

published in the **Federal Register** on Monday, July 18, 2011, providing guidance relating to the determination of the amount of taxes paid for purposes of the foreign tax credit. These regulations address certain highly structured arrangements that produce inappropriate foreign tax credit results. The regulations affect individuals and corporations that claim direct and indirect foreign tax credits.

**DATES:** This correction is effective August 30, 2011, and is applicable beginning July 18, 2011.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Cowan, (202) 622-3850 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**Background**

The temporary and final regulation (TD 9536) that is the subject of this correction is under section 901 of the Internal Revenue Code.

**Need for Correction**

As published July 18, 2011 (76 FR 42036), TD 9536 contains an error that may prove to be misleading and is in need of clarification.

**Correction of Publication**

Accordingly, the publication of the final and temporary regulations (TD 9536), that were the subject of FR Doc. 2011-17916, is corrected as follows:

On page 42037, column 2, in the preamble under the caption "Explanation of Provision", first paragraph, tenth line from the bottom, the language, "2(e)(5)(iv)(B)(1)(iii) that a foreign" is corrected to read "2T(e)(5)(iv)(B)(1)(iii) that a foreign".

**Treena V. Garrett,**

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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9536]

RIN 1545-BK40

**Determining the Amount of Taxes Paid for Purposes of the Foreign Tax Credit**

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

**ACTION:** Correcting amendment.

**SUMMARY:** This document contains amendments to correct errors in final and temporary regulations (TD 9536) that were published in the **Federal Register** on Monday, July 18, 2011, providing guidance relating to the determination of the amount of taxes paid for purposes of the foreign tax credit. These regulations address certain highly structured arrangements that produce inappropriate foreign tax credit results. The regulations affect individuals and corporations that claim direct and indirect foreign tax credits.

**DATES:** This correction is effective on August 30, 2011 and is applicable beginning July 18, 2011.

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**SUPPLEMENTARY INFORMATION:**

**Background**

The temporary and final regulation (TD 9536) that is the subject of this correction is under section 901 of the Internal Revenue Code.

**Need for Correction**

As published July 18, 2011 (76 FR 42036), TD 9536 contains errors 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 amendments:

**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 1.901-2 is amended by adding paragraphs (e)(5)(iv)(B)(1)(iii) and (h)(3) to read as follows:

**§ 1.901-2 Income, war profits, or excess profits tax paid or accrued.**

\* \* \* \* \*

(e) \* \* \*

(5) \* \* \*

(iv) \* \* \*

(B) \* \* \*

(1) \* \* \*

(iii) [Reserved]. For further guidance, see § 1.901-2T(e)(5)(iv)(B)(1)(iii).

\* \* \* \* \*

(h) \* \* \*

(3) [Reserved]. For further guidance, see § 1.901-2T(h)(3).

■ **Par. 3.** Section 1.901-2T is added to read as follows:

**§ 1.901-2T Income, war profits, or excess profits tax paid or accrued.**

(a) through (e)(5)(iv)(B)(1)(ii)

[Reserved]. For further guidance, see § 1.901-2(a) through (e)(5)(iv)(B)(1)(ii).

(iii) A foreign payment attributable to income of the entity, within the meaning of § 1.901-2(e)(5)(iv)(B)(1)(ii), also includes a withholding tax (within the meaning of section 901(k)(1)(B)) imposed on a dividend or other distribution (including distributions made by a pass-through entity or an entity that is disregarded as an entity separate from its owner for U.S. tax purposes) with respect to the equity of the entity.

(2) through (h)(2) [Reserved]. For

further guidance, see § 1.901-2(e)(5)(iv)(B)(2) through (h)(2).

(h)(3) *Effective/applicability date.*

This section applies to foreign payments that, if such payments were an amount of tax paid, would be considered paid or accrued under § 1.901-2(f) on or after July 14, 2011.

(h)(4) *Expiration date.* The applicability of this section expires on July 14, 2014.

**Treena V. Garrett,**

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**DEPARTMENT OF THE TREASURY**

**Internal Revenue Service**

**26 CFR Part 1**

[TD 9534]

RIN 1545-BD81

**Methods of Accounting Used by Corporations That Acquire the Assets of Other Corporations; Correction**

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

**ACTION:** Correction to final regulations.

**SUMMARY:** This document describes corrections to final regulations (TD 9534) relating to the methods of accounting, including the inventory methods, to be used by corporations that acquire the assets of other corporations in certain corporate reorganizations and tax-free liquidations. These regulations were published in the **Federal Register** on Monday, August 1, 2011.

**DATES:** This correction is effective on August 31, 2011.