

with the National Futures Association through its electronic exemption filing system. Such claim must:

(i) Provide the name, main business address and main business telephone number of the registered commodity pool operator, or applicant for such registration, making the request;

(ii) Provide the name of the commodity pool for which the request is being made;

(iii) Contain representations, as appropriate, that:

(A) The pool will be operated in compliance with paragraph (b)(1)(i) of this section and the pool operator will comply with the requirements of paragraph (b)(1)(ii) of this section; or

(B) The pool will be operated in compliance with paragraph (c)(1) of this section;

(iv) Specify the relief sought under paragraph (b)(2) or (c)(2), as the case may be, of this section; and

(v) Be filed by a representative duly authorized to bind the pool operator.

(2)(i) The claim of exemption must be filed before the date the commodity pool first enters into a commodity interest transaction.

(ii) The claim of exemption shall be effective upon filing; *Provided, however*, That any exemption claimed hereunder:

(A) Will not be effective unless and until the notice required by this paragraph (d) contains all information called for herein and any statements required under paragraph (c)(2)(iii) of this section have been provided; and

(B) Will cease to be effective upon any change which would render the representations made pursuant to paragraph (d)(1)(iii) of this section inaccurate or the continuation of such representations false or misleading.

(3)(i) If a claim of exemption has been made under paragraph (b)(2)(i) of this section, the commodity pool operator must make a statement to that effect on the cover page of each offering memorandum, or amendment thereto, that it is required to file with the National Futures Association pursuant to § 4.26.

(ii) If a claim of exemption has been made with respect to paragraph (b)(2)(iii) of this section, the pool operator must make a statement to that effect on the cover page of each annual report that it is required to file with the National Futures Association pursuant to § 4.22(c).

(4)(i) Any claim of exemption effective hereunder shall be effective only with respect to the pool for which it has been made.

(ii) The effectiveness of such claim shall not affect the obligations of the commodity pool operator to comply

with all other applicable provisions of this part 4, the Act and the Commission's regulations issued thereunder with respect to the pool and any other pool the pool operator operates or intends to operate.

3. Section 4.13 is amended by:

a. Removing the word "or" at the end of paragraph (a)(3)(iv);

b. Removing the period at the end of paragraph (a)(4)(ii)(B) and adding "; or";

c. Redesignating paragraph (a)(5) as paragraph (a)(6), and revising newly designated paragraph (a)(6)(i) introductory text;

d. Adding new paragraph (a)(5); and

e. Revising paragraphs (b)(1)(ii) and (b)(2), to read as follows:

**§ 4.13 Exemption from registration as a commodity pool operator.**

\* \* \* \* \*

(a) \* \* \*

(5) The person is acting as a director or trustee with respect to a pool whose operator is registered as a commodity pool operator and is eligible to claim relief under § 4.12(c) of this chapter, *Provided, however*, that:

(i) The person acts in such capacity solely to comply with a requirement under the Federal securities laws that the pool have an audit committee comprised exclusively of independent directors or trustees;

(ii) The person has no power or authority to manage or control the operations or activities of the pool except as necessary to comply with such requirement; and

(iii) The registered pool operator of the pool is and will be liable for any violation of the Act or the Commission's regulations by the person in connection with the person's serving as a director or trustee with respect to the pool.

(6)(i) Eligibility for exemption under paragraph (a)(1), (a)(2), (a)(3) or (a)(4) of this section is subject to the person furnishing in written communication physically delivered or delivered through electronic transmission to each prospective participant in the pool:

\* \* \*

\* \* \* \* \*

(b)(1) \* \* \*

(ii) Contain the section number pursuant to which the operator is filing the notice (i.e., § 4.13(a)(1), (a)(2), (a)(3), (a)(4) or (a)(5), or both (a)(3) and (a)(4)) and represent that the pool will be operated in accordance with the criteria of that paragraph or paragraphs; and

\* \* \* \* \*

(2) The person must file the notice by no later than the time that the pool operator delivers a subscription agreement for the pool to a prospective participant in the pool; *Provided*,

*however*, that in the case of a claim for relief under § 4.13(a)(5), the person must file the notice by the later of the effective date of the pool's registration statement under the Securities Act of 1933 or the date on which the person first becomes a director or trustee; and *Provided, further*, that where a person registered with the Commission as a commodity pool operator intends to withdraw from registration in order to claim exemption hereunder, the person must notify its pool's participants in written communication physically delivered or delivered through electronic transmission that it intends to withdraw from registration and claim the exemption, and it must provide each such participant with a right to redeem its interest in the pool prior to the person filing a notice of exemption from registration.

\* \* \* \* \*

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

**David Stawick,**

*Secretary of the Commission.*

[FR Doc. 2010-22395 Filed 9-8-10; 8:45 am]

**BILLING CODE P**

**COMMODITY FUTURES TRADING COMMISSION**

**17 CFR Part 16**

**RIN 3038-AC63**

**Account Ownership and Control Report**

**AGENCY:** Commodity Futures Trading Commission ("Commission").

**ACTION:** Extension of comment period.

**SUMMARY:** The Commission is extending the comment period for the Notice of Proposed Rulemaking ("NPRM") that calls for the collection of ownership, control and related information.<sup>1</sup> The new deadline for submitting public comments is October 7, 2010.

**DATES:** Written comments must be received on or before October 7, 2010.

**ADDRESSES:** 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://>

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

[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]

**BILLING CODE P**

## 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.*

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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