

**DEPARTMENT OF THE TREASURY****Internal Revenue Service**

[REG-109367-06]

**26 CFR Part 1**

RIN 1545-BF52

**Section 1221(a)(4) Capital Asset Exclusion for Accounts and Notes Receivable; Hearing****AGENCY:** Internal Revenue Service (IRS), Treasury.**ACTION:** Notice of public hearing on proposed rulemaking.**SUMMARY:** This document provides a notice of a hearing on the proposed regulations under section 1221(a)(4) of the Internal Revenue Code.**DATES:** The hearing will be held on Wednesday, August 22, 2007 at 10 a.m.**ADDRESSES:** The public hearing is being held in the IRS Auditorium, Internal Revenue Building, 1111 Constitution Avenue, NW., Washington, DC.**FOR FURTHER INFORMATION CONTACT:** Concerning the regulations, K. Scott Brown (202) 622-7454; to notify the IRS that you plan to attend the hearing and to be placed on the building access list, Kelly Banks at (202) 622-0392 (not toll-free numbers).**SUPPLEMENTARY INFORMATION:** On August 7, 2006, the Treasury Department and the IRS published in the **Federal Register** (71 FR 44600) proposed regulations § 1.1221-1(e), under section 1221(a)(4) of the Internal Revenue Code. These regulations clarify the circumstances in which accounts or notes receivable are "acquired \* \* \* for services rendered" within the meaning of section 1221(a)(4). A public hearing was held on November 7, 2006, to discuss these regulations. Only two individuals spoke at the hearing.

Additional written comments were received from interested parties after the period for comments closed and the hearing was held. Several of these written comments contained requests for private meetings. Because it is more appropriate to address the concerns raised in the comments publicly, the Treasury Department and the IRS are scheduling a public hearing at which taxpayers will have another opportunity to discuss the proposed regulations. The views expressed at the hearing will be used in the rulemaking process.

Most of the written comments focused on the length of time that the decisions have been outstanding in *Burbank Liquidating Corp. v. Commissioner*, 39 T.C. 999 (1963), *acq. sub. nom. United Assocs., Inc.*, 1965-1 C.B. 3, *aff'd in part**and rev'd in part on other grounds*, 335 F.2d 125 (9th Cir. 1964), and *Federal National Mortgage Association v. Commissioner*, 100 T.C. 541 (1993). The Treasury Department and the IRS request participants at the forthcoming public hearing to focus on whether the interpretation in the proposed regulations is legally correct, and whether the decisions in *Burbank Liquidating* and *Federal National Mortgage Association* correctly applied section 1221(a)(4).To attend the hearing, taxpayers must notify the IRS by Monday, July 23, 2007. Because of access restrictions, the IRS will not admit visitors beyond the immediate entrance area more than 30 minutes before the hearing. To notify the IRS that you plan to attend the hearing and for information about having your name placed on the building access list to attend the hearing, see the section in this document entitled **FOR FURTHER INFORMATION CONTACT**.**LaNita Van Dyke,***Chief, Publications and Regulations Branch, Associate Chief Counsel, Legal Processing Division (Procedure and Administration).*

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**BILLING CODE 4830-01-P****DEPARTMENT OF LABOR****Occupational Safety and Health Administration****29 CFR Part 1910****[Docket No. OSHA-2007-0032 (Formerly Docket No. OSHA-S031-2006-0665 and OSHA Docket No. S-031)]**

RIN 1218-AC09

**Explosives; Extension of Comment Period****AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.**ACTION:** Proposed rule; extension of comment period.**SUMMARY:** OSHA is extending the comment period for its proposed standard on Explosives for an additional sixty (60) days until September 10, 2007.**DATES:** Written comments must be submitted (postmarked or sent) by September 10, 2007.**ADDRESSES:** You may submit comments, identified by Docket No. OSHA-2007-0032, by any of the following methods:*Electronically:* You may submit comments and attachmentselectronically at <http://www.regulations.gov>, which is the Federal eRulemaking Portal. Follow the instructions on-line for making electronic submissions.*Fax:* If your comments, including attachments, do not exceed 10 pages, you may fax them to the OSHA Docket Office at (202) 693-1648.*Mail, hand delivery, express mail, messenger or courier service:* You must submit three copies of your comments and attachments to the OSHA Docket Office, Docket No. OSHA-2007-0032, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350 (OSHA's TTY number is (877) 889-5627). Deliveries (hand, express mail, messenger and courier service) are accepted during the Department of Labor's and Docket Office's normal business hours, 8:15 a.m.-4:45 p.m., E.T.*Instructions:* All submissions must include the Agency name and the docket number for this rulemaking (Docket No. OSHA-2007-0032). All comments, including any personal information you provide, are placed in the public docket without change and may be made available online at <http://www.regulations.gov>. Therefore, OSHA cautions you about submitting personal information such as social security numbers and birthdates. For further information on submitting comments, plus additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.*Docket:* To read or download comments and materials submitted in response to this **Federal Register** notice, go to Docket No. OSHA-2007-0032 at <http://www.regulations.gov> or at the OSHA Docket Office at the address above. All comments and submissions are listed in the <http://www.regulations.gov> index, however, some information (e.g., copyrighted material) is not publicly available to read or download through that Web page. All comments and submissions, including copyrighted material, are available for inspection and copying at the OSHA Docket Office.For information on accessing exhibits referenced in the Explosives proposal, see the "Public Participation" heading in the **SUPPLEMENTARY INFORMATION** section of this document.Electronic copies of this **Federal Register** document are available at <http://www.regulations.gov>. Copies also are available from the OSHA Office of Publications, Room N-3101, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210;