

airspace designation listed in this document will be published subsequently in the Order. The Notice of Proposed Rulemaking (NPRM) originally listed the airport position coordinates incorrectly. Additionally, the airspace description was incomplete. This action corrects these errors. The rule describes exclusions to airspace outside 12 miles from the shoreline. These exclusions will be addressed by another rulemaking action, which will provide the necessary controlled airspace for the SIAPs at Yakutat. Those changes will affect the Offshore Airspace Areas; Gulf of Alaska Low and Control 1487L.

### The Rule

This amendment to 14 CFR part 71 revises Class E airspace at Yakutat, Alaska. This Class E airspace is revised to accommodate aircraft executing three new SIAPs, seven revised SIAPs, one revised departure procedure and will be depicted on aeronautical charts for pilot reference. The intended effect of this rule is to provide adequate controlled airspace for Instrument Flight Rule (IFR) operations at Yakutat Airport, Yakutat, Alaska.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA’s authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle 1, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency’s authority.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart 1, Section 40103, Sovereignty and use of airspace. Under that section, the FAA is charged with prescribing regulations to ensure the safe and efficient use of the navigable airspace. This regulation is within the scope of that authority

because it creates Class E airspace sufficient in size to contain aircraft executing instrument procedures for the Yakutat Airport and represents the FAA’s continuing effort to safely and efficiently use the navigable airspace.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9N, *Airspace Designations and Reporting Points*, dated September 1, 2005, and effective September 15, 2005, is amended as follows:

\* \* \* \* \*

*Paragraph 6005 Class E airspace extending upward from 700 feet or more above the surface of the earth.*

\* \* \* \* \*

#### AAL AK E5 Yakutat, AK [Revised]

Yakutat Airport, AK  
(Lat. 59°30’12” N., long. 139°39’37” W.)

That airspace extending upward from 700 feet above the surface within the area bounded by lat. 59°47’42” N. long. 139°58’48” W. to lat. 59°37’33” N. long. 139°40’53” W. then along the 7-mile radius of the Yakutat VORTAC clockwise to lat. 59°28’54” N. long. 139°25’35” W. to lat. 59°20’16” N. long. 139°10’20” W. to lat. 59°02’49” N. long. 139°47’45” W. to lat. 59°30’15” N. long. 140°36’43” W. to the point of beginning excluding the area outside 12 miles from the shoreline; and that airspace extending upward from 1,200 feet above the surface within the area bounded by lat. 59°00’00” N. long. 141°10’00” W. by lat. 59°50’00” N. long. 141°00’00” W. by lat. 60°05’00” N. long. 140°30’00” W. by lat. 60°10’00” N. long. 139°30’00” W. by lat. 59°30’00” N. long. 138°15’00” W. by lat. 59°00’00” N. long. 138°35’00” W. by lat. 58°40’00” N. long. 139°30’00” W. to the point of beginning; and within 5.6 miles each side of the Yakutat VORTAC 112° radial to 65 miles southeast of the VORTAC excluding the area outside 12 miles from the shoreline.

\* \* \* \* \*

Issued in Anchorage, AK, on October 7, 2005.

**Anthony M. Wylie,**

*Acting Area Director, Alaska Flight Service Operations.*

[FR Doc. 05–21002 Filed 10–19–05; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30461; Amdt. No. 3137]

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment amends Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** This rule is effective October 20, 2005. The compliance date for each SIAP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of October 20, 2005.

**ADDRESSES:** Availability of matter incorporated by reference in the amendment is as follows:

#### *For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Ave., SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which affected airport is located; or

3. The National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030, or go to: [http://www.archives.gov/federal\\_register/](http://www.archives.gov/federal_register/)

code\_of\_federal\_regulations/  
ibr\_locations.html.

For Purchase—Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

By Subscription—Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

**FOR FURTHER INFORMATION CONTACT:** Donald P. Pate, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK. 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) amends Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in the appropriate FAA Form 8260, as modified by the the National Flight Data Center (FDC)/Permanent Notice to Airmen (P-NOTAM), which is incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Code of Federal Regulations. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and

publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

**The Rule**

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP as modified by FDC/P-NOTAMs.

The SIAPs, as modified by FDC P-NOTAM, and contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these chart changes to SIAPs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC NOTAM as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in TERPS. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making these SIAPs effective in less than 30 days.

**Conclusion**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally

current. It, therefore—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 97**

Air Traffic Control, Airports, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC on October 7, 2005.

**James J. Ballough,**  
Director, Flight Standards Service.

**Adoption of the Amendment**

■ Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal regulations, Part 97, 14 CFR part 97, is amended by amending Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

■ 1. The authority citation for part 97 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721-44722.

■ 2. Part 97 is amended to read as follows:

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV, SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

*Effective Upon Publication*

FDC date	State	City	Airport	FDC No.	Subject
09/23/05 ...	AL	Huntsville .....	Huntsville Intl—Carl T. Jones Field .....	FDC 5/8672	VOR-A, Amdt 12A.
09/26/05 ...	ND	Fargo .....	Hector Intl .....	FDC 5/8737	ILS or LOC Rwy 36, Orig-A.
09/27/05 ...	IN	South Bend .....	South Bend Regional .....	FDC 5/8745	ILS or LOC Rwy, 27L, Amdt 35A.
09/28/05 ...	MO	Columbia .....	Columbia Regional .....	FDC 5/8871	VOR Rwy 13, Amdt 3A.
09/29/05 ...	MN	Minneapolis .....	Minneapolis-St Paul Intl (Wold-Chamberlain).	FDC 5/8891	ILS PRM Rwy 12L, Amdt 4A.
09/29/05 ...	MN	Minneapolis .....	Minneapolis-St Paul Intl (Wold-Chamberlain).	FDC 5/8892	ILS PRM Rwy 12R, Amdt 3A.

FDC date	State	City	Airport	FDC No.	Subject
09/29/05 ...	AK	Chevak .....	Chevak .....	FDC 5/8907	RNAV (GPS) Rwy 14, Orig-A.
09/29/05 ...	AK	Chevak .....	Chevak .....	FDC 5/8908	RNAV(GPS) Rwy 32, Orig-A.
09/29/05 ...	AK	Dillingham .....	Dillingham .....	FDC 5/8909	RNAV (GPS), Rwy 19, Orig-B.
09/29/05 ...	AK	Dillingham .....	Dillingham .....	FDC 5/8910	LOC/DME Rwy 19, Amdt 5A.
09/29/05 ...	AK	Dillingham .....	Dillingham .....	FDC 5/8911	VOR/DME Rwy 19, Amdt 6A.
09/29/05 ...	AK	Dillingham .....	Dillingham .....	FDC 5/8912	VOR Rwy 1, Amdt 8A.
09/29/05 ...	AK	Dillingham .....	Dillingham .....	FDC 5/8913	NDB Rwy 1, Amdt 1A.
10/05/05 ...	AR	Jonesboro .....	Jonesboro Muni .....	FDC 5/8965	ILS or LOC Rwy 23, Orig-B.
09/30/05 ...	AK	Kotzebue .....	Ralph Wien Memorial .....	FDC 5/8969	RNAV (GPS) Rwy 26, Orig-A.
09/30/05 ...	AK	Kotzebue .....	Ralph Wien Memorial .....	FDC 5/8970	VOR/DME Rwy 8, Amdt 4A.
09/30/05 ...	AK	Kotzebue .....	Ralph Wien Memorial .....	FDC 5/8972	VOR/DME Rwy 26, Amdt 3A.
09/30/05 ...	AK	Kotzebue .....	Ralph Wien Memorial .....	FDC 5/8974	ILS or LOC/DME Rwy 8, Orig-A.
09/30/05 ...	AK	Kotzebue .....	Ralph Wien Memorial .....	FDC 5/8975	VOR/DME Z Rwy 26, Orig-A.
09/30/05 ...	AK	Kotzebue .....	Ralph Wien Memorial .....	FDC 5/8976	VOR RWY 8, AMDT 3b.
09/30/05 ...	AK	Kotzebue .....	Ralph Wien Memorial .....	FDC 5/8977	VOR/DME Y Rwy 26, Orig-A.
09/30/05 ...	AK	Kotzebue .....	Ralph Wien Memorial .....	FDC 5/8978	RNAV (GPS) Rwy 8, Orig-A.
10/03/05 ...	ID	Coeur D'Alene .....	Coeur D'Alene Air Terminal .....	FDC 5/9037	ILS Rwy 5, Amdt 4B.
10/05/05 ...	IA	Des Moines .....	Des Moines Intl .....	FDC 5/9052	RNAV (GPS) Rwy 23, Orig A.
10/05/05 ...	IA	Des Moines .....	Des Moines Intl .....	FDC 5/9053	VOR/DME Rwy 23, Orig A.
10/05/05 ...	IA	Red Oak .....	Red Oak Muni .....	FDC 5/9054	NDB Rwy 17, Amdt 8A.
10/05/05 ...	IA	Mason City .....	Mason City Muni .....	FDC 5/9056	VOR Rwy 36, Amdt 6A.
10/05/05 ...	IA	Mason City .....	Mason City Muni .....	FDC 5/9057	ILS or LOC Rwy 36, Amdt 6B.
10/05/05 ...	IA	Mason City .....	Mason City Muni .....	FDC 5/9058	VOR Rwy 18, Amdt 4A.
10/05/05 ...	IA	Mason City .....	Mason City Muni .....	FDC 5/9060	LOC BC Rwy 18, Amdt 6A.
10/05/05 ...	OK	Norman .....	University of Oklahoma Westheimer .....	FDC 5/9084	LOC Rwy 3, Amdt 3F.
10/05/05 ...	OK	Norman .....	University of Oklahoma Westheimer .....	FDC 5/9086	NDB Rwy 3, Orig-A.
10/05/05 ...	OK	Norman .....	University of Oklahoma Westheimer .....	FDC 5/9088	VOR/DME RNAV, Rwy 3, Orig-G.
10/05/05 ...	OK	Norman .....	University of Oklahoma Westheimer .....	FDC 5/9092	NDB Rwy 35, Orig-A.
10/05/05 ...	OK	Blackwell .....	Blackwell .....	FDC 5/9094	VOR-A, Amdt 3A.
10/04/05 ...	AK	Barrow .....	Wiley Post-Will Rogers Memorial .....	FDC 5/9104	VOR/DME Rwy 24, Amdt 1A.
10/04/05 ...	AK	Barrow .....	Wiley Post-Will Rogers Memorial .....	FDC 5/9106	RNAV (GPS) Rwy 6, Orig-A.
10/04/05 ...	AK	Barrow .....	Wiley Post-Will Rogers Memorial .....	FDC 5/9107	LOC/DME BC Rwy 24, Amdt 3B.
10/04/05 ...	AK	Barrow .....	Wiley Post-Will Rogers Memorial .....	FDC 5/9108	GPS Rwy 24, Orig-B.
10/04/05 ...	MN	Glenwood .....	Glenwood Muni .....	FDC 5/9123	VOR Rwy 33, Amdt 2A.
10/04/05 ...	MN	International Falls .....	International Falls .....	FDC 5/9124	ILS or LOC Rwy 31, Amdt 8A.
10/04/05 ...	WA	Tacoma .....	Tacoma Narrows .....	FDC 5/9127	GPS Rwy 17, Orig-A.
10/04/05 ...	WA	Tacoma .....	Tacoma Narrows .....	FDC 5/9129	NDB Rwy 35, Amdt 7B.
10/04/05 ...	WA	Tacoma .....	Tacoma Narrows .....	FDC 5/9130	GPS Rwy 35, Orig-A.
10/04/05 ...	MN	Rochester .....	Rochester intl .....	FDC 5/9144	VOR Rwy 2, Amdt 17A.
10/05/05 ...	OK	Claremore .....	Claremont Regional .....	FDC 5/9156	VOR/DME-B Amdt 3A.
10/05/05 ...	OK	Cushing .....	Cushing Muni .....	FDC 5/9158	NDB Rwy 36, Amdt 4A.

FDC date	State	City	Airport	FDC No.	Subject
10/05/05 ...	SD	Rapid City .....	Rapid City Regional .....	FDC 5/9164	VOR or TACAN Rwy 24, Orig-D.
10/05/05 ...	SD	Rapid City .....	Rapid City Regional .....	FDC 5/9165	VOR or TACAN Rwy 32, Amdt 24D.
10/05/05 ...	KS	Wichita .....	Wichita Mid-Continent .....	FDC5/9177	ILS or LOC Rwy 1L (Cat 1), ILS Rwy 1L (Cat 11), Amdt 3A.
10/05/05 ...	KS	Wichita .....	Wichita Mid-Continent .....	FDC5/9178	ILS or LOC Rwy 19R, Amdt 5A.
10/05/05 ...	KS	Wichita .....	Wichita Mid-Continent .....	FDC5/9179	VOR Rwy 14, Amdt 1C.
10/05/05 ...	AK	Dillingham .....	Dillingham .....	FDC 5/9187	RNAV (GPS) Rwy 1, Orig-A.
10/05/05 ...	AK	St Mary's .....	St Mary's .....	FDC 5/9189	RNAV (GPS) Rwy 16, Orig-A.
10/05/05 ...	AK	Iliamna .....	Iliamna .....	FDC 5/9191	RNAV (GPS) Rwy 7, Amdt 1A.
10/05/05 ...	AK	Iliamna .....	Iliamna .....	FDC 5/9192	RNAV (GPS) Rwy 17, Orig-A.
10/05/05 ...	AK	Iliamna .....	Iliamna .....	FDC 5/9195	RNAV (GPS) Rwy 35, Orig-A.
10/05/05 ...	AK	Barrow .....	Wiley Post-Will Rogers Memorial .....	FDC 5/9200	ILS or LOC/DME Rwy 6, Orig-A.
10/05/05 ...	LA	Shreveport .....	Shreveport Downtown .....	FDC 5/9202	LOC Rwy 14, Amdt 4D.
10/05/05 ...	MN	Duluth .....	Duluth Intl .....	FDC 5/9203	ILS or LOC Rwy 27, Amdt 8B.
10/05/05 ...	KS	Salina .....	Salina Muni .....	FDC 5/9207	ILS or LOC Rwy 35, Amdt 19A.
10/05/05 ...	KS	Salina .....	Salina Muni .....	FDC 5/9208	VOR Rwy 17, Amdt 1A.
10/05/05 ...	KS	Salina .....	Salina Muni .....	FDC 5/9209	NDB Rwy 35, Amdt 17A.
10/05/05 ...	IA	Harlan .....	Harlan Muni .....	FDC 5/9224	NDB Rwy 33, Amdt 5A.
10/05/05 ...	IA	Muscatine .....	Muscatine Muni .....	FDC 5/9225	VOR Rwy 6, Orig-B.
10/05/05 ...	IA	Mason City .....	Mason City Muni .....	FDC 5/9226	RNAV (GPS) Rwy 18, Orig A.
10/05/05 ...	IA	Muscatine .....	Muscatine Muni .....	FDC 5/9227	VOR Rwy 24, Orig-B.
10/05/05 ...	IA	Mason City .....	Mason City Muni .....	FDC 5/9228	RNAV (GPS) Rwy 36, Orig A.
10/05/05 ...	LA	Rayville .....	Rayville/John H Hooks Jr Memorial .....	FDC 5/9231	RNAV (GPS) Rwy 36, Orig-A.
10/05/05 ...	MN	Duluth .....	Duluth Intl .....	FDC 5/9236	Copter ILS or LOC Rwy 27, Orig-A.
10/05/05 ...	KS	Hays .....	Hays Regional .....	FDC 5/9238	ILS or LOC Rwy 34, Orig-C.
10/05/05 ...	OK	Clinton .....	Clinton Sherman .....	FDC 5/9239	VOR Rwy 35L, Amdt 11D.
10/05/05 ...	OK	Clinton .....	Clinton Sherman .....	FDC 5/9243	ILS or LOC Rwy 17R, Amdt 7A.
10/05/05 ...	LA	Lake Charles .....	Lake Charles Regional .....	FDC 5/9263	Radar 1, Amdt 5A.

[FR Doc. 05-20849 Filed 10-19-05; 8:45 am]  
 BILLING CODE 4910-13-P

**SECURITIES AND EXCHANGE COMMISSION**

**17 CFR Part 200**

[Release No. 34-52602]

**Adoption of Amendment to Delegation of Authority to Secretary of the Commission**

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule.

**SUMMARY:** The Securities and Exchange Commission ("Commission") is amending its Delegation of Authority to Secretary of the Commission to permit the Secretary to waive the bond requirement set forth in the Rules on Fair Fund and Disgorgement Plans if the fair or disgorgement funds are held at the U.S. Department of the Treasury ("Treasury") and will be disbursed by the Treasury. This amendment is intended to enhance efficient processing of disgorgement/fair fund plans and to lower the cost of plan administration.

**DATES:** Effective November 21, 2005.

**FOR FURTHER INFORMATION CONTACT:** J. Lynn Taylor, Assistant Secretary, Office of the Secretary 202-551-5400.

**SUPPLEMENTARY INFORMATION:** The amendment is technical and procedural in nature.

**I. Discussion**

The Commission has delegated authority to the Secretary to issue orders approving proposed fair fund and disgorgement plans following publication if no negative comments are received.<sup>1</sup> Rule 1105(c) of the Commission's Rules on Fair Fund and

<sup>1</sup> 17 CFR 200.30-7(a)(11).