor crime of domestic violence." The amendments require individuals acquiring handguns from Federal firearms licenses to certify (in accordance with the Brady Law) that they have not been convicted of such a crime. The amendments also provide for sales between Federal firearms licensees of curio and relic firearms away from their licensed premises.**Timetable:**

Action	Date	FR Cite
NPRM	06/30/98	63 FR 35551
Interim Final Rule	06/30/98	63 FR 35520
NPRM Comment Period End	09/28/98	
Final Action	07/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210**RIN:** 1512-AB64**2643. RESIDENCY REQUIREMENT FOR PERSONS ACQUIRING FIREARMS****Priority:** Other Significant**Legal Authority:** 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)**CFR Citation:** 27 CFR 178**Legal Deadline:** None**Abstract:** The temporary rule amends the regulations to provide for a firearms

TREAS—BATF

Final Rule Stage

purchaser's affirmative statement of his or her State of residence on ATF Form 4473 (Firearms Transaction Record) and ATF Form 5300.35 (Statement of Intent to Obtain a Handgun) in acquiring a firearm from a Federal firearms licensee. The temporary rule also amends the regulations to require that aliens purchasing a firearm provide proof of residency through the use of substantiating documentation, such as utility bills or a lease agreement. In addition, the regulations are being amended to require that licensees examine a photo identification document from aliens purchasing firearms. These regulations implement President Clinton's March 5, 1997 announcement of firearms initiatives intended to protect the American public from gun violence.

Timetable:

Action	Date	FR Cite
NPRM	04/21/97	62 FR 19446
Interim Final Rule	04/21/97	62 FR 19442
NPRM Comment Period End	07/21/97	
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB66

2644. IDENTIFICATION MARKINGS PLACED ON FIREARMS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)

CFR Citation: 27 CFR 178; 27 CFR 179

Legal Deadline: None

Abstract: ATF proposes to amend the regulations to prescribe minimum height and depth requirements for identification markings placed on firearms by licensed importers and licensed manufacturers. ATF believes that minimum standards are necessary to ensure that firearms are properly identified in accordance with the law. In addition, the proposed standards, if adopted, will facilitate ATF's ability to trace the origin of firearms used in crime.

Timetable:

Action	Date	FR Cite
NPRM	06/23/99	64 FR 33450
NPRM Comment Period End	09/21/99	
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB84

2645. COMMERCE IN FIREARMS AND AMMUNITION—ANNUAL INVENTORY

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 552(a); 18 USC 847; 18 USC 921 to 930; 44 USC 3504(h)

CFR Citation: 27 CFR 178

Legal Deadline: None

Abstract: ATF is proposing to amend the regulations to require federally licensed importers, manufacturers, and dealers of firearms to take at least one physical inventory each year. The proposed regulations also specify the circumstances under which these licensees must conduct a special physical inventory. In addition, these proposed regulations clarify who is responsible for reporting a firearm that is stolen or lost in transit between licensees.

Timetable:

Action	Date	FR Cite
NPRM	08/28/00	65 FR 52054
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: James Ficaretta, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC08

PROCEDURAL

2646. IMPLEMENTATION OF THE PAPERWORK REDUCTION ACT

Priority: Info./Admin./Other

Legal Authority: 44 USC 3502

CFR Citation: 5 CFR 1320.7(f)(2)

Legal Deadline: None

Abstract: This final rule adds approved control numbers issued by OMB for collections of information imposed by regulations administered by ATF for parts 4, 5 and 7 of the CFR.

Timetable:

Action	Date	FR Cite
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Nancy M. Kern, Writer-Editor, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8076

RIN: 1512-AB90

2647. DELEGATION OF AUTHORITY IN 27 CFR PART 19

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 19

Legal Deadline: None

Abstract: This final rule places most ATF authorities contained in 27 CFR part 19 with the "appropriate ATF officer," and requires that persons file documents with the "appropriate ATF officer." Also, this rule removes definitions of, and references to, specific officers subordinate to the Director.

Timetable:

Action	Date	FR Cite
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None

Agency Contact: Robert P. Ruhf, Program Manager, Department of the Treasury, Bureau of Alcohol, Tobacco

TREAS—BATF

Final Rule Stage

and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC06

2648. DELEGATION OF AUTHORITY IN 27 CFR PART 53

Priority: Info./Admin./Other

Legal Authority: 26 USC 4181; 26 USC 4182; 26 USC 4216; 26 USC 4219; 26 USC 4221 to 4223; 26 USC 4225; 26 USC 6001; 26 USC 6011; 26 USC 6020; 26 USC 6021; 26 USC 6061; 26 USC 6071; 26 USC 6081; 26 USC 6091; 26 USC 6101 to 6104; 26 USC 6109; 26 USC 6151; 26 USC 6155; 26 USC 6161; 26 USC 6301 to 6303; 26 USC 6311; 26 USC 6402; 26 USC 6404; 26 USC 6416; 26 USC 7502

CFR Citation: 27 CFR 53

Legal Deadline: None

Abstract: This final rule places all authorities contained in part 53, title 27, Code of Federal Regulations (CFR), with the "appropriate ATF officer," and requires that persons file documents required by 27 CFR part 53 with the "appropriate ATF officer," or in accordance with the instructions on the ATF form. This final rule removes definitions of, and references to, specific officers and the word "region." It also renumbers ATF form 5300.29 to ATF form 5600.28.

Timetable:

Action	Date	FR Cite
Final Action	05/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC18

2649. DELEGATION OF AUTHORITY IN 27 CFR PART 170

Priority: Info./Admin./Other

Legal Authority: 26 USC 5002; 26 USC 5101; 26 USC 5102; 26 USC 5179; 26 USC 5291; 26 USC 5601; 26 USC 5615; 26 USC 5687; 26 USC 7805

CFR Citation: 27 CFR 170

Legal Deadline: None

Abstract: This final rule places all ATF authorities contained in part 170, title 27, Code of Federal Regulations (CFR), with the "appropriate ATF officer," and requires that persons file documents required by part 170 with the "appropriate ATF officer". Also, this rule removes the definitions of, and references to, specific officers subordinate to the Director.

Timetable:

Action	Date	FR Cite
Final Action	05/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Lisa Marie Gesser, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AC23

TOBACCO PRODUCTS

2650. BALANCED BUDGET ACT OF 1997, PUBLIC LAW 105-33, RESTRICTION ON THE IMPORTATION OF DOMESTIC TOBACCO PRODUCTS AND CIGARETTE PAPERS AND TUBES RETURNED TO THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5704(b); 26 USC 5704(d); 26 USC 5754; 26 USC 5702(k); 26 USC 5761(c); PL 105-33

CFR Citation: 27 CFR 200; 27 CFR 270; 27 CFR 275; 27 CFR 290

Legal Deadline: Final, Statutory, January 1, 2000.

Abstract: This rule restricts the reimportation of tobacco products, cigarette papers and tubes. These products may only be returned for delivery to a manufacturer of tobacco products or cigarette papers and tubes or to the proprietor of an export warehouse. It requires mandatory export markings on tobacco products, cigarette papers and tubes. Finally, it identifies additional penalties for relanding of tobacco products, cigarette papers and tubes, labeled or shipped for export.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/22/99	64 FR 71918
Interim Final Rule Comment Period End	02/22/00	
Reopening of Comment Period Ended	04/20/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Daniel J. Hiland, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, 650 Massachusetts Avenue NW., Washington, DC 20226
Phone: 202 927-8210

RIN: 1512-AB81

2651. IMPLEMENTATION OF PUBLIC LAW 105-33, SECTION 9302, REQUIRING THE QUALIFICATION OF TOBACCO PRODUCT IMPORTERS AND MISCELLANEOUS TECHNICAL AMENDMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 5712; 26 USC 5713

CFR Citation: 27 CFR 275

Legal Deadline: NPRM, Statutory, December 22, 1999.
Final, Statutory, December 22, 1999.

Abstract: These regulations will implement section 9302 provisions of Public Law 105-33, requiring permits for businesses engaged in importing tobacco products. Also, minor technical amendments have been included in this rule.

Timetable:

Action	Date	FR Cite
NPRM	12/22/99	64 FR 71942
Interim Final Rule	12/22/99	64 FR 71947
Interim Final Rule Effective	01/01/00	
Interim Final Rule Comment Period End	02/22/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Cliff A. Mullen, Specialist, Department of the Treasury,

TREAS—BATF

Final Rule Stage

Bureau of Alcohol, Tobacco and

Firearms, 650 Massachusetts Avenue
NW., Washington, DC 20226

Phone: 202 927-8210

RIN: 1512-AC07

DEPARTMENT OF THE TREASURY (TREAS)

Long-Term Actions

Bureau of Alcohol, Tobacco and Firearms (BATF)

ALCOHOL

2652. SAKE REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis
Required: Undetermined

Government Levels Affected: None

Agency Contact: William Foster
Phone: 202 927-8210

RIN: 1512-AC09

2653. FLAVORED MALT BEVERAGES

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis
Required: Undetermined

Government Levels Affected: None

Agency Contact: William Foster
Phone: 202 927-8210

RIN: 1512-AC11

2654. REMOVAL OF REQUIREMENT
TO DISCLOSE SACCHARIN IN THE
LABELING OF WINE, DISTILLED
SPIRITS AND MALT BEVERAGES

Priority: Info./Admin./Other

CFR Citation: 27 CFR 4.32(d); 27 CFR
5.32(b)(6); 27 CFR 7.22(b)(5)

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf
Phone: 202 927-8210
Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AC17

PROCEDURAL

2655. RECODIFICATION OF
STATEMENT OF PROCEDURAL
RULES

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 70

Timetable:

Action	Date	FR Cite
NPRM	06/13/96	61 FR 30013
NPRM Comment Period End	08/12/96	
Next Action Undetermined		

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf
Phone: 202 927-8210
Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB54

2656. PLAIN LANGUAGE IN PART 7

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 7

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: William Foster
Phone: 202 927-8210

RIN: 1512-AC10

TOBACCO PRODUCTS

2657. EXPORTATION OF TOBACCO
PRODUCTS AND CIGARETTE PAPERS
AND TUBES, WITHOUT PAYMENT OF
TAX, OR WITH DRAWDACK OF TAX

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 290

Timetable:

Action	Date	FR Cite
ANPRM	09/08/92	57 FR 40889
ANPRM Comment Period End	10/08/92	
ANPRM Comment Period Extended	01/08/93	58 FR 3247
ANPRM Comment Period Extended End	03/09/93	
Next Action Undetermined		

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf
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Email: mdruh@atfhq.atf.treas.gov

RIN: 1512-AB03

DEPARTMENT OF THE TREASURY (TREAS)

Completed Actions

Bureau of Alcohol, Tobacco and Firearms (BATF)

2658. DISTRIBUTION OF DENATURED
ALCOHOL AND RUM

Priority: Substantive, Nonsignificant

CFR Citation: 27 CFR 20

Completed:

Reason	Date	FR Cite
Final Action Completed by TD	03/02/01	66 FR 13014
Final Action Effective	05/01/01	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Marjorie D. Ruhf
Phone: 202 927-8210

RIN: 1512-AB57

TREAS—BATF

Completed Actions

2659. FORMULAS FOR DENATURED ALCOHOL AND RUM**Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 21.3; 27 CFR 21.95 to 21.97; 27 CFR 21.6; 27 CFR 21.11; 27 CFR 21.21; 27 CFR 21.31 to 21.34; 27 CFR 21.56; 27 CFR 21.65; 27 CFR 21.76; 27 CFR 21.91**Completed:**

Reason	Date	FR Cite
Final Action	03/01/01	66 FR 12853
Completed by TD		
Final Action Effective	03/01/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Marjorie D. Ruhf
Phone: 202 927-8210**RIN:** 1512-AB60**2660. IMPLEMENTATION OF PUBLIC LAW 105-34, SECTIONS 1421 AND 1422****Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 24; 27 CFR 25; 27 CFR 250; 27 CFR 251**Completed:**

Reason	Date	FR Cite
Withdrawn	01/25/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Marjorie D. Ruhf
Phone: 202 927-8210
Email: mdruhfhf@atfhq.atf.treas.gov**RIN:** 1512-AB75**2661. ALTERATION OF LABELS ON CONTAINERS OF DISTILLED SPIRITS, WINE AND BEER****Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 4; 27 CFR 5; 27 CFR 7**Completed:**

Reason	Date	FR Cite
Withdrawn	02/01/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Daniel J. Hiland
Phone: 202 927-8210**RIN:** 1512-AB76**2662. NEW GRAPE VARIETAL (DORNFELDER)****Priority:** Substantive, Nonsignificant**CFR Citation:** 27 CFR 4.91**Completed:**

Reason	Date	FR Cite
Final Action	12/14/00	65 FR 78095

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Jennifer Berry
Phone: 716 551-4048**RIN:** 1512-AC03**2663. DELEGATION OF AUTHORITY IN 27 CFR PART 18****Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 18**Completed:**

Reason	Date	FR Cite
Final Action	01/19/01	66 FR 5469

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Nancy M. Kern
Phone: 202 927-8076**RIN:** 1512-AB99**2664. DELEGATION OF AUTHORITY IN 27 CFR PART 47****Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 47**Completed:**

Reason	Date	FR Cite
Withdrawn	01/25/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Nancy M. Kern
Phone: 202 927-8076**RIN:** 1512-AC04**2665. DELEGATION OF AUTHORITY IN PARTS 20, 21 AND 22****Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 20; 27 CFR 21; 27 CFR 22**Completed:**

Reason	Date	FR Cite
Final Action	01/19/01	66 FR 5472

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Robert P. Ruhf
Phone: 202 927-8210**RIN:** 1512-AC13**2666. TECHNICAL AMENDMENTS TO 27 CFR PARTS 4, 9, 24, 70 AND 275****Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 4; 27 CFR 9; 27 CFR 24; 27 CFR 70; 27 CFR 275**Completed:**

Reason	Date	FR Cite
Final Action	11/16/00	65 FR 69252

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Nancy M. Kern
Phone: 202 927-8076**RIN:** 1512-AC15**2667. DELEGATION OF AUTHORITY IN 27 CFR PART 30****Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 30**Completed:**

Reason	Date	FR Cite
Final Action	01/19/01	66 FR 5480

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Lisa Marie Gesser
Phone: 202 927-8210**RIN:** 1512-AC16**2668. DELEGATION OF AUTHORITY IN PART 25****Priority:** Info./Admin./Other**CFR Citation:** 27 CFR 25**Completed:**

Reason	Date	FR Cite
Final Action	01/19/01	66 FR 5477

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Robert P. Ruhf
Phone: 202 927-8210**RIN:** 1512-AC20

BILLING CODE 4810-31-S

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Proposed Rule Stage

2669. UNIFORM RULES OF PRACTICE AND PROCEDURE; REGULATION REVIEW
Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 504; 12 USC 1831o; 12 USC 1972; 12 USC 3102; 12 USC 3108; 12 USC 3909; 5 USC 554 to 557; 12 USC 93a; 12 USC 93(b); 12 USC 164; 12 USC 505; 12 USC 1817; 12 USC 1818; 12 USC 1820

CFR Citation: 12 CFR 19

Legal Deadline: None

Abstract: The OCC is considering what regulatory actions may be necessary to implement section 112(g)(4) of the Federal Deposit Insurance Corporation Improvement Act of 1991 to develop joint agency procedures for the suspension and debarment of accountants, upon a showing of good cause, from performing certain audit services.

Timetable:

Action	Date	FR Cite
NPRM - Suspension and Debarment of Accountants	07/00/01	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Mitchell Plave, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
 Phone: 202 874-5090
 Fax: 202 874-4889
 Email: mitchell.plave@occ.treas.gov

RIN: 1557-AB43

2670. DEBT CANCELLATION CONTRACTS AND DEBT SUSPENSION AGREEMENTS
Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 24(Seventh)

CFR Citation: 12 CFR 37

Legal Deadline: None

Abstract: The OCC plans to issue a notice of proposed rulemaking governing the offering of debt cancellation contracts and debt suspension agreements.

Timetable:

Action	Date	FR Cite
ANPRM	01/26/00	65 FR 4176
ANPRM Comment Period End	03/27/00	

Action	Date	FR Cite
NPRM	04/18/01	66 FR 19901
NPRM Comment Period End	06/18/01	
Final Rule	07/00/01	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Jean Campbell, Attorney, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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 Fax: 202 874-4889
 Email: jean.campbell@occ.treas.gov

RIN: 1557-AB75

2671. BANK ACTIVITIES AND OPERATIONS
Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq.; 12 USC 93a

CFR Citation: 12 CFR 7.1002; 12 CFR 7.5000 to 7.5010

Legal Deadline: None

Abstract: The notice of proposed rulemaking would make changes or additions to 12 CFR part 7 arising from national bank involvement in new technologies, including amendments relating to finder and electronic banking activities.

Timetable:

Action	Date	FR Cite
ANPRM	02/02/00	65 FR 4895
ANPRM Comment Period End	04/03/00	
NPRM	04/00/01	

Regulatory Flexibility Analysis
Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Heidi M. Thomas, Counsel, Department of the Treasury, Comptroller of the Currency, 250 E Street SW, Washington, DC 20219
 Phone: 202 874-5090
 Fax: 202 874-4889
 Email: heidi.thomas@occ.treas.gov

RIN: 1557-AB76

2672. FAIR CREDIT REPORTING REGULATIONS
Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 15 USC 1681s; PL 106-102, sec 506

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The rule will address the sharing of transactional, experiential, and other consumer information among persons related by common ownership or affiliated by corporate control. Such sharing of this information constitutes an exclusion from the definition of "consumer report" under section 603(d) of the Fair Credit Reporting Act (15 U.S.C. 1681a(d)).

Timetable:

Action	Date	FR Cite
NPRM	10/20/00	65 FR 63120
NPRM Comment Period End	12/04/00	
Second NPRM	12/00/01	

Regulatory Flexibility Analysis
Required: Undetermined

Government Levels Affected: None

Agency Contact: Deborah Katz, Senior Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
 Phone: 202 874-5090
 Fax: 202 874-4889
 Email: deborah.katz@occ.treas.gov

RIN: 1557-AB78

2673. FIDUCIARY ACTIVITIES OF NATIONAL BANKS
Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq.; 12 USC 24 (Seventh); 12 USC 24a; 12 USC 92; 12 USC 92a(b); 12 USC 93a; 15 USC 78q; 15 USC 78q-1; 15 USC 78w

CFR Citation: 12 CFR 5; 12 CFR 9

Legal Deadline: None

Abstract: The OCC has issued a notice of proposed rulemaking (NPRM) and advance notice of proposed rulemaking (ANPRM) that would amend 12 CFR part 9. The NPRM codifies OCC interpretations on national bank multi-state trust operations. The ANPRM solicits comments on the standards of care generally applicable to the exercise of national bank fiduciary powers authorized by 12 U.S.C. 92a and part 9.

TREAS—OCC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM/NPRM	12/05/00	65 FR 75872
ANPRM/NPRM Comment Period End	02/05/01	
Final Rule	05/00/01	
NPRM	07/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** State**Federalism:** This action may have federalism implications as defined in EO 13132.

Agency Contact: Andra Shuster, Counsel, Department of the Treasury, Comptroller of the Currency
Phone: 202 874-5090
Fax: 202 874-4889
Email: andra.shuster@occ.treas.gov

RIN: 1557-AB79

2674. NOTICE OF EXEMPT PRIVACY ACT SYSTEMS OF RECORDS**Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 5 USC 321; 5 USC 552; 5 USC 552a**CFR Citation:** 31 CFR 1**Legal Deadline:** None

Abstract: The OCC, with the concurrence of the Department of the Treasury, is issuing a notice of proposed rulemaking to amend the Treasury Regulation that sets forth the systems of records maintained by Treasury Department agencies and bureaus that are exempt from certain provisions of the Privacy Act of 1974. The OCC is amending this regulation to update and expand the list of its systems of records that are exempt from certain provisions of the privacy act and to clarify the bases for these exemptions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None

Agency Contact: Harold J. Hansen, Assistant Director, Department of the Treasury, Comptroller of the Currency, Administrative and Internal Law

Division, 250 E Street SW, Washington, DC 20219

Phone: 202 874-4460

Fax: 202 874-4555

Email: harold.hansen@occ.treas.gov

RIN: 1557-AB83

2675. • RECORDKEEPING REQUIREMENTS FOR BANK EXCEPTIONS FROM SECURITIES BROKER OR DEALER REGISTRATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 12 USC 1828(t)**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: This notice of proposed rulemaking will seek comment on recordkeeping requirements for banks relying on exceptions to the definitions of broker or dealer in paragraphs (4) and (5) of section 3(a) of the Securities Exchange Act of 1934.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Deborah Katz, Senior Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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Fax: 202 874-4889
Email: deborah.katz@occ.treas.gov

RIN: 1557-AB93

2676. • PROHIBITION AGAINST USE OF INTERSTATE BRANCHES PRIMARILY FOR DEPOSIT PRODUCTION**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 21, 22, 26, 27, 30, 36; 12 USC 93a, 161, 215, 215a, 481; 12 USC 1814, 1816, 1828(c), 1835a; 12 USC 2901 through 2907; 12 USC 3101 through 3111**CFR Citation:** 12 CFR 25**Legal Deadline:** None

Abstract: The notice of proposed rulemaking would invite comment on a rule that would amend regulations implementing section 109 of the Riegle-Neal Interstate Banking and Branching

Efficiency Act of 1994 to effectuate the amendment of section 109 of the Gramm-Leach-Bliley Act of 1999. Section 109 prohibits a bank from establishing or acquiring a branch or branches outside of its home state for the purpose of deposit production. Additionally, section 109 contains guidelines for determining whether a bank is reasonably helping to meet the credit needs of communities served by an out-of-state branch or branches. The proposed rule amends the section 109 deposit production prohibition to include any bank or branch controlled by an out-of-state bank holding company, including a bank consisting only of a main office.

Timetable:

Action	Date	FR Cite
NPRM	04/09/01	66 FR 18411
NPRM Comment Period End	06/08/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Patrick Tierney, Attorney, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
Phone: 202 874-5090
Email: patrick.tierney@occ.treas.gov

RIN: 1557-AB95

2677. • ASSESSMENT OF FEES; NATIONAL BANKS; DISTRICT OF COLUMBIA**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 12 USC 481; 12 USC 482; 12 USC 3102**CFR Citation:** 12 CFR 8**Legal Deadline:** None

Abstract: The OCC proposes to amend the assessment formula it uses to assess independent credit card banks. A credit card bank is considered independent for purposes of this proposal if it engages primarily in credit card operations and is not affiliated with a full service national bank. Under the revised rate structure, all credit card banks would continue to be assessed based on balance sheet assets. However, independent credit card banks would pay an additional assessment to reflect the supervision required of these banks' off-balance sheet activities.

TREAS—OCC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/04/01	66 FR 17821
NPRM Comment Period End	05/04/01	
Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Mitchell Plave, Counsel, Department of the Treasury,

Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB96

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Final Rule Stage

2678. CAPITAL RULES**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 12 USC 161; 12 USC 1828 note; 12 USC 1828(n); 12 USC 1831n note; 12 USC 1835; 12 USC 3907; 12 USC 3909**CFR Citation:** 12 CFR 3**Legal Deadline:** None

Abstract: As part of the OCC's ongoing efforts to develop and refine capital standards to ensure the safety and soundness of the national banking system and to implement statutory requirements, the OCC is amending various provisions of the capital rules for national banks. Specifically, these changes include: 1) collateralized transactions; 2) recourse arrangements and direct credit substitutes; 3) claims on securities firms; 4) bifurcated capital for complex and noncomplex banks; 5) residual interests; 6) securities borrowing transactions; and 7) nonfinancial equity investments. The OCC is conducting all of these rulemakings jointly with the other Federal banking agencies.

Timetable:**Bifurcated Capital for Complex and Noncomplex Banks**

ANPRM 11/03/00 (65 FR 66193)
 NPRM Comment Period End 02/01/01
 NPRM 10/00/01

Claims on Securities Firms

NPRM 12/06/00 (65 FR 76180)
 NPRM Comment Period End 01/22/01
 Final Rule 10/00/01

Collateralized Transactions

NPRM 08/16/96 (61 FR 42565)
 Final Action 10/00/01

Nonfinancial Equity Investments

NPRM 02/14/01 (66 FR 10212)
 NPRM Comment Period End 04/16/01
 Final Rule 10/00/01

Recourse and Direct Credit Substitutes

ANPRM/NPRM 05/25/94 (59 FR 27116)
 NPRM 11/05/97 (62 FR 59944)
 NPRM 03/08/00 (65 FR 12320)
 NPRM Comment Period End 06/07/00
 Final Rule 10/00/01

Residual Interests

NPRM 09/27/00 (65 FR 57993)
 NPRM Comment Period End 12/26/00
 Final Rule 10/00/01

Securities Borrowing Transactions

Interim Final Rule 12/05/00 (65 FR 75856)
 Interim Final Rule Comment Period End 01/19/01
 Final Rule 10/00/01

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

Additional Information: ADDITIONAL AGENCY CONTACT: Amrit Sekhon, Risk Specialist, Capital Policy Division, (202) 874-5211, FAX (202) 874-5417, 250 E Street SW, Washington, DC 20219.

Agency Contact: Ronald Shimabukuro, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB14**2679. LENDING LIMITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1 et seq; 12 USC 93a; 12 USC 84**CFR Citation:** 12 CFR 32**Legal Deadline:** None

Abstract: The OCC is amending its lending limit rules, in response to comments received pursuant to the OCC's community bank advance notice of proposed rulemaking published in the Federal Register on May 12, 1999 (64 FR 25469) and notice of proposed rulemaking published on September 22, 2000.

Timetable:

Action	Date	FR Cite
NPRM	09/22/00	65 FR 57292

Action	Date	FR Cite
NPRM Comment Period End	11/21/00	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Federalism:** Undetermined

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RIN: 1557-AB82**2680. ASSESSMENT OF FEES; NATIONAL BANKS; DISTRICT OF COLUMBIA BANKS****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 12 USC 481; 12 USC 482; 12 USC 1867; 12 USC 3102; 12 USC 3108; 15 USC 78e; 15 USC 78l; 26 DC Code**CFR Citation:** 12 CFR 8**Legal Deadline:** None

Abstract: This rulemaking would revise the OCC's assessments regulation to specify that the OCC may charge a national bank when the OCC conducts a special examination or investigation of a third party that provides services to the bank.

Timetable:

Action	Date	FR Cite
NPRM	12/01/00	65 FR 75196
NPRM Comment Period End	01/02/01	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None

TREAS—OCC

Final Rule Stage

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RIN: 1557-AB90

2681. • OPERATING SUBSIDIARIES OF FEDERAL BRANCHES AND AGENCIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1 et seq.; 12 USC 24a; 12 USC 93a

CFR Citation: 12 CFR 5.34

Legal Deadline: None

Abstract: The final rule will enable a Federal branch or agency to establish or maintain an operating subsidiary in generally the same manner that a national bank may establish or control an operating subsidiary.

Timetable:

Action	Date	FR Cite
NPRM	12/05/00	65 FR 75870
NPRM Comment Period End	02/05/01	
Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1557-AB92

2682. • INVESTMENT SECURITIES; BANK ACTIVITIES AND OPERATIONS; AND LEASING

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1, et seq.; 12 USC 24 (Seventh); 12 USC 24 (Tenth); 12 USC 92; 12 USC 92a; 12 USC 93a; 12 USC 481; 12 USC 484; 12 USC 1818

CFR Citation: 12 CFR 1; 12 CFR 7; 12 CFR 23

Legal Deadline: None

Abstract: The OCC is proposing to amend 12 CFR parts 1, 7, and 23. The proposed revisions to part 1 incorporate the express authority to underwrite municipal bonds granted to national banks by section 151 of the Gramm-Leach-Bliley Act (GLBA). The proposed revisions to part 7: 1) clarify the conditions under which a national bank may participate in a bona fide financial literacy program at a school without the school location being deemed a branch of the bank; 2) revise the OCC's regulation governing bank holidays to conform it with the Comptroller's

statutory authority to proclaim mandatory bank closings; 3) clarify the scope of the term "NSF" fees for purposes of 12 U.S.C. 85; 4) clarify the OCC's current regulation governing national banks' non-interest charges and fees; and 5) provide that state law applies to a national bank operating subsidiary only to the extent that it applies to the parent national bank. The proposed revisions to part 23 prescribe a percentage limit on the extent to which a national bank may rely on estimated residual value to recover its costs in personal property leasing arrangements.

Timetable:

Action	Date	FR Cite
NPRM	01/31/01	66 FR 8178
Comment Period End	04/02/01	
Final Rule	06/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: This action may have federalism implications as defined in EO 13132.

Agency Contact: Andra Shuster, Counsel, Department of the Treasury, Comptroller of the Currency
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RIN: 1557-AB94

RIN: 1557-AB94

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Long-Term Actions

2683. QUALIFICATION REQUIREMENTS FOR TRANSACTIONS IN CERTAIN SECURITIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 1818; 12 USC 1831p-1

CFR Citation: 12 CFR 12

Legal Deadline: None

Abstract: The regulation will require bank employees to meet certain qualification standards before selling nondeposit investment products in a bank.

Timetable:

Action	Date	FR Cite
NPRM	12/30/96	61 FR 68823
Final Action	To Be	Determined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Mark J. Tenhundfeld, Assistant Director, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB54

RIN: 1557-AB54

2684. RULES AND PROCEDURES FOR CLAIMS AGAINST OCC-APPOINTED RECEIVERSHIPS FOR UNINSURED FINANCIAL INSTITUTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 93a; 12 USC 192; 12 USC 206; 12 USC 3108

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: This regulation will establish rules and procedures for processing claims against receivers for uninsured Federal institutions that are chartered by the OCC.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

TREAS—OCC

Long-Term Actions

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Mitchell Plave, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB59**2685. REAL ESTATE APPRAISALS****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 12 USC 3331 et seq**CFR Citation:** 12 CFR 34**Legal Deadline:** None

Abstract: This rulemaking would amend the OCC's appraisal regulation to exempt transactions involving mortgage-backed securities (MBS) from its principal appraisal requirements. The amendment would allow national banks to invest in commercial

mortgage-backed securities (CMBS) without regard to appraisals.

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Mitchell Plave, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB70**2686. MINIMUM SECURITY DEVICES AND PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 12 USC 1882**CFR Citation:** 12 CFR 21**Legal Deadline:** None

Abstract: The OCC is considering a rulemaking that would amend the OCC's Minimum Security Devices and Procedures regulation to address recent changes made to the definition of the term "branch" in the National Bank Act by the Economic Growth and Paperwork Reduction Act of 1996 (EGRPA). This amendment would clarify that the regulation applies to automated teller machines (ATMs) and remote service units (RSUs).

Timetable:

Action	Date	FR Cite
NPRM	To Be	Determined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Patrick Tierney, Attorney, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB71

DEPARTMENT OF THE TREASURY (TREAS)

Completed Actions

Comptroller of the Currency (OCC)

2687. ASSESSMENT OF FEES; NATIONAL BANKS; DISTRICT OF COLUMBIA BANKS**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 93a; 12 USC 481; 12 USC 482; 12 USC 3102; 15 USC 78c; 15 USC 78d; 26 DC Code 102**CFR Citation:** 12 CFR 8**Legal Deadline:** None

Abstract: By statute, the OCC assesses banks to meet the OCC's expenses in carrying out its activities. The rulemaking revised 12 CFR part 8 to adjust the OCC's assessment structure to better reflect the full extent of the OCC's regulation, supervision, and examination of institutions that currently do not pay the full costs of OCC supervision because their balance sheets do not fully reflect the nature of their business.

Timetable:

Action	Date	FR Cite
NPRM	03/21/00	65 FR 15111
NPRM Comment Period End	04/20/00	

Action	Date	FR Cite
Final Rule	12/05/00	65 FR 75859
Final Rule Effective	12/31/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Mitchell Plave, Counsel, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB72**2688. CONSUMER PROTECTIONS FOR DEPOSITORY INSTITUTION SALES OF INSURANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1 et seq; 12 USC 24(Seventh); 12 USC 92; 12 USC 93a; 12 USC 1818; ...**CFR Citation:** 12 CFR 14

Legal Deadline: Final, Statutory, November 12, 2000, PL 106-102, sec 305.

Abstract: The rule implements the provisions in section 305 of the Gramm-Leach-Bliley Act requiring the OCC and other banking agencies to adopt regulations governing the retail sales of insurance products.

Timetable:

Action	Date	FR Cite
NPRM	08/21/00	65 FR 50882
NPRM Comment Period End	10/05/00	
Final Rule	12/04/00	65 FR 75822
Final Rule Effective	12/04/00	
Delay of Effective Date	03/19/01	66 FR 15345
To 10/01/2001		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Federalism: This action may have federalism implications as defined in EO 13132.

TREAS—OCC

Completed Actions

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RIN: 1557-AB81

2689. INTERAGENCY GUIDELINES ESTABLISHING STANDARDS FOR SAFEGUARDING CUSTOMER INFORMATION

Priority: Substantive, Nonsignificant
Legal Authority: 12 USC 93a; 12 USC 1831p-1; 15 USC 6801; 15 USC 6805
CFR Citation: 12 CFR 30, app D
Legal Deadline: None

Abstract: The OCC, together with the other Federal banking agencies, issued guidelines establishing standards for safeguarding customer information that implement section 39 of the Federal Deposit Insurance Act and sections 501 and 505(b) of the Gramm-Leach-Bliley Act.

Timetable:

Action	Date	FR Cite
NPRM	06/26/00	65 FR 39472
NPRM Comment Period End	08/25/00	
Final Rule	02/01/01	66 FR 8616
Final Rule Effective	07/01/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 1557-AB84

2690. DISCLOSURE AND REPORTING OF CRA RELATED AGREEMENTS

Priority: Substantive, Nonsignificant
Legal Authority: 12 USC 1831y
CFR Citation: 12 CFR 35

Legal Deadline: None

Abstract: The rule implements section 711 of the Gramm-Leach-Bliley Act, which imposes disclosure and reporting requirements with respect to certain CRA-related agreements between insured depository institutions and their affiliates and nongovernmental persons or entities, such as community organizations.

Timetable:

Action	Date	FR Cite
NPRM	05/19/00	65 FR 31962
NPRM Comment Period End	07/21/00	
Final Rule	01/10/01	66 FR 2052
Final Rule Effective	04/01/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Karen Solomon, Director, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division
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RIN: 1557-AB85

2691. RULES OF PRACTICE AND PROCEDURE

Priority: Substantive, Nonsignificant
Legal Authority: 5 USC 504; 12 USC 93a; 12 USC 93(b); 12 USC 164; 12 USC 505; 12 USC 1817

CFR Citation: 12 CFR 19

Legal Deadline: None

Abstract: The OCC is amending its rules of practice and procedure to adjust the maximum amount, as set by statute, of each civil money penalty within its jurisdiction to account for inflation. This action is required under the Federal Civil Penalties Inflation Adjustment Act, as amended by the Debt Collection Improvement Act of 1996. This action will increase the amount of civil monetary penalties that may be imposed by the OCC in an enforcement action in the amounts set forth in the final rule.

Timetable:

Action	Date	FR Cite
Final Rule	12/11/00	65 FR 77250
Final Rule Effective	12/11/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jean Campbell, Attorney, Department of the Treasury, Comptroller of the Currency, Legislative and Regulatory Activities Division, 250 E Street SW, Washington, DC 20219
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RIN: 1557-AB88

2692. INVESTMENT SECURITIES; BANK ACTIVITIES AND OPERATIONS; LEASING

Timetable:

Action	Date	FR Cite
Duplicate of RIN 1557- AB94	02/14/01	

RIN: 1557-AB89
BILLING CODE 4810-33-S

DEPARTMENT OF THE TREASURY (TREAS) United States Customs Service (CUSTOMS)

Proposed Rule Stage

2693. LIQUIDATION; EXTENSION; SUSPENSION

Priority: Substantive, Nonsignificant
Legal Authority: 19 USC 66; 19 USC 1500; 19 USC 1504; 19 USC 1624
CFR Citation: 19 CFR 159
Legal Deadline: None

Abstract: Document would amend the Customs Regulations to implement amendments to section 504 of the Tariff Act of 1930, as amended, which pertains to limitations on the liquidation of entries that were contained in the Customs Modernization provisions of the North American Free Trade Agreement

Implementation Act. Amendments would allow the reconciliation of entries to be treated as if they were entry summaries, subject to normal liquidation requirements; authorize the electronic transmittal of notices of extension and suspension of liquidation; extend the time period in which Customs must liquidate a

TREAS—CUSTOMS

Proposed Rule Stage

suspended entry after the suspension is removed; remove the application of the four-year limitation to suspended entries; and provide that Customs must also inform sureties when an entry is suspended or extended.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: William G. Rosoff, Chief, Duty Refund and Determination Branch, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2077

RIN: 1515-AB66

2694. DETENTION, SEIZURE, AND FORFEITURE OF "BOOTLEG" SOUND RECORDING AND MUSIC VIDEOS OF LIVE MUSICAL PERFORMANCES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 17 USC 602; 17 USC 603; 31 USC 9701; 19 USC 66; 19 USC 1202; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 17 USC 101; 17 USC 601

CFR Citation: 19 CFR 12; 19 CFR 24; 19 CFR 133

Legal Deadline: None

Abstract: Amendment to provide for the detention, seizure, and forfeiture of unauthorized (bootleg) copies of sound recordings and music videos of live musical performances recorded outside of and imported into the United States, as provided by section 513(a) of the Uruguay Round Agreements Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: George F. McCray, Attorney, Intellectual Property Rights Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2387

RIN: 1515-AB74

2695. RECONCILIATION

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1484; 19 USC 1500; 19 USC 1624

CFR Citation: 19 CFR 142; 19 CFR 159

Legal Deadline: None

Abstract: Amendment to allow those elements relating to the admissibility of the merchandise, that are undetermined at the time an entry summary or an import activity summary is required to be submitted, to be provided to Customs at a later date.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John Durant, Director, Commercial Rulings Division, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2244

RIN: 1515-AB85

2696. REMOTE LOCATION FILING

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1484; 19 USC 1624; 19 USC 1641

CFR Citation: 19 CFR 111; 19 CFR 113; 19 CFR 141; 19 CFR 143

Legal Deadline: None

Abstract: Amendment to allow entry filers to electronically file entries of merchandise with Customs from locations within the United States other than at the port of arrival of the merchandise or the location of examination of the merchandise.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Millie Gleason, Chief, Summary Management, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229

Phone: 202 927-0625

RIN: 1515-AC23

2697. ADMINISTRATIVE RULINGS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1502; 19 USC 1624; 19 USC 1625

CFR Citation: 19 CFR 177

Legal Deadline: None

Abstract: Document revises those provisions of the Customs Regulations that concern the issuance of administrative rulings and related written determinations and decisions on prospective and current transactions arising under the Customs and related laws. Changes include amendments in response to statutory changes made to the administrative ruling process by section 623 of the Customs Modernization provisions of the North American Free Trade Agreement Implementation Act, as well as substantive and organizational changes to clarify current administrative practice, and otherwise improve the layout and readability of the present regulatory texts.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: John Elkins, Chief, Textiles Branch, Office of Regulations and Rulings, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2380

RIN: 1515-AC56

2698. USER AND NAVIGATION FEES; OTHER REIMBURSABLE CHARGES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 19 USC 1202; 19 USC 1431; 19 USC 1433; 19 USC 1434; 19 USC 1505; 19 USC 1624; 31 USC 9701; 46 USC 2110; 46 USC 2111; 46 USC 2112

CFR Citation: 19 CFR 4; 19 CFR 24; 19 CFR 101

Legal Deadline: None

TREAS—CUSTOMS

Proposed Rule Stage

Abstract: Amendment regarding the proper assessment of user and navigation fees, as well as other reimbursement charges for Customs services performed in connection with, among other things, the processing of vehicles, vessels, aircraft and merchandise arriving in the United States. Purpose of the amendment is to conform the regulations with the intent of the Customs user fee statute and to reflect existing operational policy and administrative practice in this area.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Kimberly Nott, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1364

RIN: 1515-AC63

2699. SIMPLIFICATION OF IN-TRANSIT TRUCK SHIPMENTS BETWEEN CANADA AND THE UNITED STATES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1431; 19 USC 1433; 19 USC 1436; 19 USC 1448; 19 USC 1553; 19 USC 1624

CFR Citation: 19 CFR 123

Legal Deadline: None

Abstract: Amendment to simplify reporting procedures for the in-transit movement of truck shipments between Canada and the United States. Amendment is designed to reduce traffic congestion along the northern border by reducing the number of reporting stops.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Raymond Janiszewski, Supervisory Import Specialist, Office of Field Operations, Department of the Treasury, United States Customs Service, 1300

Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0365

Walter Lechowski, Assistant Director, Operations, Department of the Treasury, United States Customs Service, Building 10, East Great Lakes CMC, 4455 Genesee Street, Buffalo, NY 14225

Phone: 716 626-0400

RIN: 1515-AC65

2700. NATIONAL SANCTIONS DUE TO THE DELINQUENT PAYMENT OF CUSTOMS BILLS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 142

Legal Deadline: None

Abstract: Amendment to provide that Customs will issue sanction warnings from a centralized site at the national level to importers that have delinquent Customs bills. The nationally issued sanction warnings will notify an importer that if Customs does not receive full payment of all the importer's delinquent Customs bills within the time specified in the sanction warning, sanctions will be imposed nationally on all of the importer's transactions at all Customs ports.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Robert Reiley, Financial Officer, Financial Management Division, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1504

RIN: 1515-AC68

2701. CUSTOMS EXAMINATION OF IN-TRANSIT MAIL SHIPMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1624

CFR Citation: 19 CFR 145

Legal Deadline: None

Abstract: Amendment to provide that Customs has the authority to examine and search international mail without regard as to whether it is transiting the United States or the U.S. Virgin Islands, or is being delivered within the Customs territory of the United States or the U.S. Virgin Islands.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Glen E. Vereb, Senior Attorney, Entry Procedures and Carriers Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1327

RIN: 1515-AC71

2702. PRIVATE AIRCRAFT PROGRAMS: ESTABLISHMENT OF THE GENERAL AVIATION TELEPHONIC ENTRY (GATE) PROGRAM AND REVISIONS TO THE OVERFLIGHT PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58b; 19 USC 66; 19 USC 1433; 19 USC 1436; 19 USC 1448; 19 USC 1459; 19 USC 1590; 19 USC 1594; 19 USC 1623; 19 USC 1624; 19 USC 1644; 19 USC 1644a

CFR Citation: 19 CFR 122; 19 CFR 123

Legal Deadline: None

Abstract: Amendment provides for the GATE Program and revises the Overflight Program. The GATE Program is a voluntary program designed to facilitate Customs processing of certain prequalified frequent travelers on preregistered general aviation aircraft arriving in the United States directly from Canada. The Overflight Program exempts certain private aircraft arriving in the continental United States from the special landing requirements applicable to such aircraft. The revision to the Overflight Program involves modifying the application process and centralizing the processing of requests for overflight privileges.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

TREAS—CUSTOMS

Proposed Rule Stage

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Steve Gilbert, Programs Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1391

RIN: 1515-AC73

2703. EXPANDED WEEKLY ENTRY PROCEDURE FOR FOREIGN TRADE ZONES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 81a to 81u; 19 USC 1202; 19 USC 1484i; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 146

Legal Deadline: None

Abstract: Amendment in conformance with the Trade and Development Act of 2000 to expand the weekly entry procedure for foreign trade zones to include merchandise involved in activities other than exclusively assembly-line production operations. Under the expanded weekly procedure, weekly entries covering estimated removals of merchandise from a foreign trade zone for any 7-day period and the associated entry summaries will have to be filed exclusively through the Automated Broker Interface, with duties, fees and taxes being scheduled for payment through the Automated Clearinghouse.

Timetable:

Action	Date	FR Cite
NPRM	04/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Bruce Ingalls, Chief, Entry and Drawback Management, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1082

RIN: 1515-AC74

2704. ● REIMBURSABLE CUSTOMS INSPECTIONAL SERVICES: INCREASE IN HOURLY RATE CHARGE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 5 USC 6103; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 19 USC 261; 19 USC 267; 19 USC 1202; 19 USC 1450; 19 USC 1451; 19 USC 1452; 19 USC 1456; 19 USC 1505; 19 USC 1557; 19 USC 1562; 19 USC 1624; 26 USC 4461; 26 USC 4462; 31 USC 9701; 46 USC 2110; 46 USC 2111; 46 USC 2112

CFR Citation: 19 CFR 24; 19 CFR 101

Legal Deadline: None

Abstract: Amendment to increase the rate of charge for reimbursable Customs inspectional services.

Timetable:

Action	Date	FR Cite
NPRM	02/01/01	66 FR 8554
NPRM Comment Period End	04/02/01	
Final Action	08/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Dennis Lomax, Accountant, Department of the Treasury, United States Customs Service, Accounting Services Division, Office of Finance, Indianapolis, IN 46278
Phone: 317 298-1200

RIN: 1515-AC77

2705. ● USER FEES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 19 USC 1202; 19 USC 1505; 19 USC 1624; 26 USC 4461; 26 USC 4462; 31 USC 9701

CFR Citation: 19 CFR 24; 19 CFR 111

Legal Deadline: None

Abstract: Amendment to reflect amendments to 19 U.S.C. 58c, the Customs user fee statute, made by the Miscellaneous Trade and Technical Corrections Act of 1999 (the Act), as well as prior legislative changes to that user fee statute. Amendment sets forth, pursuant to the Act, the new fee structure for passengers arriving in the United States aboard commercial

vessels and aircraft, and clarifies how Customs administers certain user fees.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Robert Reiley, Financial Officer, Financial Management Division, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1504

RIN: 1515-AC81

2706. ● DISTRIBUTION OF CONTINUED DUMPING AND SUBSIDY OFFSET TO AFFECTED DOMESTIC PRODUCERS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1500; 19 USC 1504; 19 USC 1624; 19 USC 1675c

CFR Citation: 19 CFR 159

Legal Deadline: None

Abstract: Amendment to implement the Continued Dumping and Subsidy Offset Act of 2000. Amendment prescribes the administrative procedures, including time and manner, under which antidumping and countervailing duties assessed on imported products would be distributed to affected domestic producers as an offset for certain qualifying expenditures.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jeffrey J. Laxague, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0505

RIN: 1515-AC84

DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)

Final Rule Stage

2707. NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)—IMPLEMENTATION OF DUTY-DEFERRAL PROGRAM PROVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1481; 19 USC 1484; 19 USC 1202; 19 USC 1315; 19 USC 1624; 19 USC 3314

CFR Citation: 19 CFR 181; 19 CFR 113; 19 CFR 141; 19 CFR 144; 19 CFR 10

Legal Deadline: Final, Statutory, January 1, 1996.

Abstract: Document amends regulations to establish procedural and other requirements that apply to the collection, waiver, and reduction of duties under the duty-deferral program provisions of the North American Free Trade Agreement. The document prescribes the documentary and other requirements that must be followed when merchandise is withdrawn from a U.S. duty-deferral program, either for exportation to another NAFTA country or for entry into a duty-deferral program of another NAFTA country, the procedures that must be followed in filing a claim for a waiver or reduction of duties collected on such merchandise, and the procedures for finalization of duty collections and duty waiver or reduction claims.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/30/96	61 FR 2908
Interim Final Rule Effective	01/01/96	
Interim Final Rule Comment Period End	04/01/96	
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Shawn Filion, Commercial Program Specialist, Department of the Treasury, United States Customs Service, Office of Field Operations, North Star Commercial, P.O. Box 400, Buffalo, NY 14225
 Phone: 716 551-3053

RIN: 1515-AB87

2708. ENTRY OF SOFTWOOD LUMBER SHIPMENTS FROM CANADA

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 2416; 19 USC 2171

CFR Citation: 19 CFR 12; 19 CFR 113

Legal Deadline: None

Abstract: Document sets forth amendments establishing additional entry requirements applicable to shipments of softwood lumber from Canada. Amendment involves the collection of certain additional information for purposes of monitoring and enforcing an agreement between the Governments of the United States and Canada regarding trade in softwood lumber.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/26/97	62 FR 8620
Interim Final Rule Effective	02/26/97	
Interim Final Rule Comment Period End	04/28/97	
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joyce Metzger, Office of Field Operations, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
 Phone: 202 927-0792

RIN: 1515-AB97

2709. CUSTOMS ENTRY DOCUMENTATION PURSUANT TO ANTICOUNTERFEITING CONSUMER PROTECTION ACT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 141

Legal Deadline: Final, Statutory, January 2, 1997.

Abstract: Document implements section 12 of the Anticounterfeiting Consumer Protection Act of 1996 (ACPA), which was enacted by Congress to protect consumers and American businesses from counterfeit copyrighted and trademarked products. Section 12 of the ACPA concerns the content of entry documentation

required by Customs to determine whether the imported merchandise or its packaging bears an infringing trademark. Amendment requires importers to provide on the invoice a listing of all trademarks appearing on imported merchandise and its packaging.

Timetable:

Action	Date	FR Cite
NPRM	09/13/99	64 FR 49423
NPRM Comment Period End	12/13/99	64 FR 62135
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Joanne R. Stump, Chief, Intellectual Property Rights, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
 Phone: 202 927-3315

RIN: 1515-AC15

2710. COUNTRY OF ORIGIN MARKING

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1304; 19 USC 1624

CFR Citation: 19 CFR 134

Legal Deadline: None

Abstract: Amendments clarify the country of origin marking rules set forth in part 134 of the Customs Regulations. Amendments promote the concept of informed compliance by the trade and proper field administration of the statutory requirement.

Timetable:

Action	Date	FR Cite
NPRM	01/26/00	65 FR 4193
NPRM Comment Period End	04/26/00	65 FR 17473
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Burton Schlissel, Attorney-Advisor, Special Classification and Marking Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
 Phone: 202 927-2310

TREAS—CUSTOMS

Final Rule Stage

Monika Rice Brenner, Attorney-Advisor, Special Classification and Marking Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2310

Kristen VerSteege, Attorney-Advisor, Special Classification and Marking Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2310

RIN: 1515-AC32

2711. EXPANDED METHODS OF PAYMENT OF DUTIES, TAXES, INTEREST AND FEES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 197; 19 USC 198; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 19 USC 1202; 19 USC 1450; 19 USC 1624; 31 USC 9701

CFR Citation: 19 CFR 24

Legal Deadline: None

Abstract: Amendment to expand the number of ways that Customs will accept payment of duties, taxes, fees, interest and other charges. Currently, the regulations allow for credit or charge cards, which have been authorized by the Commissioner of Customs, to be used at designated Customs-serviced locations with a limitation that this method of payment may only be used by noncommercial entities. Amendment allows payment of duties, taxes, fees, interest and other charges by any electronic technology or charge cards (either debit or credit cards) that are authorized by the Commissioner of Customs and by removing the limitation that these methods of payment may only be used by noncommercial entities.

Timetable:

Action	Date	FR Cite
NPRM	03/17/99	64 FR 13141
NPRM Comment Period End	05/17/99	
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Linda Lloyd, Financial Officer, Financial Policy

Division, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0119

RIN: 1515-AC40

2712. IMPORTATION AND ENTRY BOND CONDITIONS REGARDING OTHER AGENCY DOCUMENTATION REQUIREMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 113

Legal Deadline: None

Abstract: Amendment with regard to the basic importation and entry bond condition under which, if merchandise is conditionally released to the principal named in the bond, the principal agrees to furnish Customs with any document or evidence as required by law or regulation. Amendment would extend this requirement, and consequently the potential liability for payment of liquidated damages for a breach of the bond condition, to documents and evidence submitted to other Government agencies under laws and regulations of those other agencies.

Timetable:

Action	Date	FR Cite
NPRM	08/06/99	64 FR 42872
NPRM Comment Period End	10/05/99	
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeremy Baskin, Attorney-Advisor, Penalties Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1176

RIN: 1515-AC44

2713. GENERAL ORDER WAREHOUSES

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1311; 19 USC 1312; 19 USC 1484; 19 USC 1485; 19 USC 1490; 19 USC 1491; 19 USC 1492;

19 USC 1493; 19 USC 1506; 19 USC 1559; 19 USC 1563

CFR Citation: 19 CFR 4; 19 CFR 19; 19 CFR 122; 19 CFR 123; 19 CFR 127

Legal Deadline: None

Abstract: Amendment principally creates a new class of bonded warehouse exclusively for the receipt of general order merchandise and includes procedures for authorizing and operating general order warehouses. Amendment also implements certain amendments to the law made by the Customs modernization portion of the North American Free Trade Agreement Implementation Act concerning the circumstances where the title to unclaimed and abandoned merchandise vests in the Government, in lieu of sale of the merchandise at public auction.

Timetable:

Action	Date	FR Cite
NPRM	07/12/00	65 FR 42893
NPRM Comment Period End	09/11/00	
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Raymond Janiszewski, Supervisory Import Specialist, Office of Field Operations, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0365

RIN: 1515-AC57

2714. DEFERRAL OF DUTY ON LARGE YACHTS IMPORTED FOR SALE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1484b; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 4; 19 CFR 113

Legal Deadline: None

Abstract: Amendment to set forth procedures for the deferral of entry filing and duty collection on certain yachts imported for sales at boat shows in the United States.

Timetable:

Action	Date	FR Cite
NPRM	06/15/00	65 FR 37501

TREAS—CUSTOMS

Final Rule Stage

Action	Date	FR Cite
NPRM Comment	08/14/00	
Period End		
Final Action	06/00/01	

NPRM Comment 08/14/00
Period End

Final Action 06/00/01

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Larry L. Burton, Chief, Entry Procedures and Carriers Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2269

Robert E. Watt, Program Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-3654

RIN: 1515-AC58

2715. CIVIL AIRCRAFT

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 3314

CFR Citation: 19 CFR 10

Legal Deadline: None

Abstract: Amendment concerning the duty-free entry of civil aircraft merchandise to reflect amendments to General Note 6 of the Harmonized Tariff Schedule of the United States made by the Miscellaneous Trade and Technical Corrections Act of 1996.

Timetable:

Action	Date	FR Cite
NPRM	06/29/00	65 FR 40067
NPRM Comment	08/28/00	
Period End		
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dixie Staple, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1131

RIN: 1515-AC59

2716. ENTRY OF SOFTWOOD LUMBER SHIPMENTS FROM CANADA

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1484; 19 USC 1624; 19 USC 2416(a); 19 USC 2171

CFR Citation: 19 CFR 12

Legal Deadline: None

Abstract: Amendment to the provision in the Customs Regulations that sets forth entry requirements for shipments of softwood lumber from Canada under the agreement between the Governments of the United States and Canada regarding trade in softwood lumber. Amendment implements an amendment to the softwood lumber agreement involving the addition of two export fee payment status categories covering softwood lumber from the Canadian province of British Columbia.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/23/00	65 FR 33251
Interim Final Rule	05/23/00	
Effective		
Interim Final Rule	07/24/00	
Comment Period		
End		
Final Action	07/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dixie Staple, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1131

RIN: 1515-AC62

2717. • TIME LIMITATION FOR REQUESTING REFUNDS OF HARBOR MAINTENANCE FEE AND FOR MAKING OTHER CLAIMS AGAINST CUSTOMS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 19 USC 1202; 19 USC 1505; 19 USC 1624; 26 USC 4461; 26 USC 4462; 31 USC 9701

CFR Citation: 19 CFR 24

Legal Deadline: None

Abstract: Amendment to establish a one year time limit within which a

refund request must be filed for overpayments of Harbor Maintenance Fees that were paid quarterly and for making other claims against Customs. The time limit would assure an efficient reasonable final resolution of claims against Customs.

Timetable:

Action	Date	FR Cite
NPRM	12/15/00	65 FR 78430
NPRM Comment	02/13/01	
Period End		
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Deborah Thompson, Accountant, Accounts Receivable Branch, Department of the Treasury, United States Customs Service, Office of Finance, Indianapolis, IN 46278
Phone: 317 298-1200

RIN: 1515-AC64

2718. MERCHANDISE PROCESSING FEE ELIGIBLE TO BE CLAIMED AS UNUSED MERCHANDISE DRAWBACK

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1313; 19 USC 1624

CFR Citation: 19 CFR 191

Legal Deadline: None

Abstract: Amendment to indicate that merchandise processing fees are eligible to be claimed as unused merchandise drawback. The change is made to reflect a recent court decision in which merchandise processing fees were found to be assessed under Federal law and imposed by reason of importation and therefore eligible to be claimed as unused merchandise drawback pursuant to 19 U.S.C. 1313(j).

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/09/01	66 FR 9647
Interim Final Rule	02/09/01	
Effective		
Interim Final Rule	04/10/01	
Comment Period		
End		
Final Action	09/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: William G. Rosoff, Chief, Duty Refund and Determination

TREAS—CUSTOMS

Final Rule Stage

Branch, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2077

RIN: 1515-AC67

2719. CIVIL ASSET FORFEITURE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 18 USC 983; 19 USC 66; 19 USC 1592; 19 USC 1593a; 19 USC 1624

CFR Citation: 19 CFR 162; 19 CFR 171

Legal Deadline: None

Abstract: Amendment to implement the provisions of the Civil Asset Forfeiture Reform Act of 2000 (CAFRA), insofar as these provisions are applicable to laws enforced by Customs. The CAFRA creates general rules governing civil forfeiture proceedings. However, CAFRA specifically exempts from certain of its requirements forfeitures that are made under a number of statutes, among those being: the Tariff Act of 1930 or any other provision of law codified in title 19, U.S.C.; the Internal Revenue Code of 1986; the Federal Food, Drug, and Cosmetic Act; and the Trading with the Enemy Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	08/23/00	65 FR 78090
Interim Final Rule	12/14/00	65 FR 78090
Interim Final Rule Comment Period End	02/12/01	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Jeremy Baskin, Attorney-Advisor, Penalties Branch, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1176

RIN: 1515-AC69

2720. AFRICAN GROWTH AND OPPORTUNITY ACT AND GENERALIZED SYSTEM OF PREFERENCES

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2461; 19 USC 3314; 19 USC 3721

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, October 1, 2000, Public Law 106-200.

Abstract: Amendments to implement the trade benefit provisions for sub-Saharan Africa contained in title I of the Trade and Development Act of 2000. The trade benefits under title I, also referred to as the African Growth and Opportunity Act, apply to sub-Saharan African countries designated by the President and involve the extension of duty-free treatment under the Generalized System of Preferences (GSP) to non-import-sensitive, non-textile articles normally excluded from GSP duty-free treatment, and the entry of specific textile and apparel articles free of duty and free of any quantitative limits.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/05/00	65 FR 59668
Interim Final Rule Effective	10/01/00	
Interim Final Rule Comment Period End	12/04/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Cynthia Reese, Senior Attorney, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1361

Leon Hayward, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-9704

RIN: 1515-AC72

2721. • UNITED STATES-CARIBBEAN BASIN TRADE PARTNERSHIP ACT AND CARIBBEAN BASIN INITIATIVE

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2701; 19 USC 3314

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: Final, Statutory, October 1, 2000, Public Law 106-200.

Abstract: Amendments to implement the trade benefit provisions for Caribbean Basin countries contained in title II of the Trade and Development Act of 2000. The trade benefits under title II, also referred to as the United States-Caribbean Basin Trade Partnership Act (the CBTPA), apply to Caribbean Basin countries designated by the President and involve the entry of specific textile and apparel articles free of duty and free of any quantitative restrictions, limitations, or consultation levels and the extension of NAFTA duty treatment standards to non-textile articles that are excluded from duty-free treatment under the Caribbean Basin Initiative program.

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	10/01/00	
Interim Final Rule	10/05/00	65 FR 59650
Interim Final Rule Comment Period End	12/04/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Craig Walker, Senior Attorney-Advisor, Department of the Treasury, United States Customs Service, Special Classification and Marking Branch, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1116

Leon Hayward, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-9704

Cynthia Reese, Senior Attorney, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300

TREAS—CUSTOMS

Final Rule Stage

Pennsylvania Avenue NW.,
Washington, DC 20229
Phone: 202 927-1361

RIN: 1515-AC76

2722. • DUTY-FREE TREATMENT FOR CERTAIN BEVERAGES MADE WITH CARIBBEAN RUM

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 2701; 19 USC 3314

CFR Citation: 19 CFR 10; 19 CFR 163

Legal Deadline: None

Abstract: Amendment to implement a change made by the Trade and Development Act of 2000 to the Caribbean Basin Economic Recovery Act, also known as the Caribbean Basin Initiative (CBI), that enables certain liquors and spirituous beverages to obtain duty-free entry under specified conditions when the beverages are processed in the territory of Canada from rum that is the growth, product or manufacture either of a CBI beneficiary country or of the U.S. Virgin Islands. The regulations set forth the certification and supporting documentation requirements that are necessary to establish compliance with the statutory law, thereby enabling that the rum beverages are properly entitled to duty-free entry under the CBI.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/09/01	66 FR 9643
Interim Final Rule Effective	02/09/01	
Interim Final Rule Comment Period End	04/10/01	
Final Action	09/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Leon Hayward, Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-9704

RIN: 1515-AC78

2723. • RULES OF ORIGIN FOR TEXTILE AND APPAREL PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 3314; 19 USC 3592

CFR Citation: 19 CFR 102

Legal Deadline: None

Abstract: Amendment to align the existing country of origin rules for textiles and apparel products with the statutory amendments to section 334 of the Uruguay Round Agreements Act, as set forth in section 405 within title IV of the Trade and Development Act of 2000. The amendment to the Customs Regulations reflects the amendments set forth in section 405 regarding the processing operations necessary to confer country of origin status to certain textile fabrics and made-up articles.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Cynthia Reese, Senior Attorney, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1361

RIN: 1515-AC80

2724. • AMENDED PROCEDURE FOR OBTAINING REFUNDS OF HARBOR MAINTENANCE FEES PAID ON EXPORTS OF MERCHANDISE

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 58a; 19 USC 58b; 19 USC 58c; 19 USC 66; 19 USC 1202; 19 USC 1505; 19 USC 1624; 26 USC 4461; 26 USC 4462; 31 USC 9701

CFR Citation: 19 CFR 24

Legal Deadline: None

Abstract: Amendment to simplify the procedure for requesting refunds of harbor maintenance fees paid on exports of merchandise.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/28/01	66 FR 16854

Action	Date	FR Cite
Interim Final Rule Effective	03/28/01	
Interim Final Rule Comment Period End	04/27/01	
Final Action	08/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Deborah Thompson, Accountant, Accounts Receivable Branch, Department of the Treasury, United States Customs Service, Office of Finance, Indianapolis, IN 46278
Phone: 317 298-1200

RIN: 1515-AC82

2725. • LICENSES FOR CERTAIN WORSTED WOOL FABRICS SUBJECT TO TARIFF-RATE QUOTA

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1508; 19 USC 1509; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 132; 19 CFR 163

Legal Deadline: None

Abstract: Amendment to set forth the form and manner by which an importer establishes that a valid license, issued under regulations of the U.S. Department of Commerce, is in effect for certain worsted wool fabric that is the subject of a tariff-rate quota.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Erin Riley, Trade Operations Officer, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-5395

RIN: 1515-AC83

2726. • AMENDMENT TO WOOL DUTY REFUND PROGRAM

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 3314; PL 106-200

TREAS—CUSTOMS

Final Rule Stage

CFR Citation: 19 CFR 10

Legal Deadline: None

Abstract: Amendment regarding the provision regarding the refund of duties paid on imports of wool products pursuant to section 505 of the Trade and Development Act of 2000. Principally, the document rectifies an interpretive error regarding the

description of the types of wool products that are eligible to provide the basis for a wool duty refund for claim year 2000.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Bruce Ingalls, Chief, Entry and Drawback Management, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-1082

RIN: 1515-AC85

DEPARTMENT OF THE TREASURY (TREAS)

Long-Term Actions

United States Customs Service (CUSTOMS)

2727. HARBOR MAINTENANCE FEE

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 4; 19 CFR 24; 19 CFR 146; 19 CFR 178

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/30/87	52 FR 10198
Interim Final Rule Effective	03/01/87	
Interim Final Rule Comment Period End	05/29/87	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Patricia Barbare
Phone: 202 927-0310

RIN: 1515-AA57

2728. DONATED CARGO EXEMPTION FROM HARBOR MAINTENANCE FEE

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 24

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/08/92	57 FR 607
Interim Final Rule Effective	01/08/92	
Interim Final Rule Comment Period End	03/09/92	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Patricia Barbare
Phone: 202 927-0310

RIN: 1515-AA87

2729. AUTOMATED SURETY INTERFACE

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 113

Timetable:

Action	Date	FR Cite
NPRM	01/22/93	58 FR 5680
NPRM Comment Period End	04/22/93	58 FR 16632
Next Action	Undetermined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Diane Hundertmark
Phone: 202 927-0355

RIN: 1515-AB25

2730. TEXTILES AND TEXTILE PRODUCTS SUBJECT TO TEXTILE TRADE AGREEMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 12

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dick Crichton
Phone: 202 927-0162

RIN: 1515-AB54

2731. COUNTRY-OF-ORIGIN MARKING REQUIREMENTS FOR FROZEN PRODUCE PACKAGES

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 134

Timetable:

Action	Date	FR Cite
ANPRM	02/02/95	60 FR 6464
ANPRM Comment Period End	03/20/95	

Action	Date	FR Cite
NPRM	07/23/96	61 FR 38119
NPRM Comment Period End	10/17/97	62 FR 43958
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Sandra L. Bell
Phone: 202 927-2244

RIN: 1515-AB61

2732. DETERMINATION OF THE COUNTRY OF ORIGIN OF TEXTILES AND TEXTILE PRODUCTS

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 12

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dick Crichton
Phone: 202 927-0162

RIN: 1515-AC00

2733. DESIGNATED LAND BORDER CROSSING LOCATIONS FOR CERTAIN CONVEYANCES

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 123

Timetable:

Action	Date	FR Cite
NPRM	11/17/97	62 FR 61251
NPRM Comment Period End	01/16/98	
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: Undetermined

TREAS—CUSTOMS

Long-Term Actions

Agency Contact: Dennis Dore
Phone: 202 927-3274

RIN: 1515-AC12

2734. PUBLIC DISCLOSURE OF AIRCRAFT MANIFESTS

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 103

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Lee H. Kramer
Phone: 202 927-1251

RIN: 1515-AC13

2735. NAFTA PREFERENCE OVERRIDE

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 102

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Burton Schlissel
Phone: 202 927-2310

RIN: 1515-AC25

2736. PERSONAL-USE LIMITATION FOR PURCHASES AT DUTY-FREE STORES

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 19

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Creighton W. Goldsmith
Phone: 808 522-8080
Email: creighton.w.goldsmith@customs.treas.gov

RIN: 1515-AC50

**DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)**

Completed Actions

2737. FEES ASSESSED FOR DEFAULTED PAYMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 24

Completed:

Reason	Date	FR Cite
Withdrawn	02/09/01	66 FR 9681

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: David Baker
Phone: 202 927-0620

RIN: 1515-AB38

2738. TREATMENT OF MERCHANDISE IMPORTED BY FOREIGN GOVERNMENTS OR DESIGNATED INTERNATIONAL ORGANIZATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 148

Completed:

Reason	Date	FR Cite
Withdrawn	02/20/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Dennis Sequeira
Phone: 202 927-1480

RIN: 1515-AB92

2739. FOREIGN REPAIRS TO AMERICAN VESSELS

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 4; 19 CFR 159

Completed:

Reason	Date	FR Cite
Final Action	03/26/01	66 FR 16392
Final Action Effective	04/25/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Larry L. Burton
Phone: 202 927-2269

RIN: 1515-AC30

2740. INFORMAL ENTRY OF LOW-VALUE DUTY-FREE MERCHANDISE

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 143

Completed:

Reason	Date	FR Cite
Withdrawn	02/20/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Craig Clark
Phone: 202 927-2317

RIN: 1515-AC38

2741. AMENDED BOND PROCEDURES FOR ARTICLES SUBJECT TO EXCLUSION ORDERS ISSUED BY THE U.S. INTERNATIONAL TRADE COMMISSION

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 12; 19 CFR 113

Completed:

Reason	Date	FR Cite
Final Action	12/13/00	65 FR 77813
Final Action Effective	01/12/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Glen E. Vereb
Phone: 202 927-1327

RIN: 1515-AC43

2742. ASSESSMENT OF LIQUIDATED DAMAGES REGARDING IMPORTED MERCHANDISE THAT IS NOT ADMISSIBLE UNDER THE FOOD, DRUG AND COSMETIC ACT

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 12; 19 CFR 113; 19 CFR 141

Completed:

Reason	Date	FR Cite
Final Action	03/28/01	66 FR 16850
Final Action Effective	04/27/01	

Regulatory Flexibility Analysis Required: No

TREAS—CUSTOMS

Completed Actions

Government Levels Affected: None

Agency Contact: Jeremy Baskin
Phone: 202 927-1176

RIN: 1515-AC45

2743. EXPORT CERTIFICATES FOR LAMB MEAT SUBJECT TO TARIFF-RATE QUOTA

Priority: Substantive, Nonsignificant

CFR Citation: 19 CFR 132; 19 CFR 163

Completed:

Reason	Date	FR Cite
Final Action	12/13/00	65 FR 77816
Final Action Effective	12/13/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Cynthia Porter
Phone: 202 927-5399

RIN: 1515-AC54

2744. • IMPORT RESTRICTIONS IMPOSED ON ARCHAEOLOGICAL MATERIAL ORIGINATING IN ITALY AND REPRESENTING THE PRE-CLASSICAL, CLASSICAL AND IMPERIAL ROMAN PERIODS

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 2612

CFR Citation: 19 CFR 12

Legal Deadline: None

Abstract: Amendment reflects the imposition of import restrictions on certain archaeological material originating in Italy and representing the preclassical, classical and imperial Roman periods of its cultural heritage, ranging in date from approximately the 9th century B.C. through approximately the 4th century A.D. These restrictions are being imposed pursuant to an agreement between the United States and Italy that has been entered into under the authority of the Convention on Cultural Property Implementation Act in accordance with the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Timetable:

Action	Date	FR Cite
Final Action	01/23/01	66 FR 7399
Final Action Effective	01/23/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Alfred Morawski, Chief, Other Government Agencies Branch, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0402

Joseph Howard, Attorney, Intellectual Property Rights Branch, Department of the Treasury, United States Customs Service, Office of Regulations and Rulings, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-2336

RIN: 1515-AC66

2745. • IMPORT RESTRICTIONS IMPOSED ON ARCHAEOLOGICAL MATERIAL FROM THE PREHISPANIC CULTURES OF THE REPUBLIC OF NICARAGUA

Priority: Substantive, Nonsignificant

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 19 USC 2612

CFR Citation: 19 CFR 12

Legal Deadline: None

Abstract: Amendment to reflect the imposition of import restrictions on certain archaeological material ranging in date from approximately 8000 B.C. through approximately 1500 A.D. and representing prehispanic cultures of the Republic of Nicaragua. These restrictions are being imposed pursuant to an agreement between the United States and Nicaragua that has been entered into under the authority of the Convention on Cultural Property Implementation Act in accordance with the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

Timetable:

Action	Date	FR Cite
Final Action	10/26/00	65 FR 64140
Final Action Effective	10/26/00	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Alfred Morawski, Chief, Other Government Agencies Branch, Department of the Treasury, United States Customs Service, Office of Field Operations, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-0402

Joanne R. Stump, Chief, Intellectual Property Rights, Department of the Treasury, United States Customs Service, 1300 Pennsylvania Avenue NW., Washington, DC 20229
Phone: 202 927-3315

RIN: 1515-AC70

2746. • REFUND OF DUTIES PAID ON IMPORTS OF CERTAIN WOOL PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1321; 19 USC 1481; 19 USC 1484; 19 USC 1498; 19 USC 1508; 19 USC 1623; 19 USC 1624; 19 USC 3314; PL 106-200

CFR Citation: 19 CFR 10

Legal Deadline: None

Abstract: Amendment to implement the provisions of section 505 of title V of the Trade and Development Act of 2000. Section 505 permits U.S. manufacturers of certain wool articles to claim a limited refund of duties paid in each of calendar years 2000, 2001, and 2002 on imports of select wool products. The maximum amount eligible to be refunded in each of these successive claim years is limited to an amount not to exceed one third of the amount of duties actually paid on such wool products imported in calendar year 1999.

Timetable:

Action	Date	FR Cite
NPRM	10/26/00	65 FR 64178
NPRM Comment Period End	11/16/00	
Final Action	12/26/00	65 FR 81344
Final Action Effective	01/25/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Agency Contact: Bruce Ingalls, Chief, Entry and Drawback Management, Department of the Treasury, United States Customs Service, Office of Field

TREAS—CUSTOMS

Completed Actions

Operations, 1300 Pennsylvania Avenue
NW., Washington, DC 20229
Phone: 202 927-1082
RIN: 1515-AC79
BILLING CODE 4820-02-S

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)

Proposed Rule Stage

2747. FOREIGN INSURANCE COMPANIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 842; 26 USC 864**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** Regulation will prescribe rules for determining investment income effectively connected with the conduct of an insurance business in the United States by a foreign company.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-209066-88 (INTL-024-88)

Drafting attorney: Steven D. Jensen (202) 622-3870

Reviewing attorney: Paul S. Epstein (202) 622-3870

Completed in error in the October 1995 Unified Agenda.

CC:INTL

Agency Contact: Steven D. Jensen, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3870

RIN: 1545-AL82

2748. CLARIFICATION OF TREATMENT OF SEPARATE LIMITATION LOSSES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** Section 1203 of the Tax Reform Act of 1986 amends section 904(f) by adding paragraph (f)(5) at the end thereof, which requires that foreign

source losses with respect to any income category first offset a taxpayer's other foreign source income before such losses offset the taxpayer's U.S. source income. The regulation will provide rules for the allocation of foreign source losses.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-209044-89 (INTL-338-89)

Drafting attorney: Richard L. Chewning (202) 622-3850

Reviewing attorney: Barbara Felker (202) 622-3850

CC:INTL

Agency Contact: Richard L. Chewning, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3850

RIN: 1545-AM11

2749. SECTION 361 OUTBOUND TRANSFERS OF PROPERTY TO FOREIGN CORPORATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 367**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The income tax regulations under section 367(a) will be amended to reflect the changes made to that section by the Technical and Miscellaneous Corrections Act of 1988. Section 367(a)(5) now provides that a transfer of assets to a foreign corporation in an exchange described in section 361 is subject to section 367(a)(1), unless certain ownership requirements and other conditions are met. The regulations will provide guidance regarding the application of

this section. The change in the statute was necessitated by the repeal of "General Utilities."

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-209006-89 (INTL-089-89)

Drafting attorney: Philip L. Tretiak (202) 622-3860

Reviewing attorney: Charlie Besecky (202) 622-3860

CC:INTL

Agency Contact: Philip L. Tretiak, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224
Phone: 202 622-3860

RIN: 1545-AM97

2750. FOREIGN INSURANCE COMPANY—DOMESTIC ELECTION**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 953**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation will provide substantive and procedural rules regarding the election under section 953(d) to treat certain controlled foreign corporations engaged in the insurance business as domestic corporations.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-208980-89 (INTL-765-89)

Drafting attorney: Valerie A. Mark (202) 622-3840

TREAS—IRS

Proposed Rule Stage

Reviewing attorney: Phyllis Marcus
(202) 622-3840

CC:INTL

Agency Contact: Valerie A. Mark,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-AO25

2751. INFORMATION REPORTING AND RECORD MAINTENANCE UNDER SECTION 6038C

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
7801; 26 USC 6038C

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation project will
implement the directives of section
6038C.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Additional Information: REG-208265-90
(INTL-102-90)

Drafting attorney: Ginny Y. Chung (202)
622-3870

Reviewing attorney: Paul S. Epstein
(202) 622-3870

Treasury attorney: Patricia Brown (202)
622-1781

CC:INTL

Agency Contact: Ginny Y. Chung,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3870

RIN: 1545-AP10

2752. INTEGRATED FINANCIAL TRANSACTION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
864

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation addresses
whether matched book sale and

repurchase transactions conducted by
securities dealers qualify as integrated
financial transactions under section
1.861-10(c).

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Additional Information: REG-209604-93
(INTL-001-93)

Drafting attorney: Ginny Y. Chung (202)
622-3870

Reviewing attorney: Paul S. Epstein
(202) 622-3870

Treasury attorney: Patricia Brown (202)
622-1781

CC:INTL

Agency Contact: Ginny Y. Chung,
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Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3870

RIN: 1545-AR20

2753. SECTION 6048 REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
6048

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This document revises
regulations relating to certain foreign
trusts under section 6048 of the
Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis
Required:** No

Government Levels Affected: None

Additional Information: REG-209594-92
(INTL-067-92)

Drafting attorney: Karen Rennie Quarrie
(202) 622-3880

Reviewing attorney: Elizabeth Karzon
(202) 622-3880

Treasury attorney: Michael Kirsch (202)
622-0871

Completed in error in the October 1995
Unified Agenda.

CC:INTL

Agency Contact: Karen Rennie
Quarrie, Attorney-Advisor, Department
of the Treasury, Internal Revenue
Service, 1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3880

RIN: 1545-AR25

2754. APPLICATIONS OF SECTION 1503(D) TO PARTNERSHIPS AND OTHER ITEMS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Determination of when and
how section 1503(d), treatment of dual
consolidated losses, will apply to
partnerships.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

**Regulatory Flexibility Analysis
Required:** Undetermined

Government Levels Affected: None

Additional Information: REG-209564-92
(INTL-037-92)

Drafting attorney: Kenneth D. Allison
(202) 622-3860

Reviewing attorney: Charles Besecky
(202) 622-3860

Treasury attorney: Michael Caballero
(202) 622-0851

CC:INTL

Agency Contact: Kenneth D. Allison,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3860

RIN: 1545-AR26

2755. INTERCOMPANY TRANSFER PRICING FOR SERVICES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations will address
the transfer pricing of services between
related parties.

TREAS—IRS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-209579-92 (INTL-051-92)

Drafting attorney: J. Peter Luedtke (202) 874-1490

Reviewing attorney: Steven Musher (202) 874-1490

CC:INTL

Agency Contact: J. Peter Luedtke, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza SW, Washington, DC 20024

Phone: 202 874-1490

RIN: 1545-AR32**2756. REPORTING REQUIREMENTS FOR WIDELY HELD FIXED INVESTMENT TRUSTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 671; 26 USC 6034A; 26 USC 6049(d)(1); 26 USC 7805**CFR Citation:** 26 CFR 1; 26 CFR 301**Legal Deadline:** None**Abstract:** This regulation relates to the reporting requirements for widely held fixed investment trusts.**Timetable:**

Action	Date	FR Cite
NPRM	08/13/98	63 FR 43354
Hearing	11/05/98	
NPRM Comment Period End	11/12/98	
Second NPRM	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-106871-00 (PS-6-96)

Drafting attorney: Faith Colson (202) 622-3060

Reviewing attorney: J. Thomas Hines (202) 622-3060

Treasury attorney: Viva Hammer (202) 622-0809

CC:P&SI

Agency Contact: Faith Colson, Attorney-Advisor, Department of theTreasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3060**RIN:** 1545-AU15**2757. CIVIL CAUSE OF ACTION FOR CERTAIN UNLAWFUL COLLECTION ACTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** The regulations raise the cap on damages under section 7433 from \$100,000 to \$1,000,000 and provide that if a taxpayer fails to exhaust the administrative remedies available before the Internal Revenue Service, the court may reduce the award of damages. Additionally, the awarding of damages for violations of the automatic stay are now covered by this regulation.**Timetable:**

Action	Date	FR Cite
NPRM	12/31/97	62 FR 68242
Second NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-251502-96

Drafting attorney: Kevin B. Connelly (202) 622-3630

Reviewing attorney: Robert A. Miller (202) 622-3630

CC:P&A:CB&S

Agency Contact: Kevin B. Connelly, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3630**RIN:** 1545-AU68**2758. SOURCE RULES FOR PAYMENTS MADE PURSUANT TO CERTAIN SWAP ARRANGEMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 863; 26 USC 7701**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations will provide rules for determining the source and character of payments made in certain swap transactions.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-253560-96

Drafting attorney: Milton M. Cahn (202) 622-3870

Reviewing attorney: Paul Epstein (202) 622-3870

Treasury attorney: Je Young Baik (202) 622-1773

CC:INTL

Agency Contact: Milton M. Cahn, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3870**RIN:** 1545-AU89**2759. APPLICATION OF ATTRIBUTION RULES TO FOREIGN TRUSTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations will provide attribution rules for foreign trusts with respect to foreign personal holding companies, foreign passive investment companies and controlled foreign corporations.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-252774-96

Drafting attorney: W. Edward Williams (202) 622-3880

Reviewing attorney: Elizabeth Karzon (202) 622-3880

Treasury attorney: Michael Kirsch (202) 622-0871

CC:INTL

Agency Contact: W. Edward Williams, Senior Technical Reviewer, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

TREAS—IRS

Proposed Rule Stage

Phone: 202 622-3880

RIN: 1545-AU91

2760. SPECIAL RULES APPLICABLE TO SALES OF DEBT INSTRUMENT BETWEEN RECORD DATES AND THE END OF ACCRUAL PERIODS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation provides rules to calculate allocation of interest and amount of sale price, when debt instrument is sold between a record date and a payment date (so that seller receives first distribution of interest and principal following sale).

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-242919-96

Drafting attorney: Kenneth Christman (202) 622-3950

Reviewing attorney: Alice Bennett (202) 622-3950

CC:FI&P

Agency Contact: Kenneth Christman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3950

RIN: 1545-AU95

2761. AGREEMENTS FOR PAYMENT OF TAX LIABILITIES IN INSTALLMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The regulations reflect the amendment of IRC section 6159, section 202 of the Taxpayer Bill of Rights 2, which provides that upon request by a taxpayer the Secretary shall provide an independent review of the termination of an installment agreement. The regulations reflect the amendment to section 6159, which guarantees the availability of installment agreements to taxpayers.

Timetable:

Action	Date	FR Cite
NPRM	12/31/97	62 FR 68241
Second NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-100841-97

Drafting attorney: Kevin B. Connelly (202) 622-3630

Reviewing attorney: Robert Miller (202) 622-3630

CC:P&A:CB&S

Agency Contact: Kevin B. Connelly, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3630

RIN: 1545-AU97

2762. RETURN OF LEVIED PROPERTY IN CERTAIN CASES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: Section 501(b) of the Taxpayer Bill of Rights 2 amended section 6343 of the Internal Revenue Code to authorize the Secretary to return levied property in four enumerated circumstances. Section 1102(d)(1)(B) of RRA 98 changed "Taxpayer Advocate" to "National Taxpayer Advocate" as a person who determines what is in the best interest of the taxpayer. The regulations set forth the circumstances in which the Secretary may return property and procedures to implement these sections.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-101520-97

Drafting attorney: Kevin B. Connelly (202) 622-3630

Reviewing attorney: Robert Miller (202) 622-3630

Treasury attorney: Rita Cavanagh (202) 622-1981

CC:P&A:CB&S

Agency Contact: Kevin B. Connelly, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3630

RIN: 1545-AV01

2763. REMOVAL OF TEMPORARY REGULATIONS THAT PROVIDE RULES FOR SUBSTANTIATING TRAVEL EXPENSE DEDUCTIONS FOR MEMBERS OF CONGRESS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1; 26 CFR 5**Legal Deadline:** None

Abstract: This project will remove temporary income tax regulations section 5e.274-8 (published as TD 7802 in 47 FR 2986). The regulations provide rules for the substantiation of Congress members' travel expenses, and the regulations are currently out of date because the authorizing legislation was subsequently repealed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-105513-97

Drafting attorney: Edwin B. Cleverdon (202) 622-4920

Reviewing attorney: Robert A. Berkovsky (202) 622-4920

Reviewing attorney: Linda Kroening (202) 622-4800

CC:IT&A

Agency Contact: Edwin B. Cleverdon, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4920

RIN: 1545-AV55

2764. FOREIGN TAX CREDIT ANTIABUSE REGULATION**Priority:** Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 901; 26 USC 901(k)(4); 26 USC 904; 26 USC 864(e)(7); 26 USC 7701(l); 26 USC 7805

TREAS—IRS

Proposed Rule Stage

CFR Citation: 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will disallow foreign tax credits with respect to foreign taxes generated in certain arrangements from which the reasonably expected economic profits are insubstantial compared to expected foreign tax credits.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-103445-98

Drafting attorney: Bethany Ingwalson (202) 622-3850

Reviewing attorney: Barbara Felker (202) 622-3850

Treasury attorney: Je Young Baik (202) 622-1773

CC:INTL

Agency Contact: Bethany Ingwalson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3870**RIN:** 1545-AV97**2765. TRANSPORTATION OF PERSONS AND PROPERTY BY AIR—SECTIONS 4261 AND 4271****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 4261; 26 USC 4271; 26 USC 7805**CFR Citation:** 26 CFR 49**Legal Deadline:** None**Abstract:** Guidance concerning the excise taxes imposed on the amounts paid for the transportation of persons and property by air.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-106167-98

Drafting attorney: Patrick S. Kirwan (202) 622-3130

Reviewing attorney: Richard Kocak (202) 622-3130

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: Patrick S. Kirwan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3130**RIN:** 1545-AW19**2766. ESTATE TAX DEDUCTION FOR QUALIFIED FAMILY-OWNED BUSINESS INTERESTS (QFOBI)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 2057; 26 USC 7805**CFR Citation:** 26 CFR 20**Legal Deadline:** None**Abstract:** The proposed regulations will address the estate tax deduction for certain qualified family-owned business interests.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-106430-98

Drafting attorney: Leslie H. Finlow (202) 622-7860

Reviewing attorney: Christine Ellison (202) 622-3120

Treasury attorney: Beth Kaufman (202) 622-1766

CC:P&SI

Agency Contact: Leslie H. Finlow, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7860**RIN:** 1545-AW21**2767. SECTION 988—CONTINGENT DEBT INSTRUMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 988**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will prescribe the tax treatment of section 988 debt

instruments that provide for contingent payments.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-106486-98

Drafting attorney: Milton M. Cahn (202) 622-3870

Reviewing attorneys: Jeffrey Dorfman and Rebeca I. Rosenberg (202) 622-3870

Treasury attorney: Je Young Baik (202) 622-1773

CC:INTL

Agency Contact: Milton M. Cahn, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3870**RIN:** 1545-AW33**2768. CAPITAL GAIN GUIDANCE RELATING TO CRTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1(h)(11); 26 USC 664**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation provides capital gain guidance relating to charitable remainder trusts in light of the changes made to section 1(h) of the Internal Revenue Code by the Taxpayer Relief Act of 1997.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-110896-98

Drafting attorney: Catherine Moore (202) 622-3080

Reviewing attorney: Mary Beth Collins (Carchia) (202) 622-3080

Treasury attorney: Beth Kaufman (202) 622-1766

CC:P&SI

Agency Contact: Catherine Moore, Attorney-Advisor, Department of the

TREAS—IRS

Proposed Rule Stage

Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3080

RIN: 1545-AW35

2769. MERCHANDISE REGULATION

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 471; 26 USC 7805; 26 USC 446

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation clarifies when the requirement to use inventory accounting applies. It also clarifies the definition of merchandise and provides guidance with respect to when merchandise will be regarded as an income producing factor in a taxpayer's business.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG-122333-97

Drafting attorney: Cheryl L. Oseekey (202) 622-4970

Reviewing attorney: Eric Pleet (202) 622-4970

Treasury attorney: Christine Turgeon (202) 622-0865

CC:IT&A

Agency Contact: Cheryl L. Oseekey, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4970

RIN: 1545-AW61

2770. REPORTING OF PAYMENTS TO ATTORNEY

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6045

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides information reporting requirements for payments of gross proceeds made in the

course of a trade or business to attorneys in connection with legal services.

Timetable:

Action	Date	FR Cite
NPRM	05/21/99	64 FR 27730
Second NPRM	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-105312-98

Drafting attorney: Laura C. Nash (202) 622-4910

Reviewing attorney: Pamela W. Fuller (202) 622-4910

Treasury attorney: Michael Novey (202) 622-1339

CC:P&A:APJP

Agency Contact: Laura C. Nash, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910

RIN: 1545-AW72

2771. CONSTRUCTIVE SALES OF APPRECIATED FINANCIAL POSITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1259

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations relate to principles for determining if a taxpayer has constructively sold an appreciated financial position.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Small Entities Affected: Businesses, Organizations

Government Levels Affected: None

Additional Information: REG-102191-98

Drafting attorney: Kathleen Sleeth (202) 622-3920

Reviewing attorney: Alvin Kraft (202) 622-3920

Treasury attorney: Michael Novey (202) 622-1339

CC:FI&P

Agency Contact: Kathleen Sleeth, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3920

RIN: 1545-AW97

2772. RULES FOR SOURCING CERTAIN TRANSPORTATION INCOME, SPACE OR OCEAN ACTIVITY INCOME, AND RELATED FOREIGN BASE COMPANY SHIPPING INCOME

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance to shipping and aircraft companies for application of the source rules for certain income under sections 863(c) and 863(d), and for related space or ocean activity income that is also foreign-based company shipping income under section 954(f).

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Additional Information: REG-115557-98

Drafting attorney: Patricia A. Bray (202) 622-3880

Reviewing attorney: Elizabeth Karzon (202) 622-3880

Treasury attorney: Michael Mundaca (202) 622-1752

CC:INTL

Agency Contact: Patricia A. Bray, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3880

RIN: 1545-AX02

2773. HIGHWAY VEHICLE—DEFINITION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 48

Legal Deadline: None

TREAS—IRS

Proposed Rule Stage

Abstract: This document provides amendments to regulations relating to definition of highway vehicle.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-103829-99

Drafting attorney: Bernard H. Weberman (202) 622-3130

Reviewing attorney: Richard Kocak (202) 622-3130

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: Bernard H. Weberman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3130

RIN: 1545–AX10

2774. DEPOSIT OF EXCISE TAXES—REVISION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6302

CFR Citation: 26 CFR 40

Legal Deadline: None

Abstract: This document provides amendments to regulations relating to deposits of excise tax.

Timetable:

Action	Date	FR Cite
ANPRM	01/07/00	65 FR 1076
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Organizations, Businesses

Government Levels Affected: None

Additional Information: REG-103827-99

Drafting attorney: Susan Athy (202) 622-3130

Reviewing attorney: Ruth Hoffman (202) 622-3130

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: Susan Athy, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3130

RIN: 1545–AX11

2775. GUIDANCE ON COST RECOVERY IN THE ENTERTAINMENT INDUSTRY

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation relates to the application of the income forecast method under section 167(g).

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-103823-99

Drafting attorney: Bernard P. Harvey III (202) 622-3110

Reviewing attorney: Charles B. Ramsey (202) 622-3110

Treasury attorney: Christopher Ohmes (202) 622-0865

CC:P&SI

Agency Contact: Bernard P. Harvey III, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3110

RIN: 1545–AX12

2776. STRADDLES—ONE SIDE LARGER THAN THE OTHER

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1092

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: A “straddle” occurs, for purposes of section 1092 of the Internal Revenue Code, when a taxpayer enters into two separate positions in financial instruments that “offset” each other. Positions offset each other when, taken together, they substantially diminish

the taxpayer’s risk of loss. A taxpayer in a “straddle” is subject to various limitations on recognition of loss on the positions until both positions are liquidated. These regulations will deal with the situation in which one position is larger than the other (that is, the diminution of the risk of loss for one position is only partial).

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-107335-99

Drafting attorney: Kenneth Christman (202) 622-3950

Reviewing attorney: Robert Williams (202) 622-3960

Treasury attorney: Michael Novey (202) 622-1339

CC:FI&P

Agency Contact: Kenneth Christman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3950

RIN: 1545–AX16

2777. DEFINITION OF ACCOUNTING METHOD

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 446

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will clarify the definition of a change in method of accounting.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-105228-99

Drafting attorney: Jeffery G. Mitchell (202) 622-7804

Reviewing attorney: Thomas Luxner (202) 622-4970

Treasury attorney: Christine Turgeon (202) 622-0865

TREAS—IRS

Proposed Rule Stage

CC:IT&A

Agency Contact: Jeffery G. Mitchell, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7804

RIN: 1545–AX21

2778. SECTIONS 401(K) AND 410(M) CASH OR DEFERRED ARRANGEMENTS

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: Update and revise regulations on qualified cash or deferred arrangements, “matching” contributions, and employee contributions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-108639-99

Drafting attorney: R. Lisa Mojiri-Azad (202) 622-6080

Reviewing attorney: Marjorie Hoffman (202) 622-6030

Treasury attorney: W. Thomas Reeder (202) 622-1341

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080

RIN: 1545–AX26

2779. DEFINITION OF “ISSUED” WITH REGARD TO CHIEF COUNSEL ADVICE

Priority: Substantive, Nonsignificant**Legal Authority:** PL 105-206, sec 3509**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: This regulation defines the term “Issued” with regard to Chief Counsel Advice.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-113129-98

Drafting attorney: Deborah Lambert-Dean (202) 622-4570

Reviewing attorney: Donald Squires (202) 622-4570

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:P&A:D&PL

Agency Contact: Deborah Lambert-Dean, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4570
Fax: 202 622-9888

RIN: 1545–AX40

2780. GROUPING RULES FOR FOREIGN SALES CORPORATION TRANSFER PRICING

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 925(b); 26 USC 927(d)(2)(B)**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation provides grouping rules for purposes of Foreign Sales Corporation transfer pricing.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-110605-99

Drafting attorney: Christopher Bello (202) 874-1490

Reviewing attorney: Elizabeth Beck (202) 874-1490

Treasury attorney: Manal Corwin (202) 622-1317

CC:INTL

Agency Contact: Christopher Bello, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L’Enfant Plaza SW, Washington, DC 20024

Phone: 202 874-1490

RIN: 1545–AX41

2781. 401(K) AND 401(M) REGULATIONS

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: Update and revise regulations for cash or deferred arrangements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-108639-99

Drafting attorney: R. Lisa Mojiri-Azad (202) 622-6080

Reviewing attorney: Marjorie Hoffman (202) 622-6030

Treasury attorney: W. Thomas Reeder (202) 622-1341

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080

RIN: 1545–AX43

2782. NOTIONAL PRINCIPAL CONTRACTS AND OTHER FINANCIAL PRODUCTS

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 446; 26 USC 1234A; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations will provide rules under section 446 for the timing of income and deductions of certain contingent payments under notional principal contracts. The regulations will also provide rules under section 1234A for determining the character of payments under notional principal contracts.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

TREAS—IRS

Proposed Rule Stage

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Additional Information:** REG-106395-99Drafting attorney: Elizabeth Handler
(202) 622-3930Reviewing attorney: William E.
Coppersmith (202) 622-3930Treasury attorney: Michael Novey (202)
622-1339

CC:FI&P

Agency Contact: Elizabeth Handler,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3930**RIN:** 1545–AX45**2783. SECTION 7430 REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed amendments to
the Treasury Regulations incorporate
the 1997 and 1998 amendments to 26
U.S.C. 7430, relating to the awarding
of attorney's fees in administrative and
court proceedings. The amendments to
26 U.S.C. 7430 were enacted under the
Taxpayer Relief Act of 1997 and the
IRS Restructuring and Reform Act of
1998.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-111833-99Drafting attorney: Norma C. Rotunno
(202) 622-7900Reviewing attorneys: Thomas D. Moffitt
(202) 622-7900 and Henry S.
Schneiderman (202) 622-7820

CC:IT&A

Agency Contact: Norma C. Rotunno,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-7900**RIN:** 1545–AX46**2784. SECTION 414(Q) REGULATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 414(q)**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations provide the
definition of highly compensated
employee.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-111277-99Drafting attorney: R. Lisa Mojiri-Azad
(202) 622-6080Reviewing attorney: Marjorie Hoffman
(202) 622-6030

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad,
Senior Attorney, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-6080**RIN:** 1545–AX48**2785. ADDRESS CORRECTION****Priority:** Info./Admin./Other**Legal Authority:** 26 USC 25; 26 USC
103**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation provides that
certain elections, revocations of those
elections, and information reports, shall
no longer be filed at the Philadelphia
Service Center, but instead shall be
filed at the place or places designated
by the Commissioner.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-104459-99Drafting attorney: David E. White (202)
622-3980Reviewing attorney: Timothy Jones
(202) 622-3980

CC:TEGE

Agency Contact: David E. White,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3980
Fax: 202 622-4437**RIN:** 1545–AX51**2786. COMPENSATION DEFERRED
UNDER ELIGIBLE SECTION 457(B)
PLANS (SECTION 457 REGULATIONS)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 457**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations relate to
deferred compensation plans of State
and local governments and tax-exempt
entities under section 457 of the
Internal Revenue Code.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** State,
Local**Federalism:** Undetermined**Additional Information:** REG-105885-99Drafting attorney: Cheryl E. Press (202)
622-6060Reviewing attorney: Robert Patchell
(202) 622-6060

CC:TEGE

Agency Contact: Cheryl E. Press,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-6060
Fax: 202 622-4631**RIN:** 1545–AX52**2787. TAX ON INSURANCE
COMPANIES OTHER THAN LIFE
INSURANCE COMPANIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This project will supplement
guidance on what is required in order

TREAS—IRS

Proposed Rule Stage

for a taxpayer to qualify as an insurance company subject to tax under section 831 of the Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG-111660-99

Drafting attorney: Robert A. Martin (202) 622-7638

Reviewing attorney: Mark Smith (202) 622-3012

Treasury attorney: Louise Epstein (202) 622-1778

CC:FI&P

Agency Contact: Robert A. Martin, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7638

RIN: 1545–AX54

2788. MODIFICATION TO SECTION 367(A) STOCK TRANSFER REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 367(a)

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None

Abstract: The section 367(a) stock transfer regulations will be modified to address abuses under check-the-box and through the use of convertible stock.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-116053-99

Drafting attorney: Robert W. Lorence (202) 622-3860

Reviewing attorney: Charles Besecky (202) 622-3860

Treasury attorney: Je Young Baik (202) 622-1773

CC:INTL

Agency Contact: Robert W. Lorence, Attorney-Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545–AX77

2789. DEFINITION OF PASSIVE FOREIGN INVESTMENT COMPANY UNDER SECTION 1297

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805(b); 26 USC 1297

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation defines a passive foreign investment company (PFIC) under section 1297(a) and the terms “passive income” and “passive asset” under section 1297(b). The regulation will also set forth the exceptions to the terms “passive income” and “passive asset,” and provide guidance on the applicability of the look-through rule under section 1297(c), in cases involving PFICs that own 25 percent or more of a lower-tier foreign subsidiary. In addition, the regulation will provide guidance under section 1297(e), regarding the overlap rule between a controlled foreign corporation and a PFIC.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-100427-00

Drafting Attorney: Margaret A. Fung (202) 622-3840

Reviewing Attorney: Philip Garlett (202) 622-3840

Treasury Attorney: Michael Caballero (202) 622-0851

CC:INTL

Agency Contact: Margaret A. Fung, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545–AX78

2790. PROCUREMENT/PURCHASING CARD REPORTING

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6041; 26 USC 3406

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations will provide guidance on the rules, information reporting, penalties, and back-up withholding rules for purchases with procurement/purchasing cards.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: REG-105298-97

Drafting attorney: Donna J. Welch (202) 622-4910

CC:P&A:APJP

Agency Contact: Donna J. Welch, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910
Fax: 202 622-6232

RIN: 1545–AX86

2791. STATUTE OF LIMITATIONS ON COLLECTION INSTALLMENT AGREEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6331(k)

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The purpose of this regulation is to provide for the prohibition of levy while an installment agreement is pending with the Secretary, while an installment agreement is in effect, and following the rejection or termination of an installment agreement. This levy prohibition is established in section 6331(k) of title 26, as added by the IRS Restructuring and Reform Act of 1998.

TREAS—IRS

Proposed Rule Stage

The goal of the regulations is to clarify when levy is prohibited and the effect of the prohibition on the statute of limitations for collection.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-104762-00

Drafting attorney: Frederick W. Schindler (202) 622-3620

Reviewing attorney: Kathryn A. Zuba (202) 622-3620

CC:P&A:CB&S

Agency Contact: Frederick W. Schindler, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3620

RIN: 1545–AX89

2792. CLARIFICATION OF FOREIGN-BASED COMPANY SALES INCOME RULES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 954

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation clarifies when a controlled foreign corporation cannot exclude sales income from foreign-based company sales income under the manufacturing exception by reason of activities of a contract manufacturer. Likewise, the branch rule under IRC section 954(d)(2) does not apply to a contract manufacturer.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: REG-106356-00

Drafting attorney: Valerie A. Mark (202) 622-3840

Reviewing attorney: Phyllis E. Marcus (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

Agency Contact: Valerie A. Mark, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545–AX91

2793. ASSUMPTION OF PARTNERSHIP LIABILITIES

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 752

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation prevents the acceleration or duplication of losses through the assumption of liabilities in transactions involving partnerships.

Timetable:

Action	Date	FR Cite
NPRM	06/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG-106736-00

Drafting attorney: Shannon Cohen (202) 622-3050

Reviewing attorney: Dianna Miosi (202) 622-3050

CC:P&SI

Agency Contact: Shannon Cohen, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3050

RIN: 1545–AX93

2794. DETERMINATION OF BASIS OF PARTNERS' INTEREST; SPECIAL RULES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 705; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations will limit the increase to basis under section 705,

where a corporation directly or indirectly acquires an interest in a partnership that holds stock in the same corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/03/01	66 FR 315
Public Hearing	05/03/01	66 FR 315
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106702-00

Drafting attorney: Barbara MacMillan (202) 622-3050

Reviewing attorney: Matthew Lay (202) 622-3050

Treasury attorney: James Sowell (202) 622-5721

CC:P&SI

Agency Contact: Barbara MacMillan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3050

RIN: 1545–AX94

2795. LIKE-KIND EXCHANGES UNDER SECTION 168

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 148; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations, under section 168, relate to like-kind exchanges.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106590-00

Drafting attorney: Alan H. Cooper (202) 622-3110

Reviewing attorney: Charles Ramsey (202) 622-3110

Treasury attorney: Christopher Ohmes (202) 622-1335

TREAS—IRS

Proposed Rule Stage

CC:P&SI

Agency Contact: Alan H. Cooper, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3110

RIN: 1545–AX95

2796. DEFINITION OF DIESEL FUEL**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 48**Legal Deadline:** None**Abstract:** The regulations will revise the definition of diesel fuel.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-106457-00

Drafting attorney: Frank K. Boland (202) 622-3130

Reviewing attorney: Richard Kocak (202) 622-3130

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: Frank K. Boland, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3130

RIN: 1545–AX97

2797. TRANSFERS OF PROPERTY TO THIRD PARTIES ON BEHALF OF A SPOUSE**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The proposed regulation will provide rules for determining when a transfer of property by a spouse to a third party will be considered made on behalf of the other spouse (or former spouse).**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107151-00

Drafting attorney: Edward C. Schwartz (202) 622-4960

Reviewing attorney: William A. Jackson (202) 622-4960

CC:IT&A

Agency Contact: Edward C. Schwartz, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4960

RIN: 1545–AX99

2798. GUIDANCE UNDER SECTION 894**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 894; 26 USC 871; 26 USC 881**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides guidance under section 894(c) for imposing tax liability on foreign persons receiving U.S. source income from entities treated as domestic corporations for U.S. tax purposes, and as fiscally transparent entities under the laws of the jurisdiction, whose treaty with the United States is being invoked.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Undetermined**Additional Information:** REG-107101-00

Drafting attorney: Karen A. Rennie-Quarrie (202) 622-3880

Reviewing attorney: Elizabeth U. Karzon (202) 622-3880

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

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Karen Rennie Quarrie, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3880

RIN: 1545–AY03

2799. GUIDANCE NECESSARY TO FACILITATE ELECTRONIC TAX ADMINISTRATION**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 6011**CFR Citation:** 26 CFR 1; 26 CFR 301**Legal Deadline:** None**Abstract:** This regulation will amend regulations to allow electronic filing for all attachments to Form 1040.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-107184-00

Drafting attorney: Sara P. Shepherd (202) 622-4910

Reviewing attorney: George J. Blaine (202) 622-4910

CC:P&A:APJP

Agency Contact: Sara P. Shepherd, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910

RIN: 1545–AY04

2800. REVISION OF CIRCULAR NO. 230**Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 330**CFR Citation:** 31 CFR 10**Legal Deadline:** None**Abstract:** This document amends the regulation governing practice before the IRS, which appears in the Code of Federal Regulations and in pamphlet form as Treasury Department Circular

TREAS—IRS

Proposed Rule Stage

No. 230, Regulations Governing the Practice of Attorneys, Certified Public Accountants, Enrolled Agents, Enrolled Actuaries, and Appraisers Before the IRS. This document also invites individuals and organizations to submit comments on revising Circular No. 230 to address general standards of practice and standards of practice in the case of tax shelters.

Timetable:

Action	Date	FR Cite
ANPRM	05/05/00	65 FR 30375
NPRM	01/12/01	66 FR 30375
Public Hearing	05/02/01	66 FR 3276
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-111835-99

Drafting attorney: Brinton T. Warren (202) 622-4940

Reviewing attorney: Richard Goldstein (202) 622-7880

CC:P&A:APJP

Agency Contact: Brinton T. Warren, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4940

RIN: 1545–AY05

2801. DAMAGES UNDER SECTION 7433

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation will implement a number of new provisions of section 7433, including raising the cap on damages for the intentional or reckless disregard of the Internal Revenue Code, or regulations in connection with a collection action, authorizing actions for the negligent disregard of the Code or regulations. It will provide rules with respect to administrative claims for damages caused by violations of the automatic stay and discharge provisions of the Bankruptcy Code.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-107366-00

Drafting attorney: Robert A. Miller (202) 622-3640

Kevin B. Connelly (202) 622-3630

CC:P&A:CB&S

Agency Contact: Kevin B. Connelly, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3630

Robert A. Miller, Technical Assistant, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3640

RIN: 1545–AY08

2802. GUIDANCE UNDER SECTION 894 (TEMPORARY)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 894; 26 USC 871; 26 USC 881

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The temporary regulation provides guidance under section 894(c) for imposing tax liability on foreign persons receiving United States source income from entities treated as domestic corporations for United States tax purposes, and as fiscally transparent entities under the laws of the jurisdiction, whose treaty with the United States is being invoked.

Timetable:

Action	Date	FR Cite
NPRM	02/27/01	66 FR 12445
Hearing	06/26/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG-107101-00

Drafting attorney: Karen A. Rennie-Quarrie (202) 622-3880

Reviewing attorney: Elizabeth U. Karzon (202) 622-3880

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

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Karen Rennie Quarrie, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545–AY13

2803. ELECTING MARK-TO-MARKET FOR MARKETABLE STOCK OF A PFIC

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1296

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation describes the methods and procedures for electing mark-to-market treatment for marketable stock of a PFIC.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: REG-112306-00

Drafting attorney: Laurie Hatten-Boyd (202) 622-3840

Reviewing attorney: Phyllis Marcus (202) 622-3840

CC:INTL

Agency Contact: Laurie Hatten-Boyd, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545–AY17

2804. ACTIVE CONDUCT OF AN INSURANCE BUSINESS UNDER PFIC RULES

Priority: Substantive, Nonsignificant.

Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805; 26 USC 1298; 26 USC 1297

TREAS—IRS

Proposed Rule Stage

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will define the term "active conduct of an insurance company" as used in section 1297(b)(2)(B).

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Additional Information: REG-113334-00

Drafting attorney: Mark R. Pollard (202) 622-3840

Reviewing attorney: Roger Brown (202) 622-3208

Treasury attorney: Michael Caballero (202) 622-0851

CC:INTL

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Phone: 202 622-3840
Fax: 202 622-4408

RIN: 1545–AY20

2805. GUIDANCE ON CHANGES TO THE LAWS FOR CORPORATE ESTIMATED TAXES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6655

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The regulations provide guidance on changes to the law for corporate estimated taxes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG-107722-00

Drafting attorney: Robert A. Desilets, Jr. (202) 622-4910

Reviewing attorneys: Pamela W. Fuller (202) 622-4910

Treasury attorneys: Rita Cavanagh (202) 622-1981

Christopher Ohmes (202) 622-1335

Agency Contact: Robert A. Desilets Jr., Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910

RIN: 1545–AY22

2806. SECTION 1445 REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1445; 26 USC 897

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation requires the use of taxpayer identifying numbers on submissions made by foreign taxpayers to reduce or eliminate tax under sections 897 and 1445.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: REG-106876-00

Drafting attorney: Robert Walter Lorence (202) 622-3860

Reviewing attorney: Charles Besecky (202) 622-3860

Treasury attorney: Michael Caballero (202) 622-0851

CC:INTL

Agency Contact: Robert Walter Lorence, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860
Fax: 202 622-4476

RIN: 1545–AY24

2807. DISALLOWANCE OF DEDUCTIONS AND CREDITS FOR FAILURE TO FILE TIMELY RETURN

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 882(c); 26 USC 874

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This document amends regulations concerning disallowance of deductions and credits claimed by foreign corporations and nonresident aliens for failure to timely file a U.S. income tax return in accordance with IRC sections 882(c) and 874(a).

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Federalism: Undetermined

Additional Information: REG-107100-00

Drafting attorney: Leslie R. Rubenstein (202) 622-3880

Reviewing attorney: W. Edward Williams (202) 622-3880

Treasury attorney: Dirk Suringa (202) 622-1779

CC:INTL

Agency Contact: Leslie R. Rubenstein, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3880

RIN: 1545–AY26

2808. SECTION 1503(D) REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will revise provisions in section 1503(d) regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Federalism: Undetermined

Additional Information: REG-106879-00

Drafting attorney: Camille B. Evans (202) 622-3860

Reviewing attorney: Charles P. Besecky (202) 622-3860

CC:INTL

TREAS—IRS

Proposed Rule Stage

Agency Contact: Camille B. Evans, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545–AY27

2809. WITHHOLDING TAX ON FOREIGN PARTNERS' SHARE OF EFFECTIVELY CONNECTED INCOME

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1446

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide guidance for partnership withholding on partner's allocable share of partnership's effectively connected income.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG-108524-00

Drafting attorney: Eliana D. Dolgoff (202) 622-3860 and Jeffrey L. Vinnik (202) 622-3840

Reviewing attorney: Phyllis Marcus (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

Agency Contact: Jeffrey L. Vinnik, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

Eliana D. Dolgoff, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545–AY28

2810. TAXABLE YEARS OF CFCS AND FPHCS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 898

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will provide definitions and rules for determining the required year for CFCs and FPHCs.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG-108523-00

Drafting attorney: Carl M. Cooper (202) 622-3840.

Reviewing attorney: Phyllis Marcus (202) 622-3840.

Treasury attorney: Patrick Brown (202) 622-1754.

CC:INTL

Agency Contact: Carl M. Cooper, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545–AY30

2811. MID-CONTRACT CHANGE IN TAXPAYER

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 460

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The regulations will address issues presented by a change in the taxpayer accounting for a long-term contract.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-105946-00

Drafting attorney: John M. Aramburu (202) 622-4960

Reviewing attorney: Robert M. Casey (202) 622-4960

Treasury attorney: Christine Turgeon (202) 622-0865

CC:IT&A

Agency Contact: John M. Aramburu, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4960

RIN: 1545–AY31

2812. GUIDANCE UNDER SECTION 6050P REGARDING INFORMATION REPORTING ON CANCELLATION OF INDEBTEDNESS

Priority: Substantive, Nonsignificant

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 6050

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation relates to information reporting on the cancellation of indebtedness.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: None

Additional Information: REG-107524-00

Drafting attorney: Sharon Lee Hall (202) 622-4930

Reviewing attorney: Christopher F. Kane (202) 622-4930

Treasury attorney: Michael Novey (202) 622-1339

CC:IT&A

Agency Contact: Sharon Lee Hall, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4930

RIN: 1545–AY35

TREAS—IRS

Proposed Rule Stage

2813. ALLOCATION OF INCOME AND DEDUCTIONS FROM INTANGIBLES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 482**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will address the allocation of income and deductions from intangible property.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-115037-00

Drafting attorney: John M. Breen (202) 874-1490

Reviewing attorney: Anne P. Shelburne (202) 874-1490

Treasury attorney: Rocco Femia (202) 622-1755

CC:INTL

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Phone: 202 874-1490

Fax: 202 874-1896

RIN: 1545–AY38**2814. DOLLAR-VALUE LIFO****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 472; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation will provide guidance under the dollar-value last-in, first-out (LIFO) inventory method for taxpayers that define LIFO items based on components of cost.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-107580-00

Drafting attorney: Jeffery G. Mitchell (202) 622-7804

Reviewing attorney: Eric L. Pleet (202) 622-4970

Treasury attorney: Christine Turgeon (202) 622-0865

CC:IT&A

Agency Contact: Jeffery G. Mitchell, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622-7804

RIN: 1545–AY39**2815. SECTION 83-1032 CONFORMING CHANGES****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations clarify the mechanics of sections 1.83-6(b) and 1.83-6(d).**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-113078-00

Drafting attorney: Jean Marie Casey (202) 622-6030

Reviewing attorney: Charles Deliee (202) 622-6030

Treasury attorney: William Bortz (202) 622-1352

CC:TEGE

Agency Contact: Jean Marie Casey, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

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RIN: 1545–AY40**2816. SECTION 367(D) REGULATIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 367(d)**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations will address the income tax consequences relating to the transfer of intangibles to foreign corporations.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-106877-00

Drafting attorney: Eliana D. Dolgoff (202) 622-3860

Reviewing attorney: Charles P. Besecky (202) 622-3860

Treasury attorney: Rocco Femia (202) 622-1755

CC:INTL

Agency Contact: Eliana D. Dolgoff, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622-3860

RIN: 1545–AY41**2817. SECTION 355(E) GUIDANCE****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 355**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides guidance on section 355(e) of the Internal Revenue Code. Section 355(e) provides that a distributing corporation will recognize gain on the distribution of stock of a controlled corporation if 50 percent of the stock of the distributing corporation or controlled corporation is acquired pursuant to a plan that includes the distribution.**Timetable:**

Action	Date	FR Cite
NPRM	01/02/01	66 FR 66
Hearing	05/15/01	66 FR 66
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-107566-00

TREAS—IRS

Proposed Rule Stage

Drafting attorney: Brendan O'Hara (202) 622-7530

Reviewing attorney: Vicki Hyche (202) 622-7530

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Phone: 202 622-7530

RIN: 1545–AY42

2818. • GUIDANCE UNDER SECTION 817A REGARDING MODIFIED GUARANTEED CONTRACTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 817A

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations will provide guidance to issuers of modified guaranteed contracts.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-248110-96

Drafting attorney: Ann H. Logan (202) 622-3970

Reviewing attorney: Donald J. Drees (202) 622-3970

Treasury attorney: Louise Epstein (202) 622-1778

CC:FI&P

Agency Contact: Ann H. Logan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3970

RIN: 1545–AY48

2819. • APPLICATION OF SECTION 338 TO INSURANCE COMPANIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 148; 26 USC 7805; 26 USC 721; 26 USC 338

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations prescribe the manner in which the various provisions of subchapter L, chapter 1, Subtitle A of the Internal Revenue Code apply to asset acquisitions deemed to occur by reason of a section 338 election as well as to actual acquisitions of insurance company assets subject to section 1060.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-118861-00

Drafting attorneys: Gary E. Geisler (202) 622-3970 and Theresa Abell (202) 622-7790

Reviewing attorney: Stephen D. Hooe (202) 622-3762

Treasury attorney: Audrey Nacamuli (202) 622-0869

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Phone: 202 622-7790

RIN: 1545–AY49

2820. • ELECTRONIC FURNISHING OF PAYEE STATEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6050

CFR Citation: 26 CFR 1; 26 CFR 31

Legal Deadline: None

Abstract: This document amends the regulations to allow for the electronic furnishing of Forms W-2, 1098-E and 1098-T.

Timetable:

Action	Date	FR Cite
NPRM	02/14/01	66 FR 10247
NPRM Comment Period End	08/07/01	
Public Hearing	08/28/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State

Additional Information: REG-107186-00

Drafting attorney: Laura C. Nash (202) 622-4910

Reviewing attorney: George J. Blaine (202) 622-4910

Treasury attorney: Stephanie Robinson (202) 622- 9858

CC:PA:AP JP

Agency Contact: Laura C. Nash, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910

RIN: 1545–AY50

2821. • PREVIOUSLY TAXED EARNINGS AND PROFITS UNDER SUBPART F

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will address previously taxed earnings and profits under subpart F.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG-121509-00

Drafting attorney: Kelley M. Kogan (202) 622-3840

Reviewing attorney: Phyllis Marcus (202) 622-3840

CC:INTL

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Phone: 202 622-3840

RIN: 1545–AY54

TREAS—IRS

Proposed Rule Stage

2822. • LIABILITIES ASSUMED IN CERTAIN CORPORATE TRANSACTIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 357**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations relate to the assumption of liabilities in certain corporate transactions under section 301 and section 357 of the Internal Revenue Code. The regulations affect corporations and their shareholders.**Timetable:**

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-106791-00

Drafting attorney: Mary Elizabeth Dean (202) 622-7550

Reviewing attorney: Debra Carfisle (202) 622-7550

CC:CORP

Agency Contact: Mary Elizabeth Dean, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7550**RIN:** 1545–AY55**2823. • GUIDANCE NECESSARY TO FACILITATE ELECTRONIC TAX ADMINISTRATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 6011**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** This document amends temporary regulations to allow electronic filing for all forms and attachments.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107184-00
Drafting attorney: Sara P. Shepherd (202) 622-4910

Reviewing attorney: George Blaine (202) 622-4910

Treasury attorney: Stephanie Robinson (202) 622-9858

CC:P&A:AP JP

Agency Contact: Sara P. Shepherd, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910**RIN:** 1545–AY56**2824. • NORMAL RETIREMENT AGE FOR PENSION PLANS****Priority:** Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** These regulations will provide guidance regarding the determination of normal retirement age in a pension plan, including a money purchase pension plan, target benefit plan and defined benefit plan. Section 411(a)(8) defines the term normal retirement age as the earlier of: 1) the time a participant attains normal retirement age under the plan; or 2) the later of the time a plan participant attains age 65, or the 5th anniversary of the time a plan participant commenced participation in the plan. These regulations also would provide section 411(d)(6) relief for amendments that modify a pension plan's normal retirement age to conform with the proposed regulation.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-125499-00

Drafting attorney: R. Lisa Mojiri-Azad (202) 622-6080

Reviewing attorney: Marjorie Hoffman (202) 622-6030

Treasury attorney: William Bortz (202) 622-1352

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080**RIN:** 1545–AY61**2825. • SECTION 706 AND FOREIGN PARTNERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 706**Legal Deadline:** None**Abstract:** The regulations will provide guidance regarding the determination under section 706(b) of the taxable year of a partnership with foreign partners.**Timetable:**

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3920
Public Hearing	06/06/01	66 FR 3920
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-104876-00

Drafting attorney: Daniel Carmody (202) 622-3080

Reviewing attorney: William P. O'Shea (202) 622-3000

Treasury attorney: Deborah Harrington (202) 622-1788

CC:P&SI

Agency Contact: Daniel Carmody, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3080**RIN:** 1545–AY66**2826. • LIABILITIES ASSUMED IN CERTAIN CORPORATE TRANSACTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 357**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations relate to the assumption of liabilities in certain

TREAS—IRS

Proposed Rule Stage

corporate transactions under section 357 of the Internal Revenue Code. The regulations affect corporations and their shareholders.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-100818-01

Drafting attorney: Mary Elizabeth Dean (202) 622-7550

Reviewing attorney: Debra Carlisle (202) 622-7550

CC:CORP

Agency Contact: Mary Elizabeth Dean, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7550

RIN: 1545–AY74

2827. • NORMALIZATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 167; 26 USC 168; 26 USC 46

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Upon sale or deregulation of generation assets, may the EDFIT and the ADITC be “flowed-through” to ratepayers without violating the normalization requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Additional Information: REG-104385-01

Drafting attorney: David Selig (202) 622-3040

Reviewing attorney: Peter Friedman (202) 622-3110

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: David Selig, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622-3040

RIN: 1545–AY75

2828. • QUALIFIED S ELECTION FOR TESTAMENTARY TRUSTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 148; 26 USC 7805; 26 USC 721

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations relate to the qualified subchapter S election for testamentary trusts. A testamentary trust may qualify as a permitted shareholder of an S corporation for a 2-year period beginning on the day the stock is transferred to the trust. This proposed amendment would provide that the beneficiary of a qualifying testamentary trust that also qualifies as a qualified subchapter S trust (QSST) may make a QSST election at any time up to the end of the 16-day-and-2-month period beginning after the 2-year qualifying period.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Undetermined

Federalism: Undetermined

Additional Information: REG-106431-00

Drafting attorney: Deane M. Burke (202) 622-3070

Reviewing attorney: Mary Beth Collins (202) 622-3070

CC:P&SI

Agency Contact: Deane M. Burke, Attorney-Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3070

RIN: 1545–AY76

2829. • DISCLOSURE OF RETURNS AND RETURN INFORMATION OF OTHER AGENCIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation permits the Commissioner to authorize agencies with access to returns and return information under section 6103 of the Code to redisclose such returns and return information, with the Commissioner’s approval, to the Congressional Budget Office and other agencies authorized to receive such information in accordance with IRC section 6103.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: REG-105344-01

Drafting attorney: Julie C. Schwartz (202) 622-4570

Reviewing attorney: David L. Fish (202) 622-4580

Treasury attorney: Elizabeth Askey (202) 622-0224

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Agency Contact: Julie C. Schwartz, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4570

RIN: 1545–AY77

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)

Final Rule Stage

2830. INCOME TAX—TAXPAYER'S OBLIGATION TO FILE A NOTICE OF REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE
Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 905; 26 USC 6689**CFR Citation:** 26 CFR 1; 26 CFR 301; 26 CFR 602**Legal Deadline:** None

Abstract: The regulations will establish procedures for taxpayers by which they must notify the Service of a change in foreign tax liability for a taxable year for which they claimed the foreign tax credit. In addition, the regulations set forth deadlines for compliance with the notification requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/23/88	53 FR 23659
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-209020-86 (INTL-061-86)

Drafting attorney: Anne Devereaux (202) 622-3850 and Irwin Halpern (202) 622-3850

Reviewing attorney: Barbara A. Felker (202) 622-3850

CC:INTL

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Phone: 202 622-3850

Irwin Halpern, Senior Technical Reviewer, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3850

RIN: 1545-AC09

2831. INCOME TAX—RECIPROCAL EXEMPTIONS FOR CERTAIN TRANSPORTATION INCOME
Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 883; 26 USC 872**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will provide rules with respect to whether a foreign country will be considered to grant a reciprocal Aircraft/Shipping exemption to U.S. corporations for purposes of section 883 of the Code, or to U.S. citizens for purposes of section 872 of the Code. This regulation will also provide rules with respect to whether a foreign corporation satisfies the ownership requirements of section 883(c) and the activity requirements of section 883(a).

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6065
Public Hearing	06/08/00	65 FR 6065
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-208280-86 (INTL-948-86)

Drafting attorney: Patricia A. Bray (202) 622-3880

Reviewing attorney: Elizabeth Karzon (202) 622-3880

Treasury attorney: Michael Mundaca (202) 622-1752

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RIN: 1545-AJ57

2832. REGULATIONS UNDER SECTION 367 TO REFLECT SECTION 131 OF THE TAX REFORM ACT OF 1984 (PUB. L. 98-369)
Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 367**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The income tax regulations under section 367 will be amended to reflect the changes made to that section by the Tax Reform Act of 1984. Section 367 now provides generally that a foreign corporation will not be considered to be a corporation, for purposes of certain nonrecognition provisions of the Code, upon the

transfer of property to such corporation by a U.S. person. The statute provides certain exceptions to that rule, exemptions to those exceptions, and special rules applicable to certain specified transfers. The regulations will provide guidance concerning the applicability of the general rule and its exceptions and special rules, including guidance concerning transfers of assets for use in the active conduct of a trade or business, stock transfers, transfers of intangible assets, and transfers of branch operations that have operated at a loss.

Timetable:

Action	Date	FR Cite
NPRM	05/16/86	51 FR 17990
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-209042-86 (INTL-610-86)

Drafting attorney: Michael H. Frankel (202) 622-3860

Reviewing attorney: Charlie Besecky (202) 622-3860

CC:INTL

Agency Contact: Michael H. Frankel, Senior Technical Reviewer, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545-AK74

2833. NONRECOGNITION OF CORPORATE DISTRIBUTIONS AND REORGANIZATIONS UNDER THE FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT
Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 897**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations will provide rules concerning the effect of certain distributions including dividends, redemptions, distributions pursuant to reorganizations, and liquidations on corporations and their shareholders under the Foreign Investment in Real Property Tax Act. Regulations will also provide rules for determining the extent to which nonrecognition would apply to certain

TREAS—IRS

Final Rule Stage

transfers of real property interests and the extent to which certain reorganizations will be treated as sales of property at fair market value.

Timetable:

Action	Date	FR Cite
NPRM	05/05/88	53 FR 16233
Hearing	03/01/89	54 FR 1189
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-209039-87 (INTL-491-87)

Drafting attorney: Robert W. Lorence (202) 622-3860

Reviewing attorney: Charles P. Besecky (202) 622-3860

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RIN: 1545-AK79

2834. COMPUTATION OF A BRANCH'S TAXABLE INCOME; TAXATION OF EXCHANGE GAIN OR LOSS ON BRANCH REMITTANCES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Branch rules on how to translate branch income. Taxation of exchange gain or loss on branch remittances.

Timetable:

Action	Date	FR Cite
NPRM	09/25/91	56 FR 48457
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-208270-86 (INTL-965-86)

Drafting attorney: Steven D. Jensen (202) 622-3870

Reviewing attorneys: Jeffrey Dorfman and Rebecca I. Rosenberg (202) 622-3870

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

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RIN: 1545-AM12

2835. EARNINGS AND PROFITS OF CONTROLLED FOREIGN CORPORATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 964

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will develop procedures for foreign corporations, or U.S. shareholders to make tax elections in computing functional currency earnings and profits under the 1986 Code.

Timetable:

Action	Date	FR Cite
NPRM	01/25/90	55 FR 2535
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-209022-89 (INTL-087-89)

Drafting attorney: Anne Devereaux (202) 622-3850

Reviewing attorney: Barbara A. Felker (202) 622-3850

CC:INTL

Agency Contact: Anne Devereaux, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3850

RIN: 1545-AM90

2836. LIMITATIONS ON PASSIVE ACTIVITY LOSSES AND CREDITS—SELF-CHARGED ITEMS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 0469

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation will address the treatment of self-charged items of

income and expense in connection with transactions between passthrough entities and owners of interests in those entities.

Timetable:

Action	Date	FR Cite
NPRM	04/05/91	56 FR 14034
Hearing	09/06/91	56 FR 14040
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-209365-89 (PS-39-89)

Drafting attorney: Danielle M. Grimm (202) 622-3070

Reviewing attorney: Donna M. Young (202) 622-3070

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

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Phone: 202 622-3070

RIN: 1545-AN64

2837. EARNINGS STRIPPING PAYMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation addresses the deductibility of interest under section 163 being limited when paid by a corporation to related persons not subject to U.S. tax.

Timetable:

Action	Date	FR Cite
NPRM	06/18/91	56 FR 27907
Hearing	09/25/91	56 FR 27927
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-209059-89 (INTL-870-89)

Drafting attorney: Milton M. Cahn (202) 622-3870

Reviewing attorney: Jeffrey L. Dorfman (202) 622-3870

TREAS—IRS

Final Rule Stage

CC:INTL

Agency Contact: Milton M. Cahn, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3870

RIN: 1545-AO24

2838. FRINGE BENEFIT SOURCING UNDER SECTION 861**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 861**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will address the circumstances in which an allocation of income of an individual for the performance of services both within and without the United States is appropriately made only on the time basis.

Timetable:

Action	Date	FR Cite
NPRM	01/21/00	65 FR 3402
Public Hearing	07/18/00	65 FR 3402
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-208254-90 (INTL-107-90)

Drafting attorney: David F. Bergkuist (202) 622-3850

Reviewing attorney: Anne Devereaux (202) 622-3850

Treasury attorney: Michael Kirsch (202) 622-0871

CC:INTL

Agency Contact: David F. Bergkuist, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3850

RIN: 1545-AO72

2839. FOREIGN GRANTOR TRUSTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 679**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation will provide guidance to taxpayers concerning the income tax treatment of transfers by U.S. persons to foreign trusts having U.S. beneficiaries. The amendments will conform to changes made by section 1013 of the Tax Reform Act of 1976 and changes made to section 679 by the Small Business Job Protection Act of 1996.

Timetable:

Action	Date	FR Cite
NPRM	08/07/00	65 FR 48185
Public Hearing	11/08/00	65 FR 48185
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-209038-89 (INTL-243-89)

Drafting attorney: Willard W. Yates (202) 622-3880

Reviewing attorney: M. Grace Fleeman (202) 622-3880

Treasury attorney: Michael Kirsch (202) 622-0871

CC:INTL

Agency Contact: Willard W. Yates, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3880
Fax: 202 622-4476

RIN: 1545-AO75

2840. TAXATION OF GLOBAL TRADING**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 864; 26 USC 482; 26 USC 863**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: Regulations to improve the taxation of global trading.

Timetable:

Action	Date	FR Cite
ANPRM	08/28/90	55 FR 35152
NPRM	03/06/98	63 FR 11177
NPRM Comment Period End	06/04/98	
Hearing	07/14/98	63 FR 11177
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-208299-90 (INTL-70-90)

Drafting attorney: Ginny Y. Chung (202) 622-3870

Reviewing attorney: Paul S. Epstein (202) 622-3870

Treasury attorney: Patricia Brown (202) 622-1781

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Phone: 202 622-3870

RIN: 1545-AP01

2841. CHARITABLE CONTRIBUTIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 861**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: Section 1.861-8(e) will provide new guidance regarding the allocation of charitable deductions to U.S. or foreign source income. A taxpayer will allocate such a deduction solely to U.S. source income, if he designated the contribution for U.S. use and reasonably believed that it would be so used. He will allocate such a deduction solely to foreign source income, if he knows or has reason to know that it would be used solely outside the United States or that it must necessarily be so used. In all other cases, he would ratably apportion such a deduction.

Timetable:

Action	Date	FR Cite
NPRM	03/12/91	56 FR 10395
Hearing	08/01/91	56 FR 23823
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-208246-90 (INTL-116-90)

Drafting attorney: Carl M. Cooper (202) 622-3840

Reviewing attorney: Philip Garlett (202) 622-3840

Treasury attorney: P. Ann Fisher (202) 622-1755

CC:INTL

TREAS—IRS

Final Rule Stage

Agency Contact: Carl M. Cooper, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-AP30

2842. SECTION 1.163-1(B)(2)

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 165

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation project will finalize all outstanding proposed regulations under section 1.163-1(b)(2).

Timetable:

Action	Date	FR Cite
NPRM	01/21/93	58 FR 5316
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-208245-90 (INTL-115-90)

Drafting attorney: Carl M. Cooper (202) 622-3840

Reviewing attorney: Philip Garlett (202) 622-3840

CC:INTL

Agency Contact: Carl M. Cooper, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-AP33

2843. DEFINITION OF "HIGHLY COMPENSATED EMPLOYEE"

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 414

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulations define the term "highly compensated employee" under section 414(q) of the Code. Temporary and proposed regulations, under sections 414(q) and 414(s), were published February 19, 1988 (53 FR 4965). Final regulations, under section 414(s), were published September 19, 1991 (56 FR 47659) under project EE-

129-86. The regulations under 414(q) were split off from project EE-129-86. It is anticipated that final regulations under section 414(q) will be published in the future under project REG-209558-92 (EE-32-92).

Timetable:

Action	Date	FR Cite
NPRM	02/19/88	53 FR 4999
NPRM Comment	04/19/88	
Period End		
Partially Closed by TD	06/27/94	59 FR 32911
8548		
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State, Local

Federalism: Undetermined

Additional Information: REG-209558-92

Drafting attorney: R. Lisa Mojiri-Azad (202) 622-6080

Reviewing attorney: Marjorie Hoffman (202) 622-6030

Treasury attorney: W. Thomas Reeder (202) 622-1341

CC:TEGE

Agency Contact: R. Lisa Mojiri-Azad, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080

RIN: 1545-AQ74

2844. ESCROW FUNDS AND OTHER SIMILAR FUNDS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined

Legal Authority: 26 USC 7805; 26 USC 0468B

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: Further guidance relating to certain escrow funds and other similar funds.

Timetable:

Action	Date	FR Cite
NPRM	02/01/99	64 FR 4801
NPRM Comment	05/03/99	
Period End		
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-209619-93 (IA-17-93)

Drafting attorney: Marilyn E. Brookens (202) 622-4920

Reviewing attorney: Michael Montemuno (202) 622-4920

CC:IT&A

Agency Contact: Marilyn E. Brookens, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4920
Fax: 202 622-1585

RIN: 1545-AR82

2845. PASSIVE FOREIGN INVESTMENT COMPANIES—SPECIAL RULES FOR FOREIGN BANKS AND SECURITIES DEALERS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 1297

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation will provide guidance for qualifying foreign banks for the exception to passive income characterization for purposes of the income and asset tests of the PFIC provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/28/95	60 FR 20922
Hearing	09/11/95	60 FR 39902
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-209733-93 (INTL-65-93)

Drafting attorney: Margaret A. Fung (202) 622-3840

Reviewing attorney: Philip Garlett (202) 622-3840

Treasury attorney: Michael Caballero (202) 622-0851

CC:INTL

Agency Contact: Margaret A. Fung, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-AS46

TREAS—IRS

Final Rule Stage

2846. EFFECT OF THE FAMILY AND MEDICAL LEAVE ACT ON THE OPERATION OF CAFETERIA PLANS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation contains additions to the Income Tax regulations, under section 125 of the Internal Revenue Code, relating to cafeteria plans, to answer a number of questions that have been raised about how the requirements under the Family and Medical Leave Act of 1993, Public Law 103-3, affect the operation of cafeteria plans.

Timetable:

Action	Date	FR Cite
NPRM	12/21/95	60 FR 66229
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-209767-95 (EE-20-95)

Drafting attorney: Christine Keller (202) 622-6080

Reviewing attorney: Harry Beker (202) 622-6080

Treasury attorney: William Bortz (202) 622-1352

CC:TEGE

Agency Contact: Christine Keller, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080

RIN: 1545-AT47**2847. PROPOSED REGULATION UNDER SECTIONS 882 AND 884****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 0882; 26 USC 0884**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will provide guidance relating to the treatment of financial instruments and loans between partners and partnerships for purposes of sections 882 and 884.

Timetable:

Action	Date	FR Cite
NPRM	03/08/96	61 FR 9377
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-209805-95 (INTL-054-95)

Drafting attorney: Ginny Y. Chung (202) 622-3870

Reviewing attorney: Paul S. Epstein (202) 622-3870

CC:INTL

Agency Contact: Ginny Y. Chung, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3870

RIN: 1545-AT96**2848. TREATMENT OF OBLIGATION-SHIFTING TRANSACTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 7701**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations recharacterize obligation-shifting transactions. Obligation-shifting transactions are transactions in which the transferee assumes obligations, or acquires property subject to obligations under an existing lease or similar agreement. The transferor or any other party has already received, or retains the right to receive amounts that are allocable to periods after the transfer. The regulations prevent tax avoidance by recharacterizing obligation-shifting transactions in a manner that clearly reflects the parties' income.

Timetable:

Action	Date	FR Cite
NPRM	12/27/96	61 FR 68175
NPRM Comment Period End	04/08/97	
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-209817-96 (FI-10-96)

Drafting attorney: Thomas M. Preston (202) 622-3940

Reviewing attorney: William E. Coppersmith (202) 622-3930

Treasury attorney: Michael Novey (202) 622-1339

CC:FI&P

Agency Contact: Thomas M. Preston, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3940

RIN: 1545-AU19**2849. ELECTING SMALL BUSINESS TRUST****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805; 26 USC 1361; 26 USC 641**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides necessary guidance for defining and treating electing small business trusts, which are now eligible shareholders of S Corporations, as provided by the Small Business Job Protection Act of 1996.

Timetable:

Action	Date	FR Cite
NPRM	12/29/00	65 FR 82963
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-251701-96

Drafting attorney: James A. Quinn (202) 622-3060

Reviewing attorney: J. Thomas Hines (202) 622-3060

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:P&SI

Agency Contact: James A. Quinn, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3060

RIN: 1545-AU76

TREAS—IRS

Final Rule Stage

2850. WITHDRAWAL OF NOTICE OF FEDERAL TAX LIEN**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: Section 501 of the Taxpayer Bill of Rights 2 amends section 6323 of the Internal Revenue Code to authorize the Secretary to withdraw a notice of Federal tax lien in four enumerated circumstances. Section 501 also provides that upon written request by the taxpayer, the Secretary shall make reasonable efforts to notify any credit reporting agencies and any financial institution or creditor identified by the taxpayer of the withdrawal. The regulations set forth the circumstances in which the Secretary may withdraw a notice of lien and procedures for requesting the Secretary to notify creditors of the withdrawal.

Timetable:

Action	Date	FR Cite
NPRM Final Action	06/30/99 10/00/01	64 FR 35102

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-101519-97

Drafting attorney: Kevin B. Connelly (202) 622-3630

Reviewing attorney: Robert Miller (202) 622-3630

Treasury attorney: Rita Cavanagh (202) 622-1981

CC:P&A:CB&S

Agency Contact: Kevin B. Connelly, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3630

RIN: 1545-AV00**2851. REGULATIONS UNDER SECTION 1441 REGARDING THE ELECTRONIC TRANSMISSION OF WITHHOLDING CERTIFICATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 6061; 26 USC 1441**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation pertains to the guidance for the electronic transmission of withholding certificates.

Timetable:

Action	Date	FR Cite
NPRM Final Action	10/14/97 12/00/01	62 FR 53504

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-107872-97

Drafting attorney: Carl M. Cooper (202) 622-3840

Reviewing attorney: Philip Garlett (202) 622-3840

CC:INTL

Agency Contact: Carl M. Cooper, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-AV27**2852. EIC ELIGIBILITY****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations provide guidance to taxpayers who have been denied the earned income credit (EIC) and wish to claim the credit in a subsequent year.

Timetable:

Action	Date	FR Cite
NPRM	06/25/98	63 FR 34615
NPRM Comment Period End	09/23/98	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-116608-97

Drafting attorney: Karin Loverud (202) 622-6060

Reviewing attorney: Paul Feinberg (202) 622-6000

Treasury attorney: Mark Hoffenberg (202) 622-0869

CC:TEGE

Agency Contact: Karin Loverud, Tax Law Specialist, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6060

RIN: 1545-AV61**2853. QUALIFIED ZONE ACADEMY BONDS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations will provide issuers and holders of qualified zone academy bonds (section 1397E of the Code) with formulas for determining the credit rate and maximum maturity of the bonds. The regulations will also provide guidance for the treatment of original issue discount, premium and mid-year sales of the bonds.

Timetable:

Action	Date	FR Cite
NPRM Final Action	01/07/98 12/00/01	63 FR 701

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** Local**Additional Information:** REG-119499-97

Drafting attorney: Timothy L. Jones (202) 622-3980

Reviewing attorney: Rebecca L. Harrigal (202) 622-3980

Treasury attorney: Stephen Watson (202) 622-1322

CC:TE/EG:EOEG:TEB

Agency Contact: Timothy L. Jones, Assistant to the Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3980

RIN: 1545-AV75**2854. INTEREST ON EDUCATION LOANS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 221; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides guidance on the deduction of interest on education loans under section 221.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	01/21/99	64 FR 3257
Final Action	10/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Additional Information:** REG-116826-97Drafting attorney: Nicole E. Francis
(202) 622-3653

CC:IT&A

Agency Contact: Nicole E. Francis,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3653

RIN: 1545-AW01

2855. AVERAGING OF FARM INCOME**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC
1301(c)**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** An individual may elect to
"income average" any amount of farm
income by adding 1/3 of such elected
farm income to each of the three prior
years' taxable income and calculating
the increase in tax for the prior years.
The taxable income of the current year
is reduced by the elected farm income
and the increase in tax liability for the
prior three years is added to the current
year's tax liability.**Timetable:**

Action	Date	FR Cite
NPRM	10/08/99	64 FR 54836
Public Hearing	02/15/00	
Final Action	10/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Additional Information:** REG-121063-97Drafting attorney: John Moran (202)
622-4940Reviewing attorney: Judith M. Wall
(202) 622-4940Treasury attorney: Lily Kahng (202)
622-0160

CC:IT&A

Agency Contact: John Moran,
Attorney-Advisor, Department of theTreasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-4940
Fax: 202 622-6232

RIN: 1545-AW05

**2856. MARK-TO-MARKET
ACCOUNTING FOR DEALERS IN
COMMODITIES AND TRADERS IN
SECURITIES AND COMMODITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 475(g); 26
USC 7805(a)**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** Guidance concerning mark-
to-market accounting for securities
traders and commodities dealers and
traders.**Timetable:**

Action	Date	FR Cite
NPRM	01/28/99	64 FR 4374
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None**Additional Information:** REG-104924-98Drafting attorney: Jo Lynn Ricks (202)
622-3920Reviewing attorney: Alvin Kraft (202)
622-3920

CC:FI&P

Agency Contact: Jo Lynn Ricks,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3920

RIN: 1545-AW06

**2857. STOCKS AND SECURITIES
SAFE HARBOR EXCEPTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulatory action will
amend 26 CFR 1 to clarify and update
the safe harbor that one is not engaged
in a trade or business as a result of
trading in stocks and securities. The
amendment will provide additional
guidance regarding the definitions of
stocks and securities.**Timetable:**

Action	Date	FR Cite
NPRM	06/12/98	63 FR 32164
Hearing	09/09/98	63 FR 32164
NPRM Comment Period End	09/10/98	
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Additional Information:** REG-106031-98Drafting attorney: Milton M. Cahn (202)
622-3870Reviewing attorney: Paul S. Epstein
(202) 622-3870Treasury attorney: Je Young Baik (202)
622-1773

CC:INTL

Agency Contact: Milton M. Cahn,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3870

RIN: 1545-AW13

**2858. ELECTION TO TREAT TRUST AS
ESTATE—SECTION 645****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 645; 26 USC
7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will provide
guidance regarding the operation of
section 645.**Timetable:**

Action	Date	FR Cite
NPRM	12/18/00	65 FR 79015
Final Action	10/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None**Additional Information:** REG-106542-98Drafting attorney: Faith Colson (202)
622-3060Reviewing attorney: J. Thomas Hines
(202) 622-3060Treasury attorney: Beth Kaufman (202)
622-1766

CC:P&SI

Agency Contact: Faith Colson,
Attorney-Advisor, Department of the

TREAS—IRS

Final Rule Stage

Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3060

RIN: 1545-AW24

2859. CORPORATE TAX SHELTER REGISTRATION

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6111

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation project provides guidance on the registration requirements for confidential corporate tax shelters under section 6111(d) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	03/02/00	65 FR 11272
Public Hearing	06/20/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-110311-98

Drafting attorneys: Mary Beth Collins (Carchia) (202) 622-3080 and Catherine Moore (202) 622-3080

Reviewing attorney: Donna Young (202) 622-3070

CC:P&SI

Agency Contact: Mary Beth Collins (Carchia), Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3080

Catherine Moore, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3080

RIN: 1545-AW26

2860. INTERCOMPANY OBLIGATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 1502; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides clarification of the tax treatment of

certain transfers of intercompany obligations by or to a member of a consolidated group.

Timetable:

Action	Date	FR Cite
NPRM	12/18/98	63 FR 70354
NPRM Comment Period End	03/22/99	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-105964-98

Drafting attorney: Heather Johnson (202) 622-7750

Reviewing attorney: Michael Wilder (202) 622-7750

CC:CORP

Agency Contact: Heather Johnson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7750

RIN: 1545-AW30

2861. DISREGARDED ENTITIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance under section 368, regarding corporate transactions involving disregarded entities.

Timetable:

Action	Date	FR Cite
NPRM	05/16/00	65 FR 31115
Comment Period End	08/14/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-106186-98

Drafting attorney: Reginald Mombrun (202) 622-7750

Reviewing attorney: Mark Jennings (202) 622-7750

CC:CORP

Agency Contact: Reginald Mombrun, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

Phone: 202 622-7750

RIN: 1545-AW36

2862. PAYMENT OF TAXES BY CREDIT CARD AND DEBIT CARD

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6311

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The purpose of this regulation is to authorize the Secretary of the Treasury to accept payment of taxes by credit cards and debit cards, pursuant to section 6311 of title 26, as amended by the Tax Relief Act of 1997.

Timetable:

Action	Date	FR Cite
NPRM	12/15/98	63 FR 69031
NPRM Comment Period End	03/15/99	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-111435-98

Drafting attorney: Robert Taylor (202) 622-4940

Reviewing attorney: Michael Gompertz (202) 622-4940

Treasury attorney: John Parcell (202) 622-2578

CC:P&A:APJP

Agency Contact: Robert Taylor, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4940

RIN: 1545-AW37

2863. MIDDLEMAN REGULATION UNDER SECTIONS 6041 AND 6045

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 6041; 26 USC 6045

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides guidance on the legal obligation to file information returns by: 1) an intermediary or middleman who makes payments on behalf of another person; and 2) an investment advisor.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/17/00	65 FR 61292
Public Hearing	02/07/01	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-246249-96

Drafting attorney: Nancy L. Rose (202) 622-4910

Reviewing attorney: Pamela W. Fuller (202) 622-4910

Treasury attorney: Michael Novey (202) 622-1339

CC:PA:APJP

Agency Contact: Nancy L. Rose, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910

RIN: 1545-AW48**2864. SPECIAL RULES REGARDING THE SIMPLIFIED PRODUCTION AND RESALE METHODS WITH HISTORIC ABSORPTION RATIO ELECTION****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 263A; 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations that are amended under section 263A relate to the simplified production and resale methods with historic absorption ratio election.

Timetable:

Action	Date	FR Cite
NPRM	05/24/99	64 FR 27936
Final Action	09/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-113910-98

Drafting attorney: Cheryl L. Oseekey (202) 622-4970

Reviewing attorney: Thomas Luxner (202) 622-4970

Treasury attorney: Christine Turgeon (202) 622-0865

CC:IT&A

Agency Contact: Cheryl L. Oseekey, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4970

RIN: 1545-AW54**2865. GUIDANCE UNDER SUBPART F RELATING TO CERTAIN HYBRID TRANSACTIONS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 954**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations provide guidance on the treatment under subpart F of certain payments involving branches of a CFC that are treated as separate entities for foreign tax purposes or partnerships in which CFCs are partners.

Timetable:

Action	Date	FR Cite
NPRM	07/13/99	64 FR 37677
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-113909-98

Drafting attorney: Valerie A. Mark (202) 622-3840

Reviewing attorney: Phyllis Marcus (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

Agency Contact: Valerie A. Mark, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545-AW63**2866. RELIEF FROM JOINT AND SEVERAL LIABILITY ON JOINT RETURN****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 6015**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This document will provide procedures as are necessary to carry out the provisions of section 6015, including: 1) methods for allocation of items other than the methods under section 6015(d)(3); and 2) providing the opportunity for an individual to have notice of, and an opportunity to participate in, any administrative proceeding with respect to an election made under section 6015(b) or section 6015(c) by the other individual filing the joint return.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3888
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Procurement: This is a procurement-related action for which there is a statutory requirement. There is a paperwork burden associated with this action.

Additional Information: REG-106446-98

Drafting attorney: Bridget Finkenaur (202) 622-4940

Reviewing attorney: Judith M. Wall (202) 622-4940

Treasury attorney: Lily Kahng (202) 622-0160

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Agency Contact: Bridget Finkenaur, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4940

RIN: 1545-AW64**2867. EDUCATION CREDITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 25A**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations provide individual taxpayers with guidance on the Hope Scholarship Credit and the Lifetime Learning Credit.

Timetable:

Action	Date	FR Cite
NPRM	01/06/99	64 FR 794
Final Action	12/00/01	

TREAS—IRS

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-106388-98

Drafting attorney: Donna J. Welch (202) 622-4910

Treasury attorney: Susan Brown (202) 622-0999

CC:P&A:APJP

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Phone: 202 622-4910
Fax: 202 622-6232

RIN: 1545-AW65**2868. INFORMATION REPORTING FOR PAYMENTS OF TUITION AND INTEREST ON EDUCATION LOANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6050S**CFR Citation:** 26 CFR 1; 26 CFR 301**Legal Deadline:** None

Abstract: The regulations relate to the requirements for filing information returns for payments of qualified tuition and related expenses. The regulations relate to the requirements for filing information returns for interest received on qualified education loans. The regulations prescribe magnetic media filing requirements for these information returns.

Timetable:

Action	Date	FR Cite
NPRM	12/20/00	65 FR 79788
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Businesses**Government Levels Affected:** None**Additional Information:** REG-105316-98

Drafting attorney: Donna J. Welch (202) 622-4910

Reviewing attorney: John McGreevy (202) 622-4910

Treasury attorney: Susan Brown (202) 622-0999

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RIN: 1545-AW67**2869. MODIFICATIONS AND ADDITIONS TO THE UNIFIED PARTNERSHIP AUDIT PROCEDURES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6230; 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: Regulations modifying the Unified Partnership Audit Procedures. These changes are based on statutory changes enacted in 1997 and 1998. As part of this project, all of the Unified Partnership Audit Procedure regulations will be brought final.

Timetable:

Action	Date	FR Cite
NPRM	01/25/99	64 FR 3886
Cancellation of Public Hearing	04/06/99	64 FR 16640
Correction To NPRM	04/19/99	64 FR 19217
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-106564-98

Drafting attorney: Horace Howells (202) 622-3050

Reviewing attorney: Dianna Miosi (202) 622-3050

Treasury attorney: James Sowell (202) 622-5721

CC:P&SI

Agency Contact: Horace Howells, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3050

RIN: 1545-AW86**2870. COMPROMISES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7122**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The purpose of this regulation is to provide expanded

compromise authority, pursuant to section 7122 of title 26, as amended by the Restructuring and Reform Act of 1998. Prior to the amendment, doubt as to collectibility, doubt as to liability, or both, were the only grounds for consideration of compromise cases. The goal of this regulation is to permit consideration of other factors in compromising tax liability.

Timetable:

Action	Date	FR Cite
NPRM	07/21/99	64 FR 39106
Final Action	07/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-116991-98

Drafting attorney: Frederick W. Schindler (202) 622-3620

Reviewing attorney: Kathryn A. Zuba (202) 622-3620

Treasury attorney: Rita Cavanagh (202) 622-1981

CC:P&A:CB&S

Agency Contact: Frederick W. Schindler, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3620

RIN: 1545-AW88**2871. NOTICE AND OPPORTUNITY FOR HEARING BEFORE LEVY****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 6330**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation provides guidance concerning the implementation of section 6330 of title 26, as added by section 3401 of the Internal Revenue Service Restructuring and Reform Act of 1998.

Timetable:

Action	Date	FR Cite
NPRM	01/22/99	64 FR 3462
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

TREAS—IRS

Final Rule Stage

Additional Information: REG-117620-98

Drafting attorney: Jerome D. Sekula
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Reviewing attorney: Alan C. Levine
(202) 622-3610

Treasury attorney: Rita Cavanaugh (202)
622-1981

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RIN: 1545-AW90

**2872. NOTICE AND OPPORTUNITY
FOR HEARING UPON FILING OF
NOTICE OF LIEN**

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
6320

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation provides
guidance concerning the
implementation of section 6320 of title
26, as added by the Internal Revenue
Service Restructuring and Reform Act
of 1998 section 3401.

Timetable:

Action	Date	FR Cite
NPRM	01/22/99	64 FR 3461
Cancellation of Public Hearing	06/11/99	64 FR 31529
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-116824-98

Drafting attorney: Jerome D. Sekula
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Reviewing attorney: Alan C. Levine
(202) 622-3610

Treasury attorney: Rita Cavanaugh (202)
622-1981

CC:P&A:CB&S

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RIN: 1545-AW91

**2873. CERTAIN ASSET TRANSFERS
TO REGULATED INVESTMENT
COMPANIES (RICS) AND REAL
ESTATE INVESTMENT TRUSTS
(REITS)**

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC
337(d)

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations implement
provisions of the Tax Reform Act of
1986, in accordance with Notice 88-19,
1988-1 C.B. 486.

Timetable:

Action	Date	FR Cite
NPRM	02/03/00	65 FR 5805
Comment Period Ends	04/19/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-209135-88

Drafting attorney: Lisa A. Fuller (202)
622-7750

Reviewing attorney: Christopher
Schoen (202) 622-7750

CC:CORP

Agency Contact: Lisa A. Fuller,
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RIN: 1545-AW92

2874. QUALIFIED OFFERS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation regarding the
qualified offer rule allowing the
recovery of reasonable administrative or
litigation costs.

Timetable:

Action	Date	FR Cite
NPRM	01/04/01	66 FR 749
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-121928-98

Drafting attorney: Thomas D. Moffitt
(202) 622-7900

Reviewing attorney: Henry
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Treasury attorney: Rita Cavanaugh (202)
622-1981

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RIN: 1545-AW99

**2875. NOTICE OF CONTACT OF THIRD
PARTIES—SECTION 7602(C)**

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation implements
and interprets section 7602(c),
concerning third-party contacts, so they
can understand how the law will affect
them. The Restructuring and Reform
Act of 1998, section 3417(a), created a
new section 7602(c), which requires
that the IRS may not contact third
parties with request to the
determination or collection of the tax
liability of a taxpayer without
providing reasonable notice to the
taxpayer in advance. It also requires the
IRS to keep a list of contacts and
provide it periodically to the taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	01/02/01	66 FR 77
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-104906-99

Drafting attorney: Bryan T. Camp (202)
622-3630

Reviewing attorney: Lawrence
Schattner (202) 622-3630

CC:P&A:CB&S

Agency Contact: Bryan T. Camp,
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TREAS—IRS

Final Rule Stage

Phone: 202 622-3630

RIN: 1545–AX04

2876. ALLOCATION OF RESEARCH CREDIT**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 41**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation will provide guidance on the proper method of computing the research credit for a controlled group. In addition, this regulation will provide guidance on the allocation of the research credit among members of the controlled group.

Timetable:

Action	Date	FR Cite
NPRM	01/04/00	65 FR 258
Public Hearing	04/26/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-105606-99

Drafting attorney: Lisa Shuman (202) 622-3120

Reviewing attorney: James Gibbons (202) 622-3120

Treasury attorney: Christopher Ohmes (202) 622-1335

CC:P&SI

Agency Contact: Lisa Shuman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3120

RIN: 1545–AX05

2877. DELAY RENTAL PAYMENTS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 263A**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations would clarify that section 1.612-3(c) applies to delay rental payments to the extent that section 263A does not require the payments to be capitalized.

Timetable:

Action	Date	FR Cite
NPRM	02/08/00	65 FR 6090

Action	Date	FR Cite
Public Hearing	05/26/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-103882-99

Drafting attorney: Brenda M. Stewart (202) 622-3120

Reviewing attorney: J.H. Makurath (202) 622-3120

Treasury attorney: John Parcell (202) 622-2578

CC:P&SI

Agency Contact: Brenda M. Stewart, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3120

RIN: 1545–AX06

2878. COORDINATION OF SECTIONS 755 AND 1060**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 755; 26 USC 1060**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations will provide rules for determining the fair market value of partnership assets for the purpose of allocating basis adjustments under sections 732(d), 734(b) and 743(b) among partnership assets under section 755, using the residual method of section 1060.

Timetable:

Action	Date	FR Cite
NPRM	04/05/00	65 FR 17829
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107872-99

Drafting attorney: Craig Gerson (202) 622-3050

Reviewing attorney: Matthew Lay (202) 622-3050

CC:P&SI

Agency Contact: Craig Gerson, Attorney-Advisor, Department of the

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RIN: 1545–AX18

2879. DOLLAR-VALUE LIFO REGULATIONS**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 472**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulation will provide guidance on the dollar-value LIFO method, including the inventory price index computation (IPIC) method.

Timetable:

Action	Date	FR Cite
NPRM	05/19/00	65 FR 31841
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Additional Information:** REG-107644-98

Drafting attorney: Jeffery G. Mitchell (202) 622-7804

Reviewing attorney: Eric Pleet (202) 622-4970

Treasury attorney: Christine Turgeon (202) 622-0865

CC:IT&A

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Phone: 202 622-7804

RIN: 1545–AX20

2880. EXCLUSION OF GAIN ON THE SALE OR EXCHANGE OF PRINCIPAL RESIDENCE**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 121**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These rules reflect changes made by the Taxpayer Relief Act of 1997 to sections 121 and 1034 of the Code, relating to the exclusion of gain from the sale or exchange of a taxpayer's principal residence.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/10/00	65 FR 60136
Public Hearing	01/23/01	
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-105235-99

Drafting attorney: Marilyn E. Brookens (202) 622-4920

Reviewing attorney: George B. Baker (202) 622-4920

Treasury attorney: Lily Kahng (202) 622-0160

CC:IT&A

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RIN: 1545–AX28**2881. CHANGES IN ENTITY CLASSIFICATION: SPECIAL RULE FOR CERTAIN FOREIGN ELIGIBLE ENTITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 7701**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** This regulation provides rules relating to certain conversions of foreign eligible entities under the entity classification rules.**Timetable:**

Action	Date	FR Cite
NPRM	11/29/99	64 FR 66591
Public Hearing	01/31/00	
NPRM Comment Period End	02/28/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-110385-99

Drafting attorney: Mark D. Harris (202) 622-3050

Reviewing attorney: Philip Tretiak (202) 622-3860

CC:INTL

Agency Contact: Mark D. Harris, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545–AX39**2882. AGENT FOR THE GROUP UNDER SECTION 1.1502-77****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 1502**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation revises the rules under section 1.1502-77 governing the common parent as agent for the consolidated group and the designation of a new agent when the common parent ceases to exist; revises the rule under section 1.1502-78 for an application for carryback adjustment with respect to a loss arising in another consolidated group.**Timetable:**

Action	Date	FR Cite
NPRM	09/26/00	65 FR 57755
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-103805-99

Drafting attorney: George Robert Johnson (202) 622-7930

Drafting attorney: Gerald B. Fleming (202) 622-7770

Reviewing attorney: Steven J. Hankin (202) 622-7930

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:CORP

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Phone: 202 622-7770

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RIN: 1545–AX56**2883. STOCK TRANSFER RULES: CARRYOVER OF EARNINGS AND TAXES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 367**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This rule provides guidance with respect to how earnings and profits and foreign income tax accounts carry over under section 381 and are allocated under section 312 in certain transactions described in section 367(b).**Timetable:**

Action	Date	FR Cite
NPRM	11/15/00	65 FR 69138
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-116050-99

Drafting attorney: Anne Devereaux (202) 622-3850

Reviewing attorney: Irwin Halpern (202) 622-3850

Treasury attorney: Je Young Baik (202) 622-1773

CC:INTL

Sectors Affected: None

Agency Contact: Anne Devereaux, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3850

RIN: 1545–AX65**2884. LOANS UNDER SECTION 72(P)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 72**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulation will provide guidance on the application of rules for determining the income tax treatment to be accorded loans to participants or beneficiaries from qualified employer plans. The loans rules are provided in

TREAS—IRS

Final Rule Stage

section 72(p) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	07/31/00	65 FR 46677
Notice of Public Hearing	12/06/00	65 FR 76194
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-116495-99

Drafting attorney: Vernon Carter (202) 622-6070

Reviewing attorney: Alan Tawshunsky (202) 622-6000

Treasury attorney: William Bortz (202) 622-1352

CC:TEGE

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RIN: 1545-AX68

2885. DISCLOSURES OF RETURN INFORMATION TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE FOR CERTAIN STATISTICAL PURPOSES AND RELATED ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6103(j)(5)

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation will allow the IRS to disclose return information to the Department of Agriculture for purposes of the Census of Agriculture. The disclosure of the specific items of return information identified in the regulation is necessary in order for the Department of Agriculture to accurately identify, locate, and classify, as well as properly process information from, agricultural businesses to be surveyed for the statutorily mandated Census of Agriculture.

Timetable:

Action	Date	FR Cite
NPRM	01/04/00	65 FR 215
Final Rule	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal

Additional Information: REG-116704-99

Drafting attorney: Jennifer S. McGinty (202) 622-4580

Reviewing attorney: David Fish (202) 622-4580

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:P&A:D&PL

Agency Contact: Jennifer S. McGinty, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4580

RIN: 1545-AX69

2886. ALLOCATION AND APPORTIONMENT OF INTEREST EXPENSE AND CERTAIN OTHER EXPENSES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 864

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations provide rules for the allocation and apportionment of interest expenses and certain other expenses for purposes of the foreign tax credit and certain other international tax provisions.

Timetable:

Action	Date	FR Cite
NPRM	02/05/90	55 FR 3750
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-117608-99

Drafting attorney: David F. Bergkuist (202) 622-3850

Reviewing attorney: Michael Cornett (202) 622-3800

Treasury attorney: Michael Corwin (202) 622-1317

CC:INTL

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Phone: 202 622-3850

RIN: 1545-AX72

2887. CLARIFICATION OF ENTITY CLASSIFICATION RULES REGARDING ENTITIES CLASSIFIED AS CORPORATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation provides a special rule to clarify the per se list of corporate entities.

Timetable:

Action	Date	FR Cite
NPRM	01/12/01	66 FR 2854
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Additional Information: REG-101739-00

Drafting attorney: Camille B. Evans (202) 622-3860

Reviewing attorney: Philip Tretiak (202) 622-3860

CC:INTL

Agency Contact: Camille B. Evans, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545-AX75

2888. REQUIREMENT TO MAINTAIN LIST OF INVESTORS IN POTENTIALLY ABUSIVE TAX SHELTERS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6112; 26 USC 7805

CFR Citation: 26 CFR 301; 26 CFR 602

Legal Deadline: None

Abstract: These regulations require the maintenance of lists of investors in potentially abusive tax shelters described in section 6112.

Timetable:

Action	Date	FR Cite
NPRM	03/02/00	65 FR 11271
Public Hearing	06/20/00	
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

TREAS—IRS

Final Rule Stage

Additional Information: REG-103736-00
Drafting attorneys: Mary Beth Collins (Carchia) (202) 622-3080 and Catherine Moore (202) 622-3080

Reviewing attorney: Donna Young (202) 622-3000

CC:P&SI

Agency Contact: Mary Beth Collins (Carchia), Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
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RIN: 1545–AX79

2889. TAX SHELTER DISCLOSURE STATEMENTS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6011; 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None

Abstract: The regulations require certain corporate taxpayers to file a statement under section 6011 and maintain certain documents under section 6001.

Timetable:

Action	Date	FR Cite
NPRM	03/02/00	65 FR 11269
Public Hearing	06/20/00	65 FR 11270
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-103735-00

Drafting attorneys: Mary Beth Collins (Carchia) (202) 622-3080 and Catherine Moore (202) 622-3080

Reviewing attorney: Donna Young (202) 622-3000

CC:P&SI

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RIN: 1545–AX81

2890. HIPAA PORTABILITY

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 9833

CFR Citation: 26 CFR 54

Legal Deadline: None

Abstract: These regulations provide guidance to group health plans regarding the limitations on imposing pre-existing condition exclusions and the special enrollment rules. These regulations also provide guidance regarding plans and benefits that are not subject to these rules.

Timetable:

Action	Date	FR Cite
NPRM	04/08/97	62 FR 16977
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-119828-99

Drafting attorney: Russell Weinheimer (202) 622-6080

Reviewing attorney: Alan Tawshunsky (202) 622-6000

Treasury attorney: Kevin Knopf (202) 622-2329

CC:TEGE

Agency Contact: Russell Weinheimer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080

RIN: 1545–AX84

2891. DISCLOSURE OF RETURN AND RETURN INFORMATION TO DESIGNEE OF TAXPAYER

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6103(c)

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The purpose of this regulation is to implement the amendment contained in the Taxpayer

Bill of Rights II (TBOR II) to Internal Revenue Code section 6103(c). TBOR II eliminated the requirement for a request or consent for disclosure to be in writing. The proposed regulations would permit the Internal Revenue Service to disclose returns and return information to a taxpayer's designee, pursuant to a non-written request for or consent to disclosure. The regulations will also provide rules and guidance for consent in an electronic environment. Additionally, the regulations will provide guidance to Internal Revenue Service personnel to clarify a number of issues that have arisen since the regulation was initially promulgated in the late 1970s.

Timetable:

Action	Date	FR Cite
NPRM	01/11/01	66 FR 2373
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-103320-00

Drafting attorney: Joseph E. Conley (202) 622-4570

Reviewing attorney: David Fish (202) 622-4570

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:P&A:D&PL

Agency Contact: Joseph E. Conley, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4570

RIN: 1545–AX85

2892. APPLICATION OF SEPARATE FOREIGN TAX CREDIT LIMITATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 904; 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This proposed regulation clarifies the application of separate foreign tax credit limitations under section 904(d) of the Code.

Timetable:

Action	Date	FR Cite
NPRM	01/03/01	66 FR 319
Final Action	12/00/01	

TREAS—IRS

Final Rule Stage

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-104683-00Drafting attorney: Bethany Ingwalson
(202) 622-3850Reviewing attorney: Barbara Felker
(202) 622-3850Treasury attorney: Michael Caballero
(202) 622-0851This regulation is related to REG-
106409-00 (1545-AY29)

CC:INTL

Agency Contact: Bethany Ingwalson,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3870**RIN:** 1545-AX88**2893. DEFINITION OF INCOME UNDER SECTION 643****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 643; 26 USC
7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations provide
guidance under section 643 on whether
State law definition of trust income is
trust income for Federal tax purposes.**Timetable:**

Action	Date	FR Cite
NPRM	02/15/01	66 FR 1039
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:**
Undetermined**Federalism:** Undetermined**Additional Information:** REG-106513-00Drafting attorney: Bradford R. Poston
(202) 622-3060Reviewing attorney: J. Thomas Hines
(202) 622-3060Treasury attorney: Beth Kaufman (202)
622-1766

CC:P&SI

Agency Contact: Bradford R. Poston,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3060**RIN:** 1545-AX96**2894. REGULATIONS GOVERNING PRACTICE BEFORE THE INTERNAL REVENUE SERVICE****Priority:** Substantive, Nonsignificant**Legal Authority:** 31 USC 330**CFR Citation:** 31 CFR 10**Legal Deadline:** None**Abstract:** 31 U.S.C. 330 authorizes the
Secretary of the Treasury to regulate the
practice of representatives before the
Department and, after notice and
opportunity for a proceeding, to
suspend or disbar from practice those
representatives who are incompetent,
disreputable, or dishonest. The
Secretary has published regulations in
Circular No. 230 (31 CFR 10) pursuant
to this authority, which he amends
from time to time.**Timetable:**

Action	Date	FR Cite
ANPRM	05/05/00	65 FR 30375
NPRM	01/12/01	66 FR 3726
Public Hearing	05/02/01	66 FR 3277
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-111835-99Drafting attorney: Brinton T. Warren
(202) 622-4940Reviewing attorney: Richard Goldstein
(202) 622-7880Treasury attorney: Rita Cavanaugh (202)
622-1981

CC:P&A:APJP

Agency Contact: Brinton T. Warren,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-4940**RIN:** 1545-AY07**2895. CLASSIFICATION OF CERTAIN EMPLOYEE BENEFIT TRUSTS****Priority:** Substantive, Nonsignificant**Unfunded Mandates:** Undetermined**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** The regulations will provide
guidance regarding the classification of
certain employee benefit trusts under
7701(a)(30) and (31) of the Code.**Timetable:**

Action	Date	FR Cite
NPRM	10/12/00	65 FR 60822
Final Action	07/00/01	

Regulatory Flexibility Analysis**Required:** Undetermined**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-108553-00Drafting attorney: James A. Quinn (202)
622-3060Reviewing attorney: J. Thomas Hines
(202) 622-3060Treasury attorney: Beth Kaufman (202)
622-1766

CC:P&SI

Agency Contact: James A. Quinn,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3060**RIN:** 1545-AY09**2896. GUIDANCE UNDER SECTION 6302 REGARDING THE FEDERAL TAX DEPOSIT SYSTEM****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6302; 26 USC
7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** These regulations remove
Federal Reserve banks as depositories
for Federal tax deposits.**Timetable:**

Action	Date	FR Cite
NPRM	12/28/00	65 FR 81453
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-107176-00Drafting attorney: Brinton T. Warren
(202) 622-4940Reviewing attorney: Judith M. Wall
(202) 622-4940

TREAS—IRS

Final Rule Stage

CC:P&A:APJP

Agency Contact: Brinton T. Warren, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4940

RIN: 1545–AY10

2897. BROKER'S COMMISSIONS AND SIMILAR FEES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation provides guidance on when broker's fees can be treated as qualified administrative costs for purposes of the arbitrage restrictions under section 148.

Timetable:

Action	Date	FR Cite
NPRM	08/17/99	64 FR 46876
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: State**Additional Information:** REG-105376-00

Drafting attorney: Timothy L. Jones (202) 622-3980

CC:TEGE

Agency Contact: Timothy L. Jones, Assistant to the Chief, Branch 5, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3980

RIN: 1545–AY15

2898. CHECK THE BOX REGULATIONS—AMENDMENT

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Legal Authority: 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: This regulation will provide that, for purposes of section 332, a plan of liquidation is deemed adopted immediately before a deemed liquidation pursuant to an elective change in entity classification.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3959
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None**Additional Information:** REG-110659-00

Drafting attorney: David Sotos (202) 622-3050

Reviewing attorney: Jeanne Sullivan (202) 622-3050

Treasury attorney: James Sowell (202) 622-5721

CC:P&SI

Agency Contact: David Sotos, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3050

RIN: 1545–AY16

2899. "AUTHORIZED PLACEMENT AGENCY" UNDER SECTION 152**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 152**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations amend the definition of "authorized placement agency" (for purposes of determining whether a child placed for legal adoption in a taxpayer's home is a dependent of the taxpayer) to include biological parents and other persons authorized by State law to place children for legal adoption.

Timetable:

Action	Date	FR Cite
NPRM	11/30/00	65 FR 71277
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-107279-00

Drafting attorney: Elizabeth K. Kaye (202) 622-4910

Reviewing attorney: Pamela W. Fuller (202) 622-4910

CC:P&A:APJP

Agency Contact: Elizabeth K. Kaye, Attorney-Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4910
Fax: 202 622-6232

RIN: 1545–AY18

2900. DISQUALIFIED PERSONS

Priority: Substantive, Nonsignificant. Major status under 5 USC 801 is undetermined.

Unfunded Mandates: Undetermined**Legal Authority:** 26 USC 1031**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: These regulations narrow the definition of the term "disqualified person" so that banks and bank subsidiaries may still serve as qualified intermediaries, even if an investment banker or broker is a member of the same control group.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3924
Public Hearing	06/05/01	66 FR 3925
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Businesses**Government Levels Affected:** None**Additional Information:** REG-107175-00

Drafting attorney: J. Peter Baumgarten (202) 622-4950

Reviewing attorneys: Kelly Alton (202) 622-4950 and Linda Kroening (202) 622-4800

CC:IT&A

Agency Contact: J. Peter Baumgarten, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4950

RIN: 1545–AY19

2901. RECOGNITION OF GAIN ON CERTAIN TRANSFERS TO FOREIGN TRUSTS AND ESTATES**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 684**CFR Citation:** 26 CFR 1**Legal Deadline:** None

TREAS—IRS

Final Rule Stage

Abstract: Internal Revenue Code section 684 generally provides that, except as otherwise provided in regulations, gain shall be recognized on the transfer of property by a United States person to a foreign estate or trust, unless, in the case of a trust, a United States person is treated as the owner of such trust under Code section 671. These regulations are intended to implement the statutory authority to provide exceptions to the section 684 general rule of gain recognition.

Timetable:

Action	Date	FR Cite
NPRM	08/07/00	65 FR 48198
Public Hearing	11/08/00	65 FR 48198
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:**

Undetermined

Federalism: Undetermined**Additional Information:** REG-108522-00

Drafting attorney: Karen Rennie Quarrie (202) 622-3880

Reviewing Attorney: M. Grace Fleeman (202) 622-3880

Treasury attorney: Michael Kirsch (202) 622-0871

CC:INTL

Agency Contact: Karen Rennie Quarrie, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3880

RIN: 1545–AY25

2902. NONDISCRIMINATION REQUIREMENTS FOR CERTAIN DEFINED CONTRIBUTION RETIREMENT PLANS

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 401**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The regulations will revise the requirements for qualified defined contribution plans that are tested for compliance with the nondiscrimination rules on a benefits basis.

Timetable:

Action	Date	FR Cite
NPRM	10/06/00	65 FR 59774
Final Action	06/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-114697-00

Drafting attorney: Linda S.F. Marshall (202) 622-6090

Reviewing attorney: Marjorie Hoffman (202) 622-6000

Treasury attorney: Harlan Weller (202) 622-1001

CC:TEGE

Agency Contact: Linda S.F. Marshall, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6090

RIN: 1545–AY36

2903. REGULATIONS IMPLEMENTING SECTION 420(C)(3)(E)

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: Section 420(c)(3)(E) of the Internal Revenue Code directs the Secretary of the Treasury to prescribe such regulations as may be necessary to prevent an employee, who significantly reduces retiree health coverage during the cost maintenance period, from being treated as satisfying the minimum cost requirement.

Timetable:

Action	Date	FR Cite
NPRM	01/05/01	66 FR 1066
Public Hearing	03/15/01	66 FR 1066
Final Action	10/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-116468-00

Drafting attorneys: Vernon Carter (202) 622-6070 and Janet Laufer (202) 622-6060

Reviewing attorneys: Michael Roach (202) 622-6090 and Mark Schwimmer (202) 622-6060

Treasury attorney: Harlan Weller (202) 622 1001

CC:TEGE

Agency Contact: Vernon Carter, Tax Law Specialist, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6070

Janet A. Laufer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6060
Fax: 202 622-4084

RIN: 1545–AY43

2904. SPECIAL RULES FOR S CORPORATIONS UNDER SECTION 301.7701(B)-7

Priority: Substantive, Nonsignificant**Legal Authority:** 26 USC 7805; 26 USC 7701**CFR Citation:** 26 CFR 301; 26 CFR 601**Legal Deadline:** None

Abstract: The regulation will provide rules that will permit a dual resident S Corporation shareholder, who has claimed a treaty benefit, to be treated as a U.S. resident for purposes of section 1361(a)(1) of the Code.

Timetable:

Action	Date	FR Cite
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined**Additional Information:** REG-209720-94 (INTL-40-94)

Drafting attorney: David A. Juster (202) 622-3850

Reviewing attorney: Barbara Felker (202) 622-3850

The Notice of Proposed Rulemaking was originally published under RIN-1545-AS88.

This regulation project was previously part of REG-208214-90

(INTL-121-90) RIN-1545-AP35.

CC:INTL

Agency Contact: David A. Juster, Attorney-Advisor, Department of the Treasury, Internal Revenue Service,

TREAS—IRS

Final Rule Stage

1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-3850

RIN: 1545–AY44

2905. GUIDANCE UNDER SUBPART F RELATING TO PARTNERSHIPS

Priority: Substantive, Nonsignificant

Legal Authority: 28 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations provide guidance for the treatment under subpart F of a controlled foreign corporation partners distributive share of subpart F income.

Timetable:

Action	Date	FR Cite
NPRM	09/20/00	65 FR 56836
Final Action	10/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: None

Additional Information: REG-112502-00

Drafting attorney: Valerie A. Mark (202) 622-3840

Reviewing attorney: Phyllis Marcus (202) 622-3840

Treasury attorney: Patrick Brown (202) 622-1754

CC:INTL

Agency Contact: Valerie A. Mark, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840

RIN: 1545–AY45

2906. • 6302 DE MINIMIS THRESHOLD

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6302; 26 USC 7805

CFR Citation: 31 CFR 6302

Legal Deadline: None

Abstract: This regulation will increase the de minimus deposit rule for quarterly and annual return periods from \$1,000 to \$2,500.

Timetable:

Action	Date	FR Cite
NPRM	12/06/00	65 FR 76194
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-114423-00

Drafting attorney: Brinton T. Warren (202) 622-4940

Reviewing attorney: Judith M. Wall (202) 622-4940

Treasury attorney: Stephanie Robinson (202) 622-9858

CC:PA:AP JP

Agency Contact: Brinton T. Warren, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4940

RIN: 1545–AY47

2907. • DISCLOSURE OF RETURN INFORMATION TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF COMMERCE FOR CERTAIN STATISTICAL PURPOSES AND RELATED ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 6103

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: The regulations relate to additions to the list of items of information disclosed to the Bureau of the Census for use in the Longitudinal Employer-Household Dynamics (LEHD) project and the Survey of Income and Program Participation (SIPP) project.

Timetable:

Action	Date	FR Cite
NPRM	02/13/01	66 FR 9991
Final Action	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

Additional Information: REG-121109-00

Drafting attorney: Stuart D. Murray (202) 622-4580

Reviewing attorney: David Fish (202) 622-4580

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:PA:DPL

Agency Contact: Stuart D. Murray, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4580

RIN: 1545–AY52

2908. • TIME FOR FILING FORM 1139 BY A CONSOLIDATED GROUP

Priority: Info./Admin./Other

Legal Authority: 26 USC 6411; 26 USC 1502

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: The regulation addresses the time for filing an application for a tentative carryback adjustment (Form 1139) by a consolidated group.

Timetable:

Action	Date	FR Cite
NPRM	01/04/01	66 FR 747
Final Action	12/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-119352-00

Drafting attorneys: Christopher M. Bass (202) 622-7770 and Frances Kelly (202) 622-7770

Reviewing attorney: Edward S. Cohen (202) 622-7770

Treasury attorney: Audrey Nacamuli (202) 622-0869

CC:CORP

Agency Contact: Christopher M. Bass, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7770

Frances Kelly, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7770

RIN: 1545–AY58

TREAS—IRS

Final Rule Stage

2909. • GUIDANCE UNDER SECTION 1275(A)(1)(B)(II)**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** The regulations address what is an insurance company subject to tax under subchapter L for purpose of section 1275(a)(1)(B)(ii).**Timetable:**

Action	Date	FR Cite
NPRM	01/12/01	66 FR 2852
Public Hearing	05/30/01	66 FR 2852
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-125237-00

Drafting attorney: Patrick E. White (202) 622-3920

Reviewing attorney: Mark S. Smith (202) 622-3970

Treasury attorney: Michael S. Novey (202) 622-1339

CC:FI&P

Agency Contact: Patrick E. White, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-2920**RIN:** 1545–AY60**2910. • GUIDANCE ON REPORTING OF DEPOSIT INTEREST PAID TO NONRESIDENT ALIENS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides guidance on the reporting requirements for interest on deposits maintained at the U.S. office of certain financial institutions and paid to NRAs. These proposed regulations affect persons making payment of interest with respect to such a deposit.**Timetable:**

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3925
Hearing	01/17/01	66 FR 3925
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Additional Information:** REG-126100-00

Drafting attorney: Kate Y. Hwa (202) 622-3840

Reviewing Attorney: Philip Garlett (202) 622-3840

Treasury Attorney: Patrick Brown (202) 622-1754

Agency Contact: Kate Y. Hwa, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3840**RIN:** 1545–AY62**2911. • EXCISE TAXES ON EXCESS BENEFIT TRANSACTIONS****Priority:** Other Significant**Legal Authority:** 26 USC 7805; 26 USC 4958**CFR Citation:** 26 CFR 53; 26 CFR 301; 26 CFR 602**Legal Deadline:** None**Abstract:** Section 4958 of the IRC imposes excise taxes on transactions between certain tax exempt organizations and persons in a position to exercise substantial influence over the affairs of the organization, where the transactions are at greater than fair market value. These regulations will clarify certain definitions rules in section 4958.**Timetable:**

Action	Date	FR Cite
NPRM	01/10/01	66 FR 2173
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** Yes**Small Entities Affected:** Organizations**Government Levels Affected:** None**Additional Information:** REG-246256-96

Drafting attorney: Phyllis D. Haney (202) 622-4290

Reviewing attorneys: Paul Feinberg (202) 622-6000 and Paul Accettura (202) 622-6070

Treasury attorney: Susan Brown (202) 622-0999

CC:TEGE

Agency Contact: Phyllis D. Haney, Attorney-Advisor, Department of theTreasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4290**RIN:** 1545–AY65**2912. • TAX TREATMENT OF CAFETERIA PLANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 125**CFR Citation:** 26 CFR 1**Legal Deadline:** None**Abstract:** This regulation provides information about the tax treatment of cafeteria plans.**Timetable:**

Action	Date	FR Cite
NPRM	01/10/01	66 FR 1923
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG-209461-79

Drafting attorney: Christine Keller (202) 622-6080

Reviewing attorney: Harry Beker (202) 622-6080

CC:TEGE

Agency Contact: Christine Keller, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6080**RIN:** 1545–AY67**2913. • DISCLOSURE OF RETURNS AND RETURN INFORMATION OF OTHER AGENCIES (TEMPORARY)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 301**Legal Deadline:** None**Abstract:** This temporary regulation permits the Commissioner to authorize agencies with access to returns and return information under section 6103 of the Code to redisclose such returns and return information, with the Commissioner's approval, to the Congressional Budget Office and other agencies authorized to receive such information in accordance with IRC section 6103.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
Temporary Regulation	05/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG-105344-01Drafting attorney: Julie C. Schwartz
(202) 622-4570Reviewing attorney: David L. Fish (202)
622-4580Treasury attorney: Elizabeth Askey
(202) 622-0224

CC:P&A:D&PL

Agency Contact: Julie C. Schwartz,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-4570**RIN:** 1545–AY78

DEPARTMENT OF THE TREASURY (TREAS)

Long-Term Actions

Internal Revenue Service (IRS)

2914. INCOME TAX—DEFINITION OF QUALIFIED POSSESSION SOURCE INVESTMENT INCOME FOR PURPOSES OF PUERTO RICO AND POSSESSION TAX CREDIT**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/21/86	51 FR 2726
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** W. Edward Williams
Phone: 202 622-3880**RIN:** 1545–AC10**2915. GOLDEN PARACHUTE PAYMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	05/05/89	54 FR 19390
NPRM Comment	07/05/89	
Period End		
Hearing	11/21/89	54 FR 39548
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Robert Misner
Phone: 202 622-6060**RIN:** 1545–AH49**2916. FSC TRANSFER PRICING RULES, DISTRIBUTIONS, DIVIDENDS RECEIVED, DEDUCTION, AND OTHER SPECIAL RULES FOR FSC****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	03/03/87	52 FR 6467
NPRM Comment	05/02/87	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Douglas Giblen
Phone: 202 874-1490**RIN:** 1545–AI16**2917. INFORMATION FROM PASSPORT AND IMMIGRATION APPLICANTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Timetable:**

Action	Date	FR Cite
NPRM	12/24/92	57 FR 61373
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Amanda A. Ehrlich
Phone: 202 622-3880**RIN:** 1545–AJ93**2918. INCOME OF FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	06/27/88	53 FR 24100
NPRM Comment	08/26/88	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** David A. Juster
Phone: 202 622-3850**RIN:** 1545–AL93**2919. CBI INVESTMENTS OF SECTION 936 FUNDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	05/13/91	56 FR 21963
Hearing	07/12/91	56 FR 21963
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** W. Edward Williams
Phone: 202 622-3880**RIN:** 1545–AM91**2920. RAILROAD UNEMPLOYMENT REPAYMENT TAX****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 31**Timetable:**

Action	Date	FR Cite
NPRM	05/13/93	58 FR 28374
NPRM Comment	07/12/93	
Period End		
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** Jean Marie Casey
Phone: 202 622-6030**RIN:** 1545–AN40

TREAS—IRS

Long-Term Actions

2921. CONSOLIDATED ALTERNATIVE MINIMUM TAX**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/30/92	57 FR 62251
NPRM Comment Period End	03/01/93	
Hearing	04/06/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** Martin Scully
Phone: 202 622-4960**RIN:** 1545-AN73**2922. CONFORMING TAXABLE YEARS OF CFCS AND FPHCS: 1989 CHANGE****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/05/93	58 FR 290
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Carl M. Cooper
Phone: 202 622-3840**RIN:** 1545-AO22**2923. GUIDANCE IN NOTICE 89-37, WHICH TREATS THE RECEIPT OF A CORPORATE PARTNER'S STOCK BY THE CORPORATE PARTNER AS A CIRCUMVENTION OF GENERAL UTILITIES REPEAL****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/15/92	57 FR 59324
NPRM Comment Period End	01/20/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Keith E. Stanley
Phone: 202 622-7530**RIN:** 1545-AP52**2924. USE OF GAAP EARNINGS AS E&P OF FOREIGN CORPORATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	07/01/92	57 FR 29246
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Anne Devereaux
Phone: 202 622-3850**RIN:** 1545-AQ55**2925. INTEREST-FREE ADJUSTMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 31**Timetable:**

Action	Date	FR Cite
NPRM	12/10/92	57 FR 58423
NPRM Comment Period End	02/08/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Karin Loverud
Phone: 202 622-6060**RIN:** 1545-AQ61**2926. THE TREATMENT OF ACCELERATED DEATH BENEFITS UNDER SECTIONS 101, 7702 AND 7702A OF THE INTERNAL REVENUE CODE****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/15/92	57 FR 59319
NPRM Comment Period End	02/26/93	
Hearing	03/19/93	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Ann H. Logan
Phone: 202 622-3970**RIN:** 1545-AQ70**2927. MARK-TO-MARKET UPON DISPOSITION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/04/95	60 FR 397
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Robert B. Williams
Phone: 202 622-3960**RIN:** 1545-AS85**2928. STRADDLES—MISCELLANEOUS ISSUES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	05/02/95	60 FR 21482
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Kenneth Christman
Phone: 202 622-3950**RIN:** 1545-AT46**2929. ALLOCATION OF ACCRUED BENEFITS BETWEEN EMPLOYER AND EMPLOYEE CONTRIBUTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/22/95	60 FR 66532
NPRM Comment Period End	03/21/96	
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Janet A. Laufer
Phone: 202 622-6060
Fax: 202 622-4084**RIN:** 1545-AT82

TREAS—IRS

Long-Term Actions

2930. APPLICATION OF GRANTOR TRUST RULES TO NONEXEMPT EMPLOYEES' TRUST**Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	09/27/96	61 FR 50778
NPRM Comment Period End	12/26/96	
Hearing	01/15/97	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** M. Grace Fleeman
Phone: 202 622-3880Linda S.F. Marshall
Phone: 202 622-6090James A. Quinn
Phone: 202 622-3060**RIN:** 1545-AU29**2931. RECOMPUTATION OF LIFE INSURANCE RESERVES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/02/97	62 FR 71

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** Undetermined**Government Levels Affected:** None**Agency Contact:** Mark S. Smith
Phone: 202 622-3970**RIN:** 1545-AU49**2932. FASIT—START-UP/OPERATIONAL/TRANSITION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301; 26 CFR 1**Timetable:**

Action	Date	FR Cite
ANPRM	11/04/96	61 FR 56648
ANPRM Comment Period End	12/31/96	
NPRM	02/07/00	65 FR 5807

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Courtney Shepardson
Phone: 202 622-3930**RIN:** 1545-AU94**2933. DEFINITION OF "PRIVATE ACTIVITY BONDS"—ALLOCATION AND ACCOUNTING REGULATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/30/94	59 FR 67658
NPRM Comment Period End	05/01/95	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Bruce M. Serchuk
Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AU98**2934. REQUIRED DISTRIBUTIONS FROM QUALIFIED PLANS AND INDIVIDUAL RETIREMENT PLANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	12/30/97	62 FR 67780

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Undetermined**Federalism:** Undetermined**Agency Contact:** Cathy A. Vohs
Phone: 202 622-6090**RIN:** 1545-AV82**2935. ALLOCATION OF LOSS ON DISPOSITION OF PERSONAL PROPERTY****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/11/99	64 FR 1571
Cancellation of Public Hearing	05/14/99	64 FR 26348

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** David A. Juster
Phone: 202 622-3850**RIN:** 1545-AW09**2936. CONVERSION TO THE EURO****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	07/29/98	63 FR 40383
NPRM Comment Period End	10/01/98	

Hearing Cancelled 10/16/98 63 FR 55564

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** John W. Rogers
Phone: 202 622-3870**RIN:** 1545-AW43**2937. SOURCE OF INCOME FOR SPACE AND CERTAIN OCEAN ACTIVITIES AND FOR COMMUNICATIONS INCOME****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3903
Hearing	03/28/01	

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Anne Shelburne
Phone: 202 874-1490**RIN:** 1545-AW50**2938. TRANSFER OF REMIC RESIDUAL INTEREST****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	02/07/00	65 FR 5807

Next Action Undetermined

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Courtney Shepardson

TREAS—IRS

Long-Term Actions

Phone: 202 622-3930

RIN: 1545-AW98

2939. QUALIFIED ZONE ACADEMY BONDS CREDIT RATE

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	07/01/99	64 FR 35579

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Allan B. Seller

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AX03

2940. CHANGE OF ANNUAL ACCOUNTING PERIOD

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Martin Scully

Phone: 202 622-4960

RIN: 1545-AX15

2941. GUARANTEED INVESTMENT CONTRACTS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	08/27/99	64 FR 46876

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Rose M. Weber

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AX22

2942. SPECIAL RULES FOR RETROACTIVE PAYMENTS UNDER SECTION 417(A)(7)(A) FOR QUALIFIED RETIREMENT PLANS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3916

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected:

Undetermined

Federalism: Undetermined

Agency Contact: Marjorie Hoffman

Phone: 202 622-6030

Robert M. Walsh

Phone: 202 622-6090

RIN: 1545-AX34

2943. DEFINITION OF PRIVATE ACTIVITY BOND—REFUNDING REGULATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	12/30/94	59 FR 67658
NPRM Comment	05/01/95	

Period End
Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Bruce M. Serchuk

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AX55

2944. EQUITY OPTIONS WITH FLEXIBLE TERMS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4751

Next Action Undetermined

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Pamela Lew

Phone: 202 622-3950

Fax: 202 622-5699

RIN: 1545-AX66

2945. CAPITALIZATION OF INTEREST AND CARRYING CHARGES PROPERLY ALLOCABLE TO STRADDLES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4746

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Kenneth Christman

Phone: 202 622-3950

RIN: 1545-AX92

2946. AUTOMATIC EXTENSION FOR FORM 706

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 20

Timetable:

Action	Date	FR Cite
NPRM	10/20/00	65 FR 63025

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected:

Undetermined

Agency Contact: Mary Berman

Phone: 202 622-3090

RIN: 1545-AX98

2947. HEDGING TRANSACTIONS UNDER SECTION 1221(A)(7) AND SECTION 446

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4738

Next Action Undetermined

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jo Lynn Ricks

Phone: 202 622-3920

RIN: 1545-AY02

2948. INVESTMENT TYPE PROPERTY (PREPAYMENT)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

TREAS—IRS

Long-Term Actions

Timetable:

Action	Date	FR Cite
NPRM	08/25/99	64 FR 46320

Next Action Undetermined

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** State, Local**Agency Contact:** Johanna L. Som de Cerff

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545–AY12**2949. INTEREST FREE ADJUSTMENTS UNDER SECTION 6205****Priority:** Info./Admin./Other**CFR Citation:** 26 CFR 31**Timetable:**

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3956

Next Action Undetermined

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** Federal**Agency Contact:** Lynne A. Camillo

Phone: 202 622-6040

RIN: 1545–AY21**2950. HIPAA GENERAL NONDISCRIMINATION****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/08/01	66 FR 1435
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Russell Weinheimer

Phone: 202 622-6080

RIN: 1545–AY32**2951. HIPAA NONDISCRIMINATION/EXCEPTION FOR CHURCH PLANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/10/01	66 FR 1437
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Russell Weinheimer

Phone: 202 622-6080

RIN: 1545–AY33**2952. HIPAA NONDISCRIMINATION/BONA FIDE WELLNESS PROGRAMS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Timetable:**

Action	Date	FR Cite
NPRM	01/08/01	66 FR 1421
Final Action	06/00/02	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Agency Contact:** Russell Weinheimer

Phone: 202 622-6080

RIN: 1545–AY34**2953. • NOTICE TO INTERESTED PARTIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: These regulations set forth the applicable standards by which a plan sponsor may satisfy the notice to interested parties requirement. Before the Service can issue a determination letter, a plan sponsor must provide evidence that it has notified all persons who qualify as interested parties that an application for an advance determination will be filed regarding the qualification of the sponsor's plan. The proposed regulations affect retirement plan sponsors, interested parties, and certain representatives of interested parties.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3954

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-129608-00

Drafting attorney: Pamela R. Kinard (202) 622-6060

Reviewing attorney: Marjorie Hoffman (202) 622-6060

Treasury attorney: W. Thomas Reeder (202) 622-1341

CC:TEGE

Agency Contact: Pamela R. Kinard, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6060

RIN: 1545–AY68**2954. • REQUIRED DISTRIBUTIONS FROM RETIREMENT PLANS****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 7805**CFR Citation:** 26 CFR 1; 26 CFR 54**Legal Deadline:** None

Abstract: This document amends the Income Tax Regulations (26 CFR part 1) and the Pension Excise Taxes Regulations (26 CFR part 54) under sections 401, 403, 408, and 4974 of the Internal Revenue Code of 1986. These amendments are proposed to conform the regulations to sections 1121 and 1852 of the Tax Reform Act of 1986 (TRA of 1986) (100 Stat. 2464 and 2864), sections 521 and 713 of the Tax Reform Act of 1984 (TRA of 1984) (98 Stat. 865 and 955), sections 242 and 243 of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) (96 Stat. 521), and section 1404 of the Small Business Job Protection Act of 1996 (SBJPA) 110 Stat. 1791. The regulations provide guidance on the minimum distribution requirements under section 401(a)(9) for plans qualified under section 401(a). The rules are incorporated by reference for other retirement plans under section 408(a)(3) and (b)(6) for IRAs, section 403(b)(10) for tax sheltered annuities, and section 457(d) for eligible deferred compensation plans. Comprehensive proposed regulations under section 401(a)(9) were previously published in 1987. In 1997, amendments to those proposed regulations were published addressing the limited issue of trusts as designated beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3928

Next Action Undetermined
Regulatory Flexibility Analysis Required: No

TREAS—IRS

Long-Term Actions

Government Levels Affected: None

Additional Information: REG-130477-00

Drafting attorney: Cathy A. Vohs (202) 622-6090

Reviewing attorney: Marjorie Hoffman (202) 622-6090

Treasury attorney: W. Thomas Reeder (202) 622-1341

CC:TEGE

Agency Contact: Cathy A. Vohs, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6090

RIN: 1545–AY69

2955. • REQUIRED DISTRIBUTIONS FROM RETIREMENT PLANS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1; 26 CFR 54

Legal Deadline: None

Abstract: This document contains proposed amendments to the Income Tax Regulations (26 CFR part 1) and to the Pension Excise Taxes Regulations (26 CFR part 54) under sections 401, 403, 408, and 4974 of the Internal Revenue Code of 1986. These amendments are proposed to conform the regulations to sections 1121 and 1852 of the Tax Reform Act of 1986 (TRA of 1986) (100 Stat. 2464 and 2864), sections 521 and 713 of the Tax Reform Act of 1984 (TRA of 1984) (98 Stat. 865 and 955), sections 242 and 243 of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA) (96 Stat. 521), and section 1404 of the Small Business Job Protection Act of 1996 (SBJPA) 110 Stat. 1791. The regulations provide guidance on the minimum distribution requirements under section 401(a)(9) for plans qualified under section 401(a). The rules are incorporated by reference for other retirement plans under section 408(a)(3) and (b)(6) for IRAs, section 403(b)(10) for tax sheltered annuities, and section 457(d) for eligible deferred compensation plans. Comprehensive proposed regulations under section 401(a)(9) were previously published in 1987. In 1997, amendments to those

proposed regulations were published addressing the limited issue of trusts as designated beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	01/17/01	66 FR 3928
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Additional Information: REG-130481-00

Drafting attorney: Cathy A. Vohs (202) 622-6090

Reviewing attorney: Marjorie Hoffman (202) 622-6090

Treasury attorney: W. Thomas Reeder (202) 622-1341

CC:TEGE

Agency Contact: Cathy A. Vohs, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-6090

RIN: 1545–AY70

2956. • OBLIGATION OF STATES AND POLITICAL SUBDIVISIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: This regulation provides guidance to State and local governments that issue bonds for output facilities. This document also withdraws the NPRM REG-110965-97, 1545-AV47, published on January 22, 1998 (63 FR 3296).

Timetable:

Action	Date	FR Cite
NPRM	01/18/01	66 FR 4754
Next Action Undetermined		

Regulatory Flexibility Analysis Required: No

Small Entities Affected: Governmental Jurisdictions

Government Levels Affected: State, Local

Additional Information: REG-114998-99

Drafting attorney: Rose M. Weber (202) 622-3980

Reviewing attorney: Bruce M. Serchuk (202) 622-3980

Treasury attorney: Stephen J. Watson (202) 622-1322

CC:TEGE

The Notice of Proposed Rulemaking partially withdraws the NPRM REG-110965-97, 1545-AV47 published on Jan. 22, 1998 (63 FR 3296).

Agency Contact: Rose M. Weber, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3980
Fax: 202 622-4437

RIN: 1545–AY71

2957. • WITHDRAWAL OF SECTION 301.6656-1 AND SECTION 301.6656-2

Priority: Info./Admin./Other

Legal Authority: 26 USC 7805

CFR Citation: 26 CFR 301

Legal Deadline: None

Abstract: This regulation provides the withdrawal of Treasury regulations relating to the penalty for underpayment of deposits (section 301.6656-1) and the penalty for overstated deposit claims (section 301.6656-2).

Timetable: Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-108790-01

Drafting attorney: Robin Marie Tuczak (202) 622-7132

Reviewing attorney: Charles Hall (202) 622-7940

CC:P&A:APJP

Agency Contact: Robin Marie Tuczak, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7132

RIN: 1545–AY79

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)
Completed Actions
2958. TREATMENT OF FUNDED WELFARE BENEFIT PLANS
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	01/22/01	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Janet A. Laufer

Phone: 202 622-6060

Fax: 202 622-4084

RIN: 1545-AG14

2959. CREDIT FOR INCREASING RESEARCH ACTIVITIES
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 602; 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8930	01/03/01	66 FR 280

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Leslie H. Finlow

Phone: 202 622-7860

Lisa Shuman

Phone: 202 622-3120

RIN: 1545-AO51

2960. ACCOUNTING FOR LONG-TERM CONTRACTS
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1; 26 CFR 301

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8929	01/11/01	66 FR 2219

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Leo F. Nolan

Phone: 202 622-4960

RIN: 1545-AQ30

2961. RESEARCH CREDIT II
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8930	01/03/01	66 FR 280

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Lisa Shuman

Phone: 202 622-3120

Leslie H. Finlow

Phone: 202 622-7860

RIN: 1545-AV14

2962. ELECTRONIC TIP REPORTING
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 31

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8910	12/13/00	65 FR 77818

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Karin Loverud

Phone: 202 622-6060

RIN: 1545-AV28

2963. REMOVAL OF TEMPORARY REGULATIONS
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 5c

Completed:

Reason	Date	FR Cite
Closed Without Regulations	01/29/01	

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Beverly A. Baughman

Phone: 202 622-4940

RIN: 1545-AV36

2964. CLARIFICATION OF 4958 EXCISE TAXES
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 53; 26 CFR 301

Completed:

Reason	Date	FR Cite
Withdrawn	01/10/01	

Regulatory Flexibility Analysis
Required: Yes

Government Levels Affected: None

Agency Contact: Phyllis D. Haney

Phone: 202 622-4290

RIN: 1545-AV60

2965. CONTINUITY OF INTEREST
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8898	08/31/00	65 FR 52909

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Marie Byrne

Phone: 202 622-7750

RIN: 1545-AV81

2966. DISCLOSURE OF RETURN INFORMATION TO THE BUREAU OF THE CENSUS
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 301

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8811	01/25/99	64 FR 3631

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: Federal

Agency Contact: Stuart D. Murray

Phone: 202 622-4580

RIN: 1545-AV84

2967. RELIEF FOR PRESIDENTIALLY DECLARED DISASTER
Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8911	12/15/00	65 FR 78409

Regulatory Flexibility Analysis
Required: No

Government Levels Affected: None

Agency Contact: Bridget Finkenaur

TREAS—IRS

Completed Actions

Phone: 202 622-4940

RIN: 1545-AV92

2968. MERCHANDISE

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	02/28/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Agency Contact: Cheryl L. Oseekey
Phone: 202 622-4970

RIN: 1545-AW00

2969. HIPAA NONDISCRIMINATION RULES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 54

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8931	01/10/01	66 FR 1378
60-Day Delay of Effective Date	03/09/01	66 FR 14076

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Russell Weinheimer
Phone: 202 622-6080

RIN: 1545-AW02

2970. QUALIFIED LESSEE CONSTRUCTION ALLOWANCES FOR SHORT-TERM LEASES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1; 26 CFR 602

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8901	09/05/00	65 FR 53584

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Paul F. Handleman
Phone: 202 622-3040
Fax: 202 622-4753

RIN: 1545-AW16

2971. DEFINITION OF CONTRIBUTION IN AID OF CONSTRUCTION UNDER SECTION 118(C)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1; 26 CFR 602

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8936	01/11/01	66 FR 2252

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Paul F. Handleman
Phone: 202 622-3040
Fax: 202 622-4753

RIN: 1545-AW17

2972. CAPITAL GAINS AND PARTNERSHIP PROVISIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8902	09/21/00	65 FR 57092

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Jeanne Sullivan
Phone: 202 622-3050

RIN: 1545-AW22

2973. GRAT AND NOTES

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8899	09/05/00	65 FR 53587

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: James F. Hogan
Phone: 202 622-3090

RIN: 1545-AW25

2974. SECTION 411(D)(6); PROTECTED BENEFITS EXCEPTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8900	09/06/00	65 FR 53901

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Linda S.F. Marshall
Phone: 202 622-6090

RIN: 1545-AW27

2975. SECTION 148—CLARIFICATION OF THE TREATMENT OF PREPAYMENTS

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Withdrawn	02/27/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Rebecca L. Harrigal
Phone: 202 622-3980
Fax: 202 622-4437

RIN: 1545-AW44

2976. GUIDANCE UNDER SECTION 355(D)

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8913	12/20/00	65 FR 79719

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Michael Kaibri
Phone: 202 622-7550

RIN: 1545-AW71

2977. PREPARER DUE DILIGENCE REQUIREMENTS FOR DETERMINING EARNED INCOME CREDIT ELIGIBILITY

Priority: Substantive, Nonsignificant

CFR Citation: 26 CFR 1

TREAS—IRS

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8905	10/17/00	65 FR 61268

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** Andrea Tucker
Phone: 202 622-4940**RIN:** 1545-AW73**2978. SECTION 355(E) GUIDANCE****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Withdrawn	01/02/01	66 FR 76

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** Brendan O'Hara
Phone: 202 622-7530**RIN:** 1545-AW79**2979. TIMELY MAILING TREATED AS
TIMELY FILING/ELECTRONIC
POSTMARK****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8932	01/11/01	66 FR 2257

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** Charles A. Hall
Phone: 202 622-4940**RIN:** 1545-AW81**2980. CONTINUATION COVERAGE
REQUIREMENTS APPLICABLE TO
GROUP HEALTH PLANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 54**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8928	01/10/01	66 FR 1843

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** Russell Weinheimer
Phone: 202 622-6080**RIN:** 1545-AW94**2981. QUALIFIED OFFERS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8922	01/04/01	66 FR 725

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** Thomas D. Moffitt
Phone: 202 622-7900**RIN:** 1545-AX00**2982. GST ISSUES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8912	12/20/00	65 FR 79735

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** James F. Hogan
Phone: 202 622-3090**RIN:** 1545-AX08**2983. ALLOCATION OF PARTNERSHIP
DEBT****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8906	10/31/00	65 FR 64888

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** Daniel Carmody
Phone: 202 622-3080**RIN:** 1545-AX09**2984. DEFINITION OF LAST KNOWN
ADDRESS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8939	01/12/01	66 FR 2817

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** Charles A. Hall
Phone: 202 622-4940**RIN:** 1545-AX13**2985. QUALIFIED TRANSPORTATION
FRINGE BENEFITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8933	01/11/01	66 FR 2241

**Regulatory Flexibility Analysis
Required: Yes****Government Levels Affected:** None**Agency Contact:** John Burnell Richards
Phone: 202 622-6040

Fax: 202 622-4817

RIN: 1545-AX33**2986. 351(G) GUIDANCE PROJECT****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8904	10/02/00	65 FR 58650

**Regulatory Flexibility Analysis
Required: No****Government Levels Affected:** None**Agency Contact:** Richard E. Coss
Phone: 202 622-7790**RIN:** 1545-AX38**2987. PARTNERSHIP MERGERS AND
DIVISIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1

TREAS—IRS

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8925	01/04/01	66 FR 715

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Mary Beth Collins
(Carchia)

Phone: 202 622-3080

RIN: 1545-AX42**2988. SECTION 1374 TIMBER****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Closed Without Publication	03/15/00	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Cristian Patricio Silva
Phone: 202 622-7750**RIN:** 1545-AX50**2989. PERMITTED ELECTION
CHANGES UNDER SECTION 125****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8878	03/23/00	65 FR 15548

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Christine Keller
Phone: 202 622-6080**RIN:** 1545-AX59**2990. REOPENINGS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8934	01/12/01	66 FR 2811

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal**Agency Contact:** William E. Blanchard
Phone: 202 622-3950**RIN:** 1545-AX60**2991. PREVENTION OF ABUSE OF
CHARITABLE REMAINDER TRUSTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8926	01/05/01	66 FR 1034

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Catherine Moore
Phone: 202 622-3080**RIN:** 1545-AX62**2992. STOCK TRANSFER RULES:
SUPPLEMENTAL RULES****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Withdrawn	01/11/01	66 FR 2373

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Mark D. Harris
Phone: 202 622-3860**RIN:** 1545-AX63**2993. DEFINITION OF
HYPERINFLATIONARY CURRENCY
FOR PURPOSES OF SECTION 988****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8914	01/03/01	66 FR 279

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** John W. Rogers
Phone: 202 622-3870**RIN:** 1545-AX67**2994. TIERED STRUCTURES—ESBTS
AND ESOPS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8915	12/29/00	65 FR 82926

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** James A. Quinn
Phone: 202 622-3060**RIN:** 1545-AX71**2995. APPLYING SECTION 197 TO
PARTNERSHIP TRANSACTIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8907	11/20/00	65 FR 69667

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** David Sotos
Phone: 202 622-3050**RIN:** 1545-AX73**2996. LIFETIME CHARITABLE LEAD
TRUSTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1; 26 CFR 20;
26 CFR 25**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8923	01/05/01	66 FR 1040

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Scott S. Landes
Phone: 202 622-3090**RIN:** 1545-AX74**2997. OBLIGATION OF STATES AND
POLITICAL SUBDIVISIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1

TREAS—IRS

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action Completed by TD 8941	01/18/01	66 FR 4661

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State,
Local**Agency Contact:** Rose M. Weber

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AX87

**2998. ELECTRONIC PAYEE
STATEMENTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed By TD 8942	02/14/01	66 FR 10191

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Laura C. Nash

Phone: 202 622-4910

RIN: 1545-AY00

**2999. QUALIFIED ZONE ACADEMY
BONDS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8903	09/26/00	65 FR 57732

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State**Agency Contact:** Allan B. Seller

Phone: 202 622-3980

Fax: 202 622-4437

RIN: 1545-AY01

**3000. FINAL REGULATIONS ON
DISCLOSURES TO DEPARTMENT OF
COMMERCE-BUREAU OF CENSUS;
SECTION 301.6103(J)(1)-1****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8908	11/30/00	65 FR 71256

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: Federal**Agency Contact:** Stuart D. Murray

Phone: 202 622-4580

RIN: 1545-AY06

**3001. GUIDANCE UNDER 6302
REGARDING THE FEDERAL TAX
DEPOSIT SYSTEM (TEMPORARY)****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 301**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8918	12/26/00	65 FR 81356

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Brinton T. Warren

Phone: 202 622-4940

RIN: 1545-AY11

**3002. TAX TREATMENT OF
CAFETERIA PLANS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8921	01/10/01	66 FR 1837

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Christine Keller

Phone: 202 622-6080

RIN: 1545-AY23

**3003. APPLICATION OF SEPARATE
FOREIGN TAX CREDIT LIMITATIONS****Priority:** Substantive, Nonsignificant**CFR Citation:** 26 CFR 1**Completed:**

Reason	Date	FR Cite
Final Action Completed by TD 8916	01/03/01	66 FR 268

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None**Agency Contact:** Rebecca I. Rosenberg

Phone: 202 622-3870

RIN: 1545-AY29

**3004. • 6302 DE MINIMIS THRESHOLD
(TEMPORARY)****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6302; 26 USC
7805**CFR Citation:** 31 CFR 6302**Legal Deadline:** None**Abstract:** This temporary regulation
will increase the de minimis deposit
rule for quarterly and annual return
periods from \$1,000 to \$2,500.**Timetable:**

Action	Date	FR Cite
Final Action Completed by TD 8909	12/06/00	65 FR 76152

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No**Government Levels Affected:** None**Additional Information:** REG-114423-00Drafting attorney: Brinton T. Warren
(202) 622-8477Reviewing attorney: Judith M. Wall
(202) 622-4940Treasury attorney: Stephanie Robinson
(202) 622-9858

CC:PA:AP JP

Agency Contact: Brinton T. Warren,
Attorney-Advisor, Department of the
Treasury, Internal Revenue Service,
1111 Constitution Avenue NW,
Washington, DC 20224
Phone: 202 622-4940

RIN: 1545-AY46

TREAS—IRS

Completed Actions

3005. • DISCLOSURE OF RETURN INFORMATION TO OFFICERS AND EMPLOYEES OF THE DEPARTMENT OF COMMERCE FOR CERTAIN STATISTICAL PURPOSES AND RELATED ACTIVITIES (TEMPORARY)**Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6103**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The temporary regulations relate to additions to the list of items of information disclosed to the Bureau of the Census for use in the Longitudinal Employer-Household Dynamics (LEHD) project and the Survey of Income and Program Participation (SIPP) project.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8943	02/13/01	66 FR 9957

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Additional Information:** REG-121109-00

Drafting attorney: Stuart D. Murray (202) 622-4580

Reviewing attorney: David Fish (202) 622-4580

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:PA:DPL

Agency Contact: Stuart D. Murray, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4580

RIN: 1545–AY51**3006. • STOCK TRANSFER RULES: TRANSITION RULES****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 CFR 376**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: This regulation addresses distributions with respect to, or a disposition of, certain stock that was subject to prior temporary regulations under section 367(b).

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8937	01/11/01	66 FR 2256

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** None**Additional Information:** REG-120805-00

Drafting attorney: Mark D. Harris (202) 622-3050

Reviewing attorney: Irwin Halpern (202) 622-3050

CC:INTL

Agency Contact: Mark D. Harris, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-3860

RIN: 1545–AY53**3007. • TIME FOR FILING FORM 1139 BY A CONSOLIDATED GROUP****Priority:** Info./Admin./Other**Legal Authority:** 26 USC 6411; 26 USC 1502**CFR Citation:** 26 CFR 1**Legal Deadline:** None

Abstract: The temporary regulation addresses the time for filing an application for a tentative carryback adjustment (Form 1139) by a consolidated group.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8919	01/04/01	66 FR 713

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-119352-00

Drafting attorneys: Christopher M. Bass (202) 622-7770 and Frances Kelly (202) 622-7770

Reviewing attorney: Edward S. Cohen (202) 622-7770

Treasury attorney: Audrey Nacamuli (202) 622-0869

CC:CORP

Agency Contact: Christopher M. Bass, Attorney-Advisor, Department of the

Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7770

RIN: 1545–AY57**3008. • DISCLOSURE OF RETURN AND RETURN INFORMATION TO DESIGNEE OF TAXPAYER****Priority:** Substantive, Nonsignificant**Legal Authority:** 26 USC 6103**CFR Citation:** 26 CFR 301**Legal Deadline:** None

Abstract: The temporary regulation implements the amendment contained in the Taxpayer Bill of Rights II (TBOR II) to Internal Revenue Code Section 6103(c). TBOR II eliminated the requirement for a request or consent for disclosure to be in writing. The temporary regulation would permit the Internal Revenue Service to disclose returns and return information to a taxpayers' designee pursuant to a nonwritten request for or consent to disclosure. The regulation would also provide rules and guidance for consents in an electronic environment. Additionally, the regulation will provide guidance to Internal Revenue Service personnel to clarify a number of issues that have arisen since the regulation was initially promulgated in the late 1970s.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8935	01/11/01	66 FR 2261

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Additional Information:** REG-103320-00

Drafting attorney: Joseph E. Conley (202) 622-8455

Reviewing attorney: David Fish (202) 622-4570

Treasury attorney: Elizabeth Askey (202) 622-0224

CC:PA:DPL

Agency Contact: Joseph E. Conley, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224

TREAS—IRS

Completed Actions

Phone: 202 622-4570

RIN: 1545–AY59

3009. • LIABILITIES ASSUMED IN CERTAIN CORPORATE TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 357

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These temporary regulations relate to the assumption of liabilities in certain corporate transactions under section 301 and section 357 of the Internal Revenue Code. The regulations affect corporations and their shareholders.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8924	02/14/01	66 FR 10190

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-106791-00

Drafting attorney: Mary Elizabeth Dean (202) 622-7550

Reviewing attorney: Debra Carlisle (202) 622-7550

CC:CORP

Agency Contact: Mary Elizabeth Dean, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7550

RIN: 1545–AY63

3010. • EXCISE TAXES ON EXCESS BENEFIT TRANSACTIONS (TEMPORARY)

Priority: Other Significant

Legal Authority: 26 USC 7805; 26 USC 4958

CFR Citation: 26 CFR 53; 26 CFR 301; 26 CFR 602

Legal Deadline: None

Abstract: Section 4958 of the IRC imposes excise taxes on transactions

between certain tax exempt organizations and persons in a position to exercise substantial influence over the affairs of the organization, where the transactions are at greater than fair market value. These temporary regulations will clarify certain definitions and rules in section 4958.

Timetable:

Action	Date	FR Cite
Final Action Completed by TD 8920	01/10/01	66 FR 2144

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-246256-96

Drafting attorney: Phyllis D. Haney (202) 622-4290

Reviewing attorneys: Paul Feinberg (202) 622-6000

Paul Acettura (202) 622-6070

Treasury attorney: Susan Brown (202) 622-0999

CC:TEGE

Agency Contact: Phyllis D. Haney, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-4290

RIN: 1545–AY64

3011. • WITHDRAWAL OF OBSOLETE PROPOSED REGULATIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805

CFR Citation: None

Legal Deadline: None

Abstract: Identifying obsolete NPRMs to be withdrawn.

Timetable:

Action	Date	FR Cite
Closed Without Publication	02/28/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Additional Information: REG-100548-01

Drafting attorney: Charles M. Whedbee (202) 622-7550

CC:CORP

Agency Contact: Charles M. Whedbee, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7550

RIN: 1545–AY72

3012. • PURCHASE PRICE ALLOCATIONS IN DEEMED AND ACTUAL ASSET ACQUISITIONS

Priority: Substantive, Nonsignificant

Legal Authority: 26 USC 7805; 26 USC 337; 26 USC 338; 26 USC 1502; 26 USC 1060

CFR Citation: 26 CFR 1

Legal Deadline: None

Abstract: These regulations revise the rules governing purchase price allocations in certain asset allocations under section 1060 of the Internal Revenue Code and deemed asset acquisitions under section 338. They also revise other rules under these sections. Thus, a number of existing regulations sections are removed and replaced.

Timetable:

Action	Date	FR Cite
NPRM	08/09/99	64 FR 43462
Final Action Completed by TD 8940	02/13/01	66 FR 9925

Regulatory Flexibility Analysis Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

Additional Information: REG-107069-97

Drafting attorney: Richard C. Starke (202) 622-7790

CC:CORP

Agency Contact: Richard C. Starke, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224
Phone: 202 622-7750

RIN: 1545–AY73

BILLING CODE 4830-01-S

DEPARTMENT OF THE TREASURY (TREAS)
Office of Thrift Supervision (OTS)

Proposed Rule Stage

3013. CAPITAL RULES**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1835; 12 USC 1848; 12 USC 4808**CFR Citation:** 12 CFR 567**Legal Deadline:** None

Abstract: OTS currently has underway a number of regulatory amendments to its capital standards for savings associations. These amendments implement section 303 of the Riegle Community Development and Regulatory Improvement Act of 1994 (CDRIA). CDRIA requires the Federal banking agencies to make their capital rules and other rules more uniform.

The agencies have jointly issued a proposed rule that would treat recourse obligations and direct credit substitutes consistently and that would vary the risk-based capital requirement for positions in securitized asset transactions according to relative risk exposure; and a proposed rule that would amend regulatory capital standards concerning the treatment of certain residual interests in asset securitizations and other transfers of financial assets. These rules will be combined at the final rule stage.

In addition, the agencies issued an advance notice of proposed rulemaking developing a simplified capital adequacy framework for small, non-complex institutions and a proposed rule on risk-based capital standards for claims on securities firms.

Timetable:**Claims on Securities Firms**

NPRM 12/06/00 (65 FR 76180)
 NPRM Comment Period End 01/22/01
 Final Rule 10/00/01

Recourse Arrangements and Direct Credit Substitutes/Residuals in Securitizations

Recourse ANPRM 05/25/94 (59 FR 27116)
 Recourse NPRM 05/25/94 (59 FR 27116)
 Recourse NPRM 11/05/97 (62 FR 59944)
 Recourse NPRM Correction 11/20/97 (62 FR 62234)
 Recourse NPRM 03/08/00 (65 FR 12320)
 Recourse NPRM Comment Period End 06/07/00
 Residuals NPRM 09/27/00 (65 FR 57993)
 Residuals NPRM Comment Period End 12/26/00
 Recourse/Residuals Final Rule 10/00/01

Simplified Capital Adequacy Framework for Small, Non-Complex Institutions

ANPRM 11/03/00 (65 FR 66193)
 ANPRM Comment Period End 02/01/01
 NPRM 10/00/01

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

Agency Contact: Michael D. Solomon, Senior Program Manager for Capital Policy, Supervision Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-5654

Teresa Scott, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-6478

David Riley, Project Manager, Capital Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-6669

RIN: 1550-AB11**3014. TYPES OF OFFICES****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1828**CFR Citation:** 12 CFR 545**Legal Deadline:** None

Abstract: OTS plans to issue a notice of proposed rulemaking to amend its definitions of home, branch and agency office, and related notice or application requirements. These provisions are under review to ensure that they meet the modern challenges of how institutions conduct their businesses.

Timetable:

Action	Date	FR Cite
NPRM	03/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined

Agency Contact: Richard Bennett, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
 Phone: 202 906-7409

Deborah S. Merkle, Project Manager, Supervision Policy, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552

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RIN: 1550-AB18**3015. DIRECTORS AND OFFICERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1462; 12 USC 3806; 42 USC 4106; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1468; 12 USC 1817; 12 USC 1820; 12 USC 1828**CFR Citation:** 12 CFR 545; 12 CFR 563**Legal Deadline:** None

Abstract: OTS plans to issue a notice of proposed rulemaking to reorganize, revise and streamline its regulations on directors and officers. The rule will address indemnification, board composition requirements, compensation, employment contracts, extensions of credit to outsiders, conflicts of interest, and corporate opportunity.

Timetable:

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Federalism:** Undetermined

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RIN: 1550-AB19**3016. NONDEPOSIT INVESTMENT PRODUCTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1462; 12 USC 3806; 42 USC 4106; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC

TREAS—OTS

Proposed Rule Stage

1467a; 12 USC 1468; 12 USC 1817; 12 USC 1820; 12 USC 1828

CFR Citation: 12 CFR 545; 12 CFR 563

Legal Deadline: None

Abstract: OTS plans to issue a notice of proposed rulemaking updating its regulations on the sale of nondeposit investment products.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	

Regulatory Flexibility Analysis

Required: Undetermined

Government Levels Affected: None

Federalism: Undetermined

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RIN: 1550-AB22

3017. DUE-ON-SALE AND USURY PREEMPTION

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1464; 12 USC 1701j-3; 12 USC 1735f-7a

CFR Citation: 12 CFR 590; 12 CFR 591

Legal Deadline: None

Abstract: OTS plans to issue a notice of proposed rulemaking to convert into a "plain language" format 12 CFR parts 590 and 591, concerning preemption of state usury and due-on-sale laws.

Timetable:

Action	Date	FR Cite
NPRM	09/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

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RIN: 1550-AB25

3018. HOLDING COMPANY ACTIVITIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 1468

CFR Citation: 12 CFR 584

Legal Deadline: None

Abstract: OTS plans to issue a notice of proposed rulemaking to help it monitor certain significant holding company activities.

Timetable:

Action	Date	FR Cite
NPRM	10/27/00	65 FR 64392
NPRM Comment Period End	02/09/01	
NPRM	09/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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RIN: 1550-AB29

3019. FAIR CREDIT REPORTING

Priority: Substantive, Nonsignificant

Legal Authority: Not Yet Determined

CFR Citation: Not Yet Determined

Legal Deadline: Final, Statutory, May 12, 2000.

Abstract: OTS and the other Federal banking agencies are developing regulations implementing provisions of the Fair Credit Reporting Act. Subject to certain conditions, these regulations permit institutions to share "other information" with affiliates without becoming consumer reporting agencies (affiliate sharing). The proposed regulations specified that institutions must provide notice and an opportunity to opt-out to consumers before sharing "other information" with their affiliates.

The agencies have analyzed the comments received and are now in the process of developing a revised notice of proposed rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	10/20/00	65 FR 63120
NPRM Comment Period End	12/04/00	
NPRM Update	03/27/01	66 FR 16624
Second NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

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RIN: 1550-AB33

3020. LENDING AND INVESTMENT

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a

CFR Citation: 12 CFR 560

Legal Deadline: None

Abstract: OTS is reviewing its lending regulations, including the rules implementing the Alternative Mortgage Parity Act: 1) to determine whether and

TREAS—OTS

Proposed Rule Stage

how they may be improved to ensure that lending regulations are encouraging the safe and sound, efficient delivery of low cost credit to the public, free from undue regulatory duplication and burden; and 2) to give Federal savings associations greater flexibility in making community-related investments.

Timetable:

Action	Date	FR Cite
ANPRM	04/05/00	65 FR 17811
ANPRM Comment Period End	07/05/00	
NPRM	08/00/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: State

Federalism: This action may have federalism implications as defined in EO 13132.

Additional Information: RIN 1550-AB40, Lending and Investment—Miscellaneous Changes was merged with this RIN.

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Phone: 202 906-7857

RIN: 1550-AB37

3021. • CAPITAL: QUALIFYING MORTGAGE LOAN, INTEREST RATE RISK COMPONENT, AND MISCELLANEOUS CHANGES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; ...

CFR Citation: 12 CFR 567

Legal Deadline: None

Abstract: OTS plans to issue a proposed rule making miscellaneous changes to its capital regulations. The changes would eliminate unnecessary

capital burdens and align OTS capital regulations more closely to those of the other banking agencies.

Timetable:

Action	Date	FR Cite
NPRM	03/15/01	66 FR 15049
NPRM Comment Period End	05/14/01	

Regulatory Flexibility Analysis

Required: No

Government Levels Affected: None

Agency Contact: Teresa Scott, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552

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RIN: 1550-AB45

DEPARTMENT OF THE TREASURY (TREAS)

Final Rule Stage

Office of Thrift Supervision (OTS)

3022. MUTUAL SAVINGS ASSOCIATIONS, MUTUAL HOLDING COMPANY REORGANIZATIONS, AND CONVERSIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1462; 15 USC 78n; 15 USC 78w; 12 USC 1462a; 12 USC 1463; 12 USC 1464; 12 USC 1467a; 12 USC 2901; 15 USC 78c; 15 USC 78l; 15 USC 78m

CFR Citation: 12 CFR 563b

Legal Deadline: None

Abstract: OTS has issued an interim final rule: 1) amending its regulations governing repurchases of stock of insured savings associations following a conversion; 2) implementing changes regarding dividend waivers for mutual holding companies; and 3)

incorporating changes resulting from the Gramm-Leach-Bliley Act.

OTS has also issued a notice of proposed rulemaking that would implement a comprehensive strategy governing mutual institutions, mutual holding company reorganizations, and the mutual to stock conversion process.

Timetable:

Action	Date	FR Cite
NPRM	07/12/00	65 FR 43093
Interim Final Rule	07/12/00	65 FR 43088
NPRM Comment Period End	11/09/00	65 FR 60123
Interim Final Rule Comment Period End	11/09/00	65 FR 60095
Final Rule	06/00/01	

Regulatory Flexibility Analysis

Required: Yes

Small Entities Affected: Businesses

Government Levels Affected: None

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TREAS—OTS

Final Rule Stage

Phone: 202 906-7170

RIN: 1550-AB24

3023. ● REMOVAL OF LIQUIDITY REQUIREMENT**Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 375b; 12 USC 1462; 12 USC 1462a; 12 USC 1463; 12 USC 1464; ...**CFR Citation:** 12 CFR 506; 12 CFR 560; 12 CFR 563; 12 CFR 566; 12 CFR 584**Legal Deadline:** None**Abstract:** OTS plans to issue an interim final rule to remove the regulation that

requires savings associations to maintain a balance of liquid assets of at least four percent and make other conforming changes to implement the recent repeal of the statutory liquidity requirement.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/15/01	66 FR 15015
Interim Final Rule Comment Period End	05/14/01	

Regulatory Flexibility Analysis Required: Undetermined**Government Levels Affected:** None**Agency Contact:** Sally Watts, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552

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RIN: 1550-AB42

DEPARTMENT OF THE TREASURY (TREAS)

Completed Actions

Office of Thrift Supervision (OTS)

3024. APPLICATION PROCESSING**Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 516**Completed:**

Reason	Date	FR Cite
NPRM	11/02/00	65 FR 66118
Final Rule	03/02/01	66 FR 12993
Final Rule Effective	04/01/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** John P. Harootunian
Phone: 202 906-6415Koko Ives
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RIN: 1550-AB14

3025. ORGANIZATIONAL REGULATIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 500; 12 CFR 506; 12 CFR 510**Completed:**

Reason	Date	FR Cite
Withdrawn	01/02/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Teresa Scott
Phone: 202 906-6478

RIN: 1550-AB30

3026. COMMUNITY REINVESTMENT ACT DISCLOSURE**Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 573**Completed:**

Reason	Date	FR Cite
Final Rule	01/10/01	66 FR 2052
Final Rule Effective	04/01/01	

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None**Agency Contact:** Richard Bennett
Phone: 202 906-7409Karen Osterloh
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RIN: 1550-AB32

3027. INSURANCE CUSTOMER PROTECTIONS**Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 536**Completed:**

Reason	Date	FR Cite
Final Rule	12/04/00	65 FR 75822
Final Rule Effective	10/01/01	66 FR 15345

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** State**Federalism:** This action may have federalism implications as defined in EO 13132.**Agency Contact:** Richard Bennett
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RIN: 1550-AB34

3028. INTERAGENCY GUIDELINES ESTABLISHING STANDARDS FOR SAFEGUARDING CUSTOMER INFORMATION AND RESCISSION OF YEAR 2000 STANDARDS FOR SAFETY AND SOUNDNESS**Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 568; 12 CFR 570; 12 CFR 573**Completed:**

Reason	Date	FR Cite
Final Rule	02/01/01	66 FR 8615
Final Rule Effective	07/01/01	

Regulatory Flexibility Analysis**Required:** Yes**Government Levels Affected:** None**Agency Contact:** Cindy Baltierra
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RIN: 1550-AB36

3029. AMENDMENT TO PREAPPROVED BYLAWS**Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 552**Completed:**

Reason	Date	FR Cite
NPRM	11/02/00	65 FR 66116
Final Rule	03/15/01	66 FR 15017
Final Rule Effective	04/16/01	

TREAS—OTS

Completed Actions

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** Aaron Kahn
Phone: 202 906-6263**RIN:** 1550-AB39**3030. LENDING AND INVESTMENT -
MISCELLANEOUS CHANGES****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 559; 12 CFR 560**Completed:**

Reason	Date	FR Cite
Merged With RIN 1550-AB37	01/02/01	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** State**Federalism:** This action may have federalism implications as defined in EO 13132.**Agency Contact:** Koko Ives
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Phone: 202 906-7857William J. Magrini
Phone: 202 906-5744**RIN:** 1550-AB40**3031. • SUPPLEMENTAL STANDARDS
OF ETHICAL CONDUCT FOR
EMPLOYEES OF THE DEPARTMENT
OF THE TREASURY****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 301; 5 USC
7301; 5 USC 7353; 18 USC 212; 18 USC
213; ...**CFR Citation:** 5 CFR 3101**Legal Deadline:** None**Abstract:** The Department of the Treasury, with the concurrence of the Office of Government Ethics, amended the Supplemental Standards of Ethical Conduct for Employees of the Department of the Treasury to: 1) revise the circumstances under which certain OTS employees may obtain credit cards from OTS-regulated savings associations or their subsidiaries, notwithstanding the general prohibition against covered employees obtaining loans or extensions of credit from these entities; and 2) eliminate unnecessary provisions regarding retail store credit cards and mortgage assumptions.**Timetable:**

Action	Date	FR Cite
Final Rule	02/01/01	66 FR 8505
Final Rule Effective	02/01/01	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Agency Contact:** M. Lou Guest, Deputy Chief Counsel, General Law Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
Phone: 202 906-6866**RIN:** 1550-AB43**3032. • RULES OF PRACTICE AND
PROCEDURE FOR ADJUDICATORY
PROCEEDINGS; CIVIL MONEY
PENALTY INFLATION ADJUSTMENT****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 504; 5 USC
554-557; 12 USC 1462a; 12 USC 1463;
12 USC 1464; ...**CFR Citation:** 12 CFR 509; 12 CFR 510**Legal Deadline:** None**Abstract:** Pursuant to the Federal Civil Monetary Penalty Inflation Adjustment Act of 1990 (Act), OTS issued a final rule implementing adjustments to its Civil Money Penalty (CMP) statutes. The Act requires that all Federal agencies with statutory authority to impose civil money penalties evaluate and adjust them every four years. OTS last adjusted its CMP statutes in 1996.**Timetable:**

Action	Date	FR Cite
Final Rule	10/17/00	65 FR 61260
Final Rule Effective	10/17/00	

**Regulatory Flexibility Analysis
Required:** No**Government Levels Affected:** None**Additional Information:** Published using RIN 1550-AB41.**Agency Contact:** Timothy Leary, Counsel (Banking and Finance), Regulations and Legislation Division, Department of the Treasury, Office of Thrift Supervision, 1700 G Street NW., Washington, DC 20552
Phone: 202 906-7170**RIN:** 1550-AB44**BILLING CODE 6720-01-S**

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