

the public interest to continue this proceeding and it hereby gives notice of its termination.

By direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

[FR Doc. 2010-1041 Filed 1-21-10; 8:45 am]

BILLING CODE 6750-01-S

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-101896-09]

RIN 1545-B166

#### Basis Reporting by Securities Brokers and Basis Determination for Stock; Correction

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

**ACTION:** Correction to a notice of proposed rulemaking.

**SUMMARY:** This document contains corrections to a notice of proposed rulemaking that was published in the *Federal Register* on Thursday, December 17, 2009, relating to reporting sales of securities by brokers and determining the basis of securities.

**FOR FURTHER INFORMATION CONTACT:** Concerning the proposed regulations under section 1012, Edward C. Schwartz, (202) 622-4960; Concerning the proposed regulations under sections 3406, 6045, 6045A, 6045B, 6721, and 6722, Stephen Schaeffer, (202) 622-4910 (not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

##### Background

A notice of proposed rulemaking that is the subject of this document is under sections 408, 1012, 6039, 6042, 6044, 6045, 6045A, 6045B and 6049 of the Internal Revenue Code.

##### Need for Correction

As published, a notice of proposed rulemaking (REG-101896-09), published Thursday, December 17, 2009 (74 FR 67010), contains errors that may prove to be misleading and are in need of clarification.

##### Correction of Publication

Accordingly, the publication of a notice of proposed rulemaking (REG-101896-09), which was the subject of FR Doc. E9-29855, is corrected as follows:

1. On page 67013, column 3, in the preamble, under paragraph heading “a.

Form and Manner of New Broker Reporting Requirements”, last line of the first paragraph of the column, the language “*pub/irs-dft/f1099k-dft.pdf*” is corrected to read “*pub/irs-dft/f1099b-dft.pdf*”.

#### § 1.6045-1 [Corrected]

2. On page 67035, column 2, paragraph (f)(2)(i), lines 6 thru 8, the language “shall show on Form 1099, “U.S. Information Return for Calendar Year 1971,” or any successor form the name,” is corrected to read “shall show on Form 1099-B, “Proceeds from Broker and Barter Exchange Transactions,” or any successor form the name”.

**Guy R. Traynor,**

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

[FR Doc. 2010-1122 Filed 1-21-10; 8:45 am]

BILLING CODE 4830-01-P

## LIBRARY OF CONGRESS

### Copyright Royalty Board

#### 37 CFR Part 383

[Docket No. 2009-2 CRB New Subscription II]

#### Digital Performance Right in Sound Recordings and Ephemeral Recordings for a New Subscription Service

**AGENCY:** Copyright Royalty Board, Library of Congress.

**ACTION:** Proposed rule.

**SUMMARY:** The Copyright Royalty Judges are publishing for comment proposed regulations that set the rates and terms for the use of sound recordings in transmissions made by new subscription services and for the making of ephemeral recordings necessary for the facilitation of such transmissions for the period commencing January 1, 2011, and ending on December 31, 2015.

**DATES:** Comments and objections, if any, are due by no later than February 22, 2010.

**ADDRESSES:** Comments and objections may be sent electronically to *crb@loc.gov*. In the alternative, send an original, five copies and an electronic copy on a CD either by mail or hand delivery. Please do not use multiple means of transmission. Comments and objections may not be delivered by an overnight delivery service other than U.S. Postal Service Express Mail. If by mail (including overnight delivery), comments and objections must be

addressed to: Copyright Royalty Board, P.O. Box 70977, Washington, DC 20024-0977. If hand delivered by a private party, comments and objections must be brought to the Copyright Office Public Information Office, Library of Congress, James Madison Memorial Building, Room LM-401, 101 Independence Avenue, SE., Washington, DC 20559-6000, between 8:30 a.m. and 5 p.m. If delivered by commercial courier, comments and objections must be delivered between 8:30 a.m. and 4 p.m. to the Congressional Courier Acceptance Site located at 2nd and D Street, NE., Washington, DC, and the envelope must be addressed as follows: Copyright Royalty Board, Library of Congress, James Madison Memorial Building, Room LM-403, 101 Independence Avenue, SE., Washington, DC 20559-6000.

**FOR FURTHER INFORMATION CONTACT:** Richard Strasser, Senior Attorney, or Gina Giuffreda, Attorney Advisor, by telephone at (202) 707-7658 or by e-mail at *crb@loc.gov*.

#### SUPPLEMENTARY INFORMATION:

##### Background

Section 114(f)(2)(C) of the Copyright Act, title 17 of the United States Code, allows a new type of eligible nonsubscription service or a new subscription service on which sound recordings are performed that is or is about to become operational to file a petition with the Copyright Royalty Judges (“Judges”) for the purpose of determining reasonable terms and rates. 17 U.S.C. 114(f)(2)(C). Section 112(e) allows the making of ephemeral reproductions for the purpose of facilitating certain digital audio transmissions, including those made by new subscription services. 17 U.S.C. 112(e). Upon receipt of a petition filed pursuant to section 114(f)(2)(C), the Judges are required to commence a proceeding to determine said reasonable terms and rates. 17 U.S.C. 804(b)(3)(C)(ii). The Judges have conducted one proceeding pursuant to these provisions. See 70 FR 72471, 72472 (December 5, 2005) (after receipt of petition, commencing proceeding to determine rates and terms for a new type of subscription service that “performs sound recordings on digital audio channels programmed by the licensee for transmission by a satellite television distribution service to its residential customers, where the audio channels are bundled with television channels as part of a ‘basic’ package of service and not for a separate fee”). The parties to that proceeding ultimately reached an agreement on the rates and