

26 CFR Parts 1 and 602

[INTL-49-86 and INTL-362-88]

Treatment of Related Person Factoring Income; Certain Investments in United States Property; Stock Redemptions Through Related Corporations; and Definition of a Controlled Foreign Corporation and Foreign Personal Holding Company Income of a Controlled Foreign Corporation After December 31, 1986**AGENCY:** Internal Revenue Service, Treasury.**ACTION:** Notice of public hearing on proposed regulations.

SUMMARY: This document provides notice of a public hearing on proposed regulations relating to the treatment of related person factoring income; the determination of the amount of earnings of a controlled foreign corporation invested in United States property; redemptions of stock through the use of related corporations; and, the definition of a controlled foreign corporation and the definitions of foreign base company income and foreign personal holding company income of a controlled foreign corporation for taxable years of foreign corporations beginning after December 31, 1986.

DATES: The public hearing will begin at 10:00 a.m. on Thursday, February 9, 1989, and continue, if necessary, at the same time on Friday, February 10, 1989. Outlines of oral comments must be delivered or mailed by Thursday, January 26, 1989.

ADDRESS: The public hearing will be held in the I.R.S. Auditorium, Seventh Floor, 7400 Corridor, Internal Revenue Building, 1111 Constitution Avenue NW., Washington, DC. The requests to speak and outlines of oral comments should be submitted to the Commissioner of Internal Revenue, Attn: CC:CORP:T:R (INTL-49-86 and INTL-362-88), Washington, DC 20224.

FOR FURTHER INFORMATION CONTACT: Jackie Burgess or Carroll Field of the Regulations Unit, Assistant Chief Counsel (Corporate), Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224, telephone 202-566-3935 (not a toll-free call).

SUPPLEMENTARY INFORMATION: The subject of the public hearing relates to proposed regulations under sections 864 (d) and 956 (b) (3) on the treatment of related person factoring income; certain investments in United States property;

stock redemptions through related corporations which were added to the Internal Revenue Code of 1954 by section 123 of the Tax Reform Act of 1984 (Pub. L. 98-369, 98 Stat. 644, 646) and amended by sections 1201 (d) (4), 1221 (a) (2), 1223 (b) (1), 1275 (c) (7) and 1810 (c) of the Tax Reform Act of 1986 (Pub. L. 99-514, 100 Stat. 2085, 2525, 2550, 2558, 2599, 2824).

On June 14, 1988, proposed and temporary regulations (T.D. 8209) interpreting sections 864 (d) and 956 (b) (2) of the Internal Revenue Code of 1986 were published in the Federal Register (53 FR 22186, 22163).

In addition, the subject of the public hearing relates to proposed regulations under sections 954 (b), 954 (c), and 957 (a), which were amended by sections 1201, 1221, 1222, and 1223 of the Tax Reform Act of 1986 (Pub. L. 99-514).

On July 21, 1988, proposed and temporary regulations (T.D. 8216) interpreting sections 954 (b), 954 (c), and 957 (a) were published in the Federal Register (53 FR 27532, 27489).

The rules of § 601.601 (a) (3) of the "Statement of Procedural Rules" (26 CFR Part 601) shall apply with respect to the public hearing. Persons who have submitted comments within the time prescribed in the notices of proposed rulemaking and who also desire to present oral comments at the hearing on the proposed regulations should submit, not later than Thursday, January 26, 1989, an outline of the oral comments to be presented at the hearing and the time they wish to devote to each subject.

Each speaker will be limited to 10 minutes for an oral presentation exclusive of the time consumed by questions from the panel for the government and answers to these questions.

Because of controlled access restrictions, attendees cannot be admitted beyond the lobby of the Internal Revenue Building until 9:45 a.m.

An agenda showing the scheduling of the speakers will be made after outlines are received from the speakers. Copies of the agenda will be available free of charge at the hearing.

By direction of the Commissioner of Internal Revenue.

Dale D. Goode,

Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

[FR Doc. 88-28463 Filed 12-9-88; 8:45 am]

BILLING CODE 4830-01-M

DEPARTMENT OF TRANSPORTATION**Maritime Administration****46 CFR Part 390**

[Docket No. R-120]

RIN 2133-AA65

Capital Construction Fund; Extension of Comment Period**AGENCY:** Maritime Administration, DOT.**ACTION:** Proposed rulemaking; extension of comment period.

SUMMARY: This notice extends the comment period for a Notice of Proposed Rulemaking (NPRM) that MARAD has issued with respect to its Capital Construction Fund Program, 46 CFR Part 390 (Docket No. R-120) published October 31, 1988 (53 FR 43907). In view of the errors in the original publication of the NPRM and the subsequent correction of errors in the NPRM, MARAD believes that an extension of the comment period is warranted in order to allow more time for preparation of comments.

DATE: NPRM comment period expiration date is extended to January 3, 1989.

ADDRESS: Submit comments to James E. Saari, Secretary, Maritime Administration, Room 7300, 400 Seventh Street, SW., Washington, DC 20590. The Maritime Administration requests that commenters submit five copies of their comments.

FOR FURTHER INFORMATION CONTACT: Jean E. McKeever, Chief, Division of Capital Assets Management, 400 Seventh Street, SW., Washington, DC 20590, Tel: (202) 366-1905.

Date: December 7, 1988.

By Order of the Maritime Administrator.
Approved:

James E. Saari,

Secretary, Maritime Administration.

[FR Doc. 88-28513 Filed 12-9-88; 8:45 am]

BILLING CODE 4910-91-M

Research and Special Programs Administration**49 CFR Part 173**

[Docket No. HM-149F, Notice No. 88-9]

Exceptions for Specified Quantities of Radioactive Materials**AGENCY:** Research and Special Programs Administration (RSPA), DOT.**ACTION:** Notice of proposed rulemaking.

SUMMARY: RSPA proposes to renew for two years the exceptions (statutory exemptions) for specified quantities of radioactive materials found in 49 CFR 173.4, 173.421-1 and 173.421-2. This action is necessary to update the exceptions in these sections which permit the transportation by passenger-carrying aircraft of certain quantities of radioactive materials under the existing restrictions. Updating these exceptions will prevent the disruption of routine and ongoing shipments which have been made safely for 12 years under the existing exceptions. These materials do not present a significant hazard to passengers or crew on an aircraft.

DATE: Comments must be received on or before January 11, 1988.

ADDRESS: Address comments to Dockets Unit, Office of Hazardous Materials Transportation, (DHM-30), U.S. Department of Transportation, Washington, DC 20590. Comments should be submitted, when possible, in five copies and should identify the docket number. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed, stamped postcard. The Dockets Unit is located in Room 8421 of the Nassif Building, 400 Seventh Street SW., Washington, DC 20590. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday, except public holidays.

FOR FURTHER INFORMATION CONTACT: Ann Boylan, Standards Division, Office of Hazardous Materials Transportation, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590. (202) 366-4488.

SUPPLEMENTARY INFORMATION: On May 1, 1987, RSPA published a final rule under Docket HM-149E (52 FR 15948). In that final rule, RSPA renewed for two years the exceptions (statutory exemptions) for specified quantities of radioactive materials found in 49 CFR 173.4, 173.421-1 and 173.421-2. This action was taken because the existing exceptions were due to expire on May 2, 1987.

In accordance with section 107 of the Hazardous Materials Transportation Act (HMTA) (49 U.S.C. 1806) governing exemptions, the exceptions provided in §§ 173.4, 173.421-1 and 173.421-2 are limited to two years unless reexamined and renewed. These exceptions expire on May 2, 1989. Historically, these exceptions have been issued and subsequently renewed under Docket HM-149. The legal background and regulatory history of these exceptions can be found in Docket HM-149C (46 FR 24184) published on April 30, 1981, and in preceding amendments dating back to April 17, 1975 (40 FR 17141).

In accordance with 49 CFR 106.13 and 49 U.S.C. 1806, RSPA is once again reexamining the provisions of the exceptions provided in §§ 173.4, 173.421-1 and 173.421-2 and proposes to extend the effective dates of these exceptions. Specifically, in §§ 173.4(b), 173.421-1(b)(2) and 173.421-2(d), the date "May 2, 1989" would be amended to read "May 2, 1991". These amendments would permit the continued transportation of specified quantities of radioactive material by passenger-carrying aircraft.

Administrative Notices

Executive Order 12291

The RSPA has determined that this rulemaking (1) is not "major" under Executive Order 12291; (2) is not "significant" under DOT's regulatory policies and procedures (44 FR 11034); (3) will not affect not-for-profit enterprises or small governmental jurisdictions; and (4) does not require an environmental impact statement under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*). A regulatory evaluation is available for review in the Docket.

Executive Order 12612

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that

the proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Impact on Small Entities

Based on limited information concerning the size and nature of entities likely to be affected by this proposed rule, I certify that the regulations proposed herein would not, if adopted, have a significant economic impact on a substantial number of small entities.

List of Subjects in 49 CFR Part 173

Hazardous materials transportation, Packaging and containers.

In consideration of the foregoing, Part 173 of Title 49 of the Code of Federal Regulations would be amended as follows:

PART 173—SHIPPERS—GENERAL REQUIREMENTS FOR SHIPMENTS AND PACKAGINGS

1. The authority citation for Part 173 continues to read as follows:

Authority: 49 App. U.S.C. 1803, 1804, 1805, 1806, 1807, 1808; 49 CFR Part 1, unless otherwise noted.

§ 173.4 [Amended]

2. In paragraph (b) of § 173.4, the year "1989" would be changed to read "1991".

§ 173.421-1 [Amended]

3. In paragraph (b)(2) of § 173.421-1, the year "1989" would be changed to read "1991".

§ 173.421-2 [Amended]

4. In paragraph (d) of § 173.421-2, the year "1989" would be changed to read "1991".

Issued to Washington, DC, on December 7, 1988, under the authority delegated in 49 CFR Part 1, Appendix A.

Alan I. Roberts,

Director, Office of Hazardous Materials Transportation.

[FR Doc. 88-28421 Filed 12-9-88; 8:45 am]

BILLING CODE 4910-60-M