

commerce that is a swap in an agricultural commodity may be transacted on a swap execution facility, designated contract market, or otherwise in accordance with all provisions of the Act, including any Commission rule, regulation, or order thereunder, applicable to any other swap eligible to be transacted on a swap execution facility, designated contract market, or otherwise.

Issued in Washington, DC, on August 4, 2011, by the Commission.

**David A. Stawick,**  
Secretary of the Commission.

**Appendices to Agricultural Swaps—  
Commission Voting Summary and  
Statements of Commissioners**

**Note:** The following appendices will not appear in the Code of Federal Regulations

**Appendix 1—Commission Voting  
Summary**

On this matter, Chairman Gensler and Commissioners Dunn, Sommers, Chilton and O’Malia voted in the affirmative; no Commissioner voted in the negative.

**Appendix 2—Statement of Chairman  
Gary Gensler**

I support the final rulemaking to authorize agricultural swap transactions and subject them to the same rules applicable to all other swaps transactions. The Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) prohibits such transactions if the Commodity Futures Trading Commission (CFTC) does not specifically authorize them. The public comments the CFTC received overwhelmingly supported treating agricultural swaps the same as other swaps brought under regulation by the Dodd-Frank Act. Agricultural producers, processors, merchants and handlers will benefit from the ability to use agricultural swaps to hedge their risk and from the transparency of the Dodd-Frank Act.

[FR Doc. 2011–20337 Filed 8–9–11; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9475]

RIN 1545–BF83

**Corporate Reorganizations;  
Distributions Under Sections  
368(a)(1)(D) and 354(b)(1)(B);  
Correction**

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

**ACTION:** Correcting amendment.

**SUMMARY:** This document describes a correction to final regulations (TD 9475) that were published on Friday, December 18, 2009 (74 FR 67053). The regulations provide guidance regarding the qualification of certain transactions as reorganizations described in section 368(a)(1)(D) where no stock and/or securities of the acquiring corporation is issued and distributed in the transaction. This document also contains final regulations under section 358 that provide guidance regarding the determination of the basis of stock or securities in a reorganization described in section 368(a)(1)(D) where no stock and/or securities of the acquiring corporation is issued and distributed in the transaction. This document also contains final regulations under section 1502 that govern reorganizations described in section 368(a)(1)(D) involving members of a consolidated group.

**DATES:** This correction is effective on August 10, 2011 and is applicable on December 18, 2009.

**FOR FURTHER INFORMATION CONTACT:** Bruce A. Decker, (202) 622–7790 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The final regulations (TD 9475) that are the subject of this document are under sections 358, 368 and 1502 of the Internal Revenue Code.

**Need for Correction**

As published, the final regulations (TD 9475) contain an error that may prove to be misleading and is in need of clarification.

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

Income taxes, Reporting and recordkeeping requirements.

**Correction of Publication**

Accordingly, 26 CFR part 1 is corrected by making the following correcting amendment:

**PART 1—INCOME TAXES**

■ **Paragraph 1.** The authority citation for part 1 continues to read in part as follows:

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

■ **Par. 2.** Section 1.1502–13 is amended by adding paragraph (l)(6) to read as follows:

**§ 1.1502–13 Intercompany transactions.**

\* \* \* \* \*  
(l) \* \* \*

(6) *Effective/applicability date.* (i) *In general.* Paragraph (f)(7)(i) *Example 4.*

applies to transactions occurring on or after December 18, 2009.

(ii) [Reserved]

\* \* \* \* \*

**LaNita Van Dyke,**

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

[FR Doc. 2011–20224 Filed 8–9–11; 8:45 am]

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**DEPARTMENT OF HOMELAND  
SECURITY**

**Coast Guard**

**33 CFR Part 117**

[Docket No. USCG–2011–0740]

**Drawbridge Operation Regulations;  
Pequonnock River, Bridgeport, CT,  
Maintenance**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Metro North (Peck) Bridge across the Pequonnock River, mile 0.3, at Bridgeport, Connecticut. The deviation allows the bridge to remain in the closed position to facilitate miter rail repair.

**DATES:** This deviation is effective from August 22, 2011 through November 30, 2011.

**ADDRESSES:** Documents mentioned in this preamble as being available in the docket are part of docket USCG–2011–0740 and are available online at <http://www.regulations.gov>, inserting USCG–2011–0740 in the “Keyword” and then clicking “Search.” They are also available for inspection or copying at the Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Ms. Judy Leung-Yee, Project Officer, First Coast Guard District, telephone (212) 668–7165, e-mail [judy.k.leung-ye@uscg.mil](mailto:judy.k.leung-ye@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

**SUPPLEMENTARY INFORMATION:** The Metro North (Peck) Bridge, across the

Pequonnock River, mile 0.3, at Bridgeport, Connecticut, has a vertical clearance in the closed position of 26 feet at mean high water and 32 feet at mean low water. The drawbridge operation regulations are listed at 33 CFR 117.219(b).

The operator of the bridge, Metro North Railroad, requested a temporary deviation from the regulations to facilitate scheduled bridge maintenance, miter rail repair, at the bridge.

The waterway users are recreational vessels and commercial lobster boats. The Metro North (Peck) Bridge rarely opens for vessel traffic. The bridge has received no requests to open during the past two years except for bridge testing and repairs.

Under this temporary deviation the Metro North (Peck) Bridge may remain in the closed position from August 22, 2011 through November 30, 2011.

Vessels that can pass under the bridge in the closed position may do so at all times.

The waterway users were advised of the requested bridge closure and offered no objection.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: July 29, 2011

**Gary Kassof,**

*Bridge Program Manager, First Coast Guard District.*

[FR Doc. 2011-20247 Filed 8-9-11; 8:45 am]

**BILLING CODE 9110-04-P**

## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 165

[Docket No. USCG-2011-0044]

RIN 1625-AA11

#### Regulated Navigation Area; Columbus Day Weekend, Biscayne Bay, Miami, FL

**AGENCY:** Coast Guard, DHS.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is establishing a permanent regulated navigation area (RNA) on Biscayne Bay in Miami, Florida. The RNA will be enforced annually on the Saturday and Sunday of the second week in October (Columbus Day weekend). It includes all waters within one nautical mile of the center of the Intracoastal Waterway

between Featherbed Bank and the Rickenbacker Causeway Bridge. All vessels within the RNA are: required to transit the RNA at no more than 15 knots; subject to control by the Coast Guard; and required to follow the instructions of all law enforcement vessels in the area. This RNA is necessary to ensure the safe transit of vessels and to protect the marine environment.

**DATES:** The rule will be effective September 9, 2011, and will be enforced daily from 12:01 p.m. until 11:59 p.m. on the Saturday and Sunday of the second week in October (Columbus Day weekend) each year.

**ADDRESSES:** Comments and material received from the public, as well as documents mentioned in this preamble as being available in the docket, are part of docket USCG-2011-0044 and are available online by going to <http://www.regulations.gov>, inserting USCG-2011-0044 in the "Keyword" box, and then clicking "Search." This material is also available for inspection or copying at the Docket Management Facility (M-30), U.S. Department of Transportation, West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call or e-mail Lieutenant Jennifer S. Makowski, Sector Miami Prevention Department, Coast Guard; telephone 305-535-8724, e-mail [Jennifer.S.Makowski@uscg.mil](mailto:Jennifer.S.Makowski@uscg.mil). If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

#### SUPPLEMENTARY INFORMATION:

##### Regulatory Information

On May 3, 2011, we published a notice of proposed rulemaking (NPRM) entitled USCG-2011-0044 in the *Federal Register* (76 FR 24837). We received no comments on the proposed rule. No public meeting was requested, and none was held.

##### Basis and Purpose

The legal basis for the rule is the Coast Guard's authority to establish regulated navigation areas (RNAs) and limited access areas: 33 U.S.C. 1231; 46 U.S.C. Chapter 701, 3306, 3703; 50 U.S.C. 191, 195; 33 CFR 1.05-1, 6.04-1, 6.04-6, 160.5; Public Law 107-295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

The purpose of the rule is to ensure the safe transit of vessels in the area and

to protect all persons, vessels, and the marine environment.

#### Discussion of Rule

This rule designates an RNA encompassing all waters within one nautical mile of the center of the Intracoastal Waterway from Featherbed Bank extending 14 nautical miles north to the Rickenbacker Causeway Bridge in Miami, Florida. The RNA will be enforced daily from 12:01 p.m. until 11:59 p.m. on the Saturday and Sunday of the second week in October (Columbus Day weekend) each year. All vessels within the RNA are: (1) Required to transit the area at no more than 15 knots; (2) subject to control by the Coast Guard; and (3) required to follow the instructions of all law enforcement vessels in the area.

The RNA is necessary to ensure the safety of the public. The close proximity of numerous vessels transiting that portion of the Intracoastal Waterway encompassed within the RNA during Columbus Day weekend poses a hazardous condition. The RNA will result in the transiting of vessels at a safer speed, thereby significantly reducing the threat of vessel collisions. Requiring vessels within the RNA to transit at no more than 15 knots will also enable law enforcement officials to identify, respond to, query, and stop operators who may pose a hazard to other vessels in the area. Nothing in this regulation alleviates vessels or operators from complying with all other Federal, state, and local laws in the area, including manatee slow speed zones.

#### Regulatory Analyses

We developed this rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

#### Executive Order 12866 and Executive Order 13563

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. The Office of Management and Budget has not reviewed it under that Order.

The economic impact of this rule is not significant for the following reasons: (1) The RNA will be in effect for only two days each year; (2) although during the enforcement period vessels will be required to transit the RNA at no more than 15 knots, be subject to control by