

§ 6050L. Returns relating to certain donated property

(a) Dispositions of donated property

(1) In general

If the donee of any charitable deduction property sells, exchanges, or otherwise disposes of such property within 3 years after its receipt, the donee shall make a return (in accordance with forms and regulations prescribed by the Secretary) showing—

- (A) the name, address, and TIN of the donor,
- (B) a description of the property,
- (C) the date of the contribution,
- (D) the amount received on the disposition,
- (E) the date of such disposition,
- (F) a description of the donee's use of the property, and
- (G) a statement indicating whether the use of the property was related to the purpose or function constituting the basis for the donee's exemption under section 501.

In any case in which the donee indicates that the use of applicable property (as defined in section 170(e)(7)(C)) was related to the purpose or function constituting the basis for the exemption of the donee under section 501 under subparagraph (G), the donee shall include with the return the certification described in section 170(e)(7)(D) if such certification is made under section 170(e)(7).

(2) Definitions

For purposes of this subsection:

(A) Charitable deduction property

The term "charitable deduction property" means any property (other than publicly traded securities) contributed in a contribution for which a deduction was claimed under section 170 if the claimed value of such property (plus the claimed value of all similar items of property donated by the donor to 1 or more donees) exceeds \$5,000.

(B) Publicly traded securities

The term "publicly traded securities" means securities for which (as of the date of the contribution) market quotations are readily available on an established securities market.

(b) Qualified intellectual property contributions

(1) In general

Each donee with respect to a qualified intellectual property contribution shall make a return (at such time and in such form and manner as the Secretary may by regulations prescribe) with respect to each specified taxable year of the donee showing—

- (A) the name, address, and TIN of the donor,
- (B) a description of the qualified intellectual property contributed,
- (C) the date of the contribution, and
- (D) the amount of net income of the donee for the taxable year which is properly allocable to the qualified intellectual property (determined without regard to paragraph

(10)(B) of section 170(m) and with the modifications described in paragraphs (5) and (6) of such section).

(2) Definitions

For purposes of this subsection:

(A) In general

Terms used in this subsection which are also used in section 170(m) have the respective meanings given such terms in such section.

(B) Specified taxable year

The term "specified taxable year" means, with respect to any qualified intellectual property contribution, any taxable year of the donee any portion of which is part of the 10-year period beginning on the date of such contribution.

(c) Statement to be furnished to donors

Every person making a return under subsection (a) or (b) shall furnish a copy of such return to the donor at such time and in such manner as the Secretary may by regulations prescribe.

(Added Pub. L. 98-369, div. A, title I, §155(b)(1), July 18, 1984, 98 Stat. 692; amended Pub. L. 108-357, title VIII, §882(c)(1), Oct. 22, 2004, 118 Stat. 1629; Pub. L. 109-280, title XII, §1215(b), Aug. 17, 2006, 120 Stat. 1078.)

AMENDMENTS

2006—Subsec. (a)(1). Pub. L. 109-280, which directed the amendment of section 6050L by adding subpars. (F) and (G) and concluding provisions and substituting "3 years" for "2 years" in introductory provisions without specifying the act to be amended, was executed to this section, which is section 6050L of the Internal Revenue Code of 1986, to reflect the probable intent of Congress.

2004—Pub. L. 108-357 amended section catchline and text generally, substituting provisions consisting of subsecs. (a) to (c) for provisions which, in subsec. (a) required return to be made by donee and set forth contents requirements, in subsec. (b) defined "charitable deduction property" for purposes of this section, in subsec. (c) required copy of return to be furnished to donor by donee, and in subsec. (d) defined "publicly traded securities".

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-280, title XII, §1215(d)(2), Aug. 17, 2006, 120 Stat. 1079, provided that: "The amendments made by subsection (b) [amending this section] shall apply to returns filed after September 1, 2006."

EFFECTIVE DATE OF 2004 AMENDMENT

Amendment by Pub. L. 108-357 applicable to contributions made after June 3, 2004, see section 882(f) of Pub. L. 108-357, set out as a note under section 170 of this title.

EFFECTIVE DATE

Pub. L. 98-369, div. A, title I, §155(d)(1), July 18, 1984, 98 Stat. 695, provided that: "The amendments made by subsections (a) and (b) [enacting this section, amending sections 6652 and 6678 of this title, and enacting provisions set out as a note under section 170 of this title] shall apply to contributions made after December 31, 1984, in taxable years ending after such date."

§ 6050M. Returns relating to persons receiving contracts from Federal executive agencies

(a) Requirement of reporting

The head of every Federal executive agency which enters into any contract shall make a re-

turn (at such time and in such form as the Secretary may by regulations prescribe) setting forth—

- (1) the name, address, and TIN of each person with which such agency entered into a contract during the calendar year, and
- (2) such other information as the Secretary may require.

(b) Federal executive agency

For purposes of this section, the term “Federal executive agency” means—

- (1) any Executive agency (as defined in section 105 of title 5, United States Code) other than the Government Accountability Office,
- (2) any military department (as defined in section 102 of such title), and
- (3) the United States Postal Service and the Postal Regulatory Commission.

(c) Authority to extend reporting to licenses and subcontracts

To the extent provided in regulations, this section also shall apply to—

- (1) licenses granted by Federal executive agencies, and
- (2) subcontracts under contracts to which subsection (a) applies.

(d) Authority to prescribe minimum amounts

This section shall not apply to contracts or licenses in any class which are below a minimum amount or value which may be prescribed by the Secretary by regulations for such class.

(e) Exception for certain classified or confidential contracts

(1) In general

Except as provided in paragraph (2), this section shall not apply in the case of a contract described in paragraph (3).

(2) Reporting requirement

Each Federal executive agency which has entered into a contract described in paragraph (3) shall, upon a request of the Secretary which identifies a particular person, acknowledge whether such person has entered into such a contract with such agency and, if so, provide to the Secretary—

- (A) the information required under this section with respect to such person, and
- (B) such other information with respect to such person which the Secretary and the head of such Federal executive agency agree is appropriate.

(3) Description of contract

For purposes of this subsection, a contract between a Federal executive agency and another person is described in this paragraph if—

- (A) the fact of the existence of such contract or the subject matter of such contract has been designated and clearly marked or clearly represented, pursuant to the provisions of Federal law or an Executive order, as requiring a specific degree of protection against unauthorized disclosure for reasons of national security, or
- (B) the head of such Federal executive agency (or his designee) pursuant to regulations issued by such agency determines, in writing, that filing the required return

under this section would interfere with the effective conduct of a confidential law enforcement or foreign counterintelligence activity.

(Added Pub. L. 99-514, title XV, § 1522(a), Oct. 22, 1986, 100 Stat. 2747; amended Pub. L. 100-647, title I, § 1015(f), Nov. 10, 1988, 102 Stat. 3570; Pub. L. 109-135, title IV, § 412(rr)(2), Dec. 21, 2005, 119 Stat. 2640; Pub. L. 109-435, title VI, § 604(f), Dec. 20, 2006, 120 Stat. 3242.)

AMENDMENTS

2006—Subsec. (b)(3). Pub. L. 109-435 substituted “Postal Regulatory Commission” for “Postal Rate Commission”.

2005—Subsec. (b)(1). Pub. L. 109-135 substituted “Government Accountability Office” for “General Accounting Office”.

1988—Subsec. (e). Pub. L. 100-647 added subsec. (e).

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-647 effective, except as otherwise provided, as if included in the provision of the Tax Reform Act of 1986, Pub. L. 99-514, to which such amendment relates, see section 1019(a) of Pub. L. 100-647, set out as a note under section 1 of this title.

EFFECTIVE DATE

Pub. L. 99-514, title XV, § 1522(c), Oct. 22, 1986, 100 Stat. 2747, provided that: “The amendments made by this section [enacting this section] shall apply to contracts (and subcontracts) entered into, and licenses granted, before, on, or after January 1, 1987.”

§ 6050N. Returns regarding payments of royalties

(a) Requirement of reporting

Every person—

- (1) who makes payments of royalties (or similar amounts) aggregating \$10 or more to any other person during any calendar year, or
- (2) who receives payments of royalties (or similar amounts) as a nominee and who makes payments aggregating \$10 or more during any calendar year to any other person with respect to the royalties (or similar amounts) so received,

shall make a return according to the forms or regulations prescribed by the Secretary, setting forth the aggregate amount of such payments and the name and address of the person to whom paid.

(b) Statements to be furnished to persons with respect to whom information is furnished

Every person required to make a return under subsection (a) shall furnish to each person whose name is required to be set forth in such return a written statement showing—

- (1) the name, address, and phone number of the information contact of the person required to make such return, and
- (2) the aggregate amount of payments to the person required to be shown on such return.

The written statement required under the preceding sentence shall be furnished (either in person or in a statement mailing by first-class mail which includes adequate notice that the statement is enclosed) to the person on or before January 31 of the year following the calendar year for which the return under subsection (a) was made and shall be in such form as the Secretary may prescribe by regulations.