

[www.regulations.gov](http://www.regulations.gov) and following comment submission instructions. All comments must be submitted in English, or if not, must be accompanied by an English translation.

**FOR FURTHER INFORMATION CONTACT:** Sebastian Pujol Schott, Associate Deputy Director, Market Compliance, 202-418-5641, or Cody J. Alvarez, Attorney Advisor, 202-418-5404, Division of Market Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:** On July 19, 2010, the Commission published for public comment a NPRM, where it proposed to collect certain ownership and control information via an account "Ownership and Control Report" submitted weekly by all U.S. futures exchanges and other reporting entities. The NPRM established a 60-day period for submitting public comment, ending September 17, 2010. On September 16, 2010, Commission staff intends to hold a public roundtable meeting at which invited participants will discuss issues arising from the Commission's NPRM. Shortly after the public roundtable meeting, a transcript of the meeting will be published on the Commission's Account Ownership and Control Report public comment page at <http://www.cftc.gov/LawRegulation/PublicComments/10-009.html>. In order to give interested parties time to prepare comments on matters that were discussed at the public roundtable meeting, the Commission has determined to extend the comment period for the NPRM by an additional twenty days to October 7, 2010.

Issued in Washington, DC on September 1, 2010 by the Commission.

**David A. Stawick,**

*Secretary of the Commission.*

[FR Doc. 2010-22398 Filed 9-8-10; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 16

#### Account Ownership and Control Report; Notice of Public Meeting

**AGENCY HOLDING THE MEETING:**

Commodity Futures Trading Commission ("Commission").

**DATE AND TIME:** Thursday, September 16, 2010, commencing at 1 p.m. and ending at 4:30 p.m.

**PLACE:** Three Lafayette Centre, 1155 21st Street, NW., Washington, DC, Lobby Level Hearing Room (Room 1000).

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** Agenda: (1) Sources of Ownership and Control Report Data; and (2) Implementation of the Ownership and Control Report.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that Commission staff will hold a public roundtable meeting at which invited participants will discuss issues arising from the Commission's notice of proposed rulemaking that calls for the collection of ownership, control and related information for all trading accounts active on U.S. futures exchanges and other reporting entities.<sup>1</sup> Written comments on the proposed rule will be received until October 7, 2010. The meeting will be open to the public with seating on a first-come, first-served basis. Members of the public may also listen by telephone. Call-in participants should be prepared to provide their first name, last name, and affiliation. The information for the conference call is set forth below.

- *U.S./Canada Toll-Free:* (866) 312-4390

- *International Toll:* (404) 537-3379

- *Conference ID:* 94281936

Shortly after the public roundtable meeting, a transcript of the meeting will be published on the Commission's Account Ownership and Control Report public comment page at <http://www.cftc.gov/LawRegulation/PublicComments/10-009.html>.

**CONTACT PERSONS AND ADDRESSES:**

Written comments should be sent to David Stawick, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Comments may be submitted via e-mail at [OCR@cftc.gov](mailto:OCR@cftc.gov). "Account Ownership and Control Report" must be in the subject field of responses submitted via e-mail, and clearly indicated on written submissions. Comments may also be submitted by connecting to the Federal eRulemaking Portal at <http://www.regulations.gov> and following comment submission instructions. All comments must be submitted in English, or if not, must be accompanied by an English translation. For questions, please contact Sauntia Warfield, 202-418-5084.

Issued in Washington, DC, on September 1, 2010 by the Commission.

**David A. Stawick,**

*Secretary of the Commission.*

[FR Doc. 2010-22400 Filed 9-8-10; 8:45 am]

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<sup>1</sup> 75 FR 41775 (July 19, 2010).

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-119046-10]

RIN 1545-BJ54

#### Requirement of a Statement Disclosing Uncertain Tax Positions

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

**ACTION:** Notice of proposed rulemaking and notice of public hearing.

**SUMMARY:** This document contains proposed regulations allowing the IRS to require corporations to file a schedule disclosing uncertain tax positions related to the tax return as required by the IRS. This document also provides notice of a public hearing on these proposed regulations.

**DATES:** Written or electronic comments must be received by October 12, 2010. Outlines of topics to be discussed at the public hearing scheduled for October 15, 2010, at 10 a.m., must be received by October 12, 2010.

**ADDRESSES:** Send submissions to: CC:PA:LPD:PR (REG-119046-10), room 5205, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand-delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. to: CC:PA:LPD:PR (REG-119046-10), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC, or sent electronically via the Federal eRulemaking Portal at <http://www.regulations.gov> (IRS REG-119046-10). The public hearing will be held in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC.

**FOR FURTHER INFORMATION CONTACT:**

Concerning the proposed regulations, Kathryn Zuba at (202) 622-3400; concerning submissions of comments, the public hearing, and to be placed on the building access list to attend the public hearing, Oluwafunmilayo Taylor of the Publications and Regulations Branch at (202) 622-7180 (not toll-free numbers).

**SUPPLEMENTARY INFORMATION:**

#### Background

This document contains proposed amendments to the Income Tax Regulations (26 CFR part 1) under section 6012 relating to the returns of income corporations are required to file. Section 6011 provides that persons liable for a tax imposed by Title 26 shall

make a return when required by regulations prescribed by the Secretary of the Treasury according to the forms and regulations prescribed by the Secretary. Treasury Regulation § 1.6011-1 requires every person liable for income tax to make such returns as are required by regulation. Section 6012 requires corporations subject to an income tax to make a return with respect to that tax. Treasury Regulation § 1.6012-2 sets out the corporations that are required to file returns and the form those returns must take.

In Announcement 2010-9, 2010-7 I.R.B. 408, and Announcement 2010-17, 2010-13 I.R.B. 515, the IRS announced it was developing a schedule requiring certain taxpayers to report uncertain tax positions on their tax returns. The IRS released the draft schedule, Schedule UTP, accompanied by draft instructions that provide a further explanation of the IRS's proposal in conjunction with Announcement 2010-30, IRB 2010-19. That announcement invited public comment by June 1, 2010, on the draft schedule and instructions, which would be finalized after the IRS received and considered the comments regarding the overall proposal and the draft schedule and instructions.

The draft schedule and instructions provide that, beginning with the 2010 tax year, certain corporations with both uncertain tax positions and assets equal to or exceeding \$10 million will be required to file Schedule UTP if they or a related party issued audited financial statements. The draft schedule and instructions stated that, for 2010 tax years, the IRS will require corporations filing the following returns to file Schedule UTP: Form 1120, U.S. Corporation Income Tax Return; Form 1120 L, U.S. Life Insurance Company Income Tax Return; Form 1120 PC, U.S. Property and Casualty Insurance Company Income Tax Return; and Form 1120 F, U.S. Income Tax Return of a Foreign Corporation. The draft schedule and instructions do not require a Schedule UTP from any other Form 1120 series filers, pass-through entities, or tax-exempt organizations in 2010 tax years.

A substantial number of public comments have been received regarding the draft schedule. The IRS and Treasury Department are currently reviewing the comments and anticipate publishing a final Schedule UTP in sufficient time to allow taxpayers to comply with the proposed effective date of these regulations.

#### Explanation of Provisions

These proposed regulations require corporations to file a Schedule UTP

consistent with the forms, instructions, and other appropriate guidance provided by the IRS. As explained in Announcement 2010-9, the United States federal income tax system relies on taxpayers to make a self-assessment of tax and to file returns that show the facts upon which tax liability may be determined and assessed. Section 601.103 of the Procedure and Administration Regulations. To discharge its obligation to fairly and uniformly administer the tax laws, the IRS must be able to quickly and efficiently identify those returns, and the issues underlying those returns, that present a significant risk of noncompliance with the Internal Revenue Code.

Existing corporate tax returns do not currently require that taxpayers separately identify and explain the uncertain tax positions that are identified in the process of complying with generally accepted accounting principles. Instead, to identify uncertain tax positions the IRS must select a return for audit and expend a substantial amount of effort by revenue agents to determine what uncertain tax positions might relate to the return.

Corporations that prepare financial statements are required by generally accepted accounting principles to identify and quantify all uncertain tax positions as described in Financial Accounting Standards Board, *Interpretation No. 48, Accounting for Uncertainty in Income Taxes* (June 2006) (FIN 48). FIN 48 is now codified in FASB ASC Topic 740-10 Income Taxes. Income Taxes, Accounting Standards Codification Subtopic 740-10 (Fin. Accounting Standards Bd. 2010). Other corporations that file returns of income in the United States may be subject to other requirements regarding accounting for uncertain tax positions. For example, corporations may be subject to other generally accepted accounting standards, including International Financial Reporting Standards and country-specific generally accepted accounting standards.

Congress, through the Internal Revenue Code, has given the IRS broad authority and discretion to specify the form and content of returns, so long as the IRS promulgates regulations requiring persons made liable for a tax to file those returns. This regulation will authorize the IRS to require certain corporations, as set out in forms, publications, or instructions, or other guidance, to provide information concerning uncertain tax positions concurrent with the filing of a return. This information will aid the IRS in

identifying those returns that pose the most significant risks of noncompliance and in selecting issues for examination. The IRS intends to implement the authority provided in this regulation initially by issuing a schedule and explanatory publication that require those corporations that prepare audited financial statements to file a schedule identifying and describing the uncertain tax positions, as described in FIN 48 and other generally accepted accounting standards, that relate to the tax liability reported on the return.

#### Proposed Effective/Applicability Date

When adopted as a final regulation, this rule will apply to returns filed for tax years beginning after December 15, 2009, and ending after the date of publication of these rules as final regulations in the **Federal Register**.

#### Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required.

This regulation will only affect taxpayers that prepare or are required to issue audited financial statements. Small entities rarely prepare or are required to issue audited financial statements due to the expense involved. It is hereby certified that this regulation will not have a significant economic impact on a substantial number of small entities pursuant to the Regulatory Flexibility Act (5 U.S.C. chapter 6). Accordingly, a regulatory flexibility analysis is not required.

Pursuant to section 7805(f) of the Internal Revenue Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on their impact on small business.

#### Comments and Requests for a Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any written (a signed original and eight (8) copies) or electronic comments that are submitted timely to the IRS. The IRS and the Treasury Department request comments on the substance of the proposed regulations, as well as on the clarity of the proposed rules and how they can be made easier to understand. All comments submitted by the public will be made available for public inspection and copying. A public hearing has been scheduled for October 15, 2010, beginning at 10 a.m. in the IRS Auditorium, of the Internal Revenue

Building, 1111 Constitution Avenue, NW., Washington, DC. Due to building security procedures, visitors must enter at the Constitution Avenue entrance. In addition, all visitors must present photo identifications to enter the building. Because of access restrictions, visitors will not be admitted beyond the immediate entrance area more than 30 minutes before the hearing starts. For information about having your name placed on the building access list to attend the hearing, see the **FOR FURTHER INFORMATION CONTACT** section of this preamble.

The rules of 26 CFR 601.601(a)(3) apply to the hearing. Persons who wish to present oral comments at the hearing must submit electronic or written comments and an outline of the topics to be discussed and the time to be devoted to each topic (signed original and eight (8) copies) by October 12, 2010. A period of 10 minutes will be allotted to each person for making comments. An agenda showing the scheduling of the speakers will be prepared after the deadline for receiving outlines has passed. Copies of the agenda will be available free of charge at the hearing.

#### Drafting Information

The principal author of these regulations is Kathryn Zuba of the Office of the Associate Chief Counsel (Procedure and Administration).

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

Income taxes, Reporting and recordkeeping requirements.

#### Proposed Amendments to the Regulations

Accordingly, 26 CFR part 1 is proposed to be amended as follows:

#### PART 1—INCOME TAXES

**Paragraph 1.** The authority citation for part 1 is amended by adding an entry in numerical order to read as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

Section 1.6012-2 is also issued under the authority of 26 U.S.C. 6011 and 6012.

**Par. 2.** Section 1.6012-2 is amended by adding paragraphs (a)(4) and (a)(5) to read as follows:

#### § 1.6012-2 Corporations required to make returns of income.

(a) \* \* \*

(4) *Disclosure of uncertain tax positions.* A corporation required to make a return under this section shall attach Schedule UTP, Uncertain Tax Position Statement, or any successor form, to such return, in accordance with

forms, instructions, or other appropriate guidance provided by the IRS.

(5) *Effective/applicability date.*

Paragraph (a)(4) of this section applies to returns filed for tax years beginning after December 15, 2009, and ending after the date of publication of the adoption of these rules as final regulations in the **Federal Register**.

\* \* \* \* \*

**Steven T. Miller,**

*Deputy Commissioner for Services and Enforcement.*

[FR Doc. 2010-22624 Filed 9-7-10; 4:15 pm]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### 30 CFR Chapter I

#### RIN 1219-AB71

#### Safety and Health Management Programs for Mines

**AGENCY:** Mine Safety and Health Administration, Labor.

**ACTION:** Notice of public meetings; notice of close of comment period.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) will hold three public meetings to gather information about effective, comprehensive safety and health management programs at mines. Public meetings will include presentations on model programs by representatives from: Academia; safety and health professionals; industry organizations; worker organizations; and government agencies. Model programs should be designed to prevent injuries and illnesses, maintain compliance with the Federal Mine Safety and Health Act, safety and health standards and regulations, and include participation of everyone from the Chief Executive Officer (CEO) to workers and contractors. Model programs should involve hazard identification and control and training and retraining of workers. The Agency will use information from the meetings to help develop a proposed rule for Safety and Health Management Programs for mines which will allow miners and operators to be proactive in their approach to health and safety.

**DATES:** All comments must be received by midnight Eastern Standard Time on December 17, 2010. MSHA will hold three meetings on October 8, 2010, October 12, 2010, and October 14, 2010 at the locations listed in the **SUPPLEMENTARY INFORMATION** section of this notice.

**ADDRESSES:** Comments must be identified with “RIN 1219-AB71” and may be sent by any of the following methods:

(1) *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

(2) *Electronic mail:* [zzMSHA-comments@dol.gov](mailto:zzMSHA-comments@dol.gov). Include “RIN 1219-AB71” in the subject line of the message.

(3) *Facsimile:* 202-693-9441. Include “RIN 1219-AB71” in the subject line of the message.

(4) *Regular Mail:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia 22209-3939.

(5) *Hand Delivery or Courier:* MSHA, Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia. Sign in at the receptionist’s desk on the 21st floor.

Comments can be accessed electronically at <http://www.msha.gov> under the Rules and Regs link.

Comments may also be reviewed at the Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2350, Arlington, Virginia. Sign in at the receptionist’s desk on the 21st floor.

MSHA maintains a list that enables subscribers to receive e-mail notification when rulemaking documents are published in the **Federal Register**. To subscribe, go to <http://www.msha.gov/subscriptions/subscribe.aspx>.

**FOR FURTHER INFORMATION CONTACT:** Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, MSHA, at [silvey.patricia@dol.gov](mailto:silvey.patricia@dol.gov) (e-mail), 202-693-9440 (voice), or 202-693-9441 (facsimile).

**SUPPLEMENTARY INFORMATION:** All meetings will start at 9 a.m. and conclude by 5 p.m. The agenda for the meetings will include:

- Registration,
- Opening Statement,
- Presentations,
- Comments from the Public, and
- Closing Statement.

MSHA requested academia, safety and health professionals, industry organizations, worker organizations, and government agencies to present information at these meetings on best practices for safety and health programs. MSHA is particularly interested in information on programs which include active involvement of workers from the development of the program through implementation to evaluation. Requests to present at a meeting may be made by telephone (202-693-9440), facsimile (202-693-9441), or mail (MSHA, Office of Standards, Regulations and