

**List of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

**The Proposed Amendment**

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 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 part 71.1 of the 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 areas extending upward from 700 feet or more above the surface of the earth.*

**ANM WY E5 Jackson, WY [Revised]**

Jackson Hole Airport, WY

(Lat. 43°36'23" N., long. 110°44'17" W.)

Jackson VOR/DME

(Lat. 43°36'30" N., long. 110°44'05" W.)

That airspace extending upward from 700 feet above the surface within a 4.3 mile radius of Jackson Hole Airport, and within 4.4 miles west and 8.3 miles east of the Jackson VOR/DME 200° radial extending from the VOR/DME to 24.5 miles south of the VOR/DME, and within 4.4 miles each side of the 20° radial from the Jackson VOR/DME extending to 17.8 miles; that airspace extending upward from 1,200 feet above the surface within 15.2 miles west and 18.7 miles east of the Jackson VOR/DME 20° radial extending from the VOR/DME to 44.6 miles north of the VOR/DME, and that airspace west of the Jackson VOR/DME bounded on the northwest by the southeast edge of V-520 extending to 15.2 miles in an arc counterclockwise to the northwest edge of V-465, and that airspace to the south of the Jackson VOR/DME bounded on the northwest by the southeast edge of V-465, on the east by the southwest edge of V-328, on the south by the north edge of V-4 and on the west by long. 112°00'00" W., and that airspace east of the Jackson VOR/DME between the 52° radial and 156° radial extending to 33.1 miles; excluding that airspace within federal airways; Big Piney, WY; Rock Springs, WY; and Driggs, ID, Class E airspace areas.

\* \* \* \* \*

Issued in Seattle, Washington, on December 7, 2005.

**Raul C. Treviño,**

*Area Director, Western En Route and Oceanic Operations.*

[FR Doc. 05–24535 Filed 12–27–05; 8:45 am]

**BILLING CODE 4910–13–M**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA–2005–22024; Airspace Docket No. 05–AAL–38]

**RIN–2120–AA66**

**Proposed Modification of the Norton Sound Low, Woody Island Low and 1234L Offshore Airspace Areas; AK**

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

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** This action proposes to amend the Norton Sound Low, Woody Island Low and 1234L Offshore Airspace Areas in Alaska. Specifically, this action proposes to modify the Norton Sound Low Offshore Airspace Area in the vicinity of the Toksook Bay Airport, Toksook Bay, AK, by lowering the Offshore airspace floor to 1,200 feet mean sea level (MSL) within a 35-mile radius from a defined point just south of the airport. This action also proposes to modify the Woody Island Low and 1234L Offshore Airspace Areas in the vicinity of the Chignik Airport, Chignik, AK, by lowering the Offshore airspace floors to 1,200 feet MSL within a 72.8-mile radius from the Chignik Airport. Additional controlled airspace is necessary for the safety of instrument flight rules (IFR) operations at the Toksook Bay and Chignik Airports.

**DATES:** Comments must be received on or before February 13, 2006.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590–0001. You must identify FAA Docket No. FAA–2005–22024 and Airspace Docket No. 05–AAL–38, at the beginning of your comments. You may also submit comments through the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW.,

Washington, DC 20591; telephone: (202) 267–8783.

**SUPPLEMENTARY INFORMATION:****Comments Invited**

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA–2005–22024 and Airspace Docket No. 05–AAL–38) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://dms.dot.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA–2005–22024 and Airspace Docket No. 05–AAL–38.” The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

**Availability of NPRM's**

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's Web page at <http://www.faa.gov>, or the Federal Register's Web page at <http://www.gpoaccess.gov/fr/index.html>.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, 222 West 7th Avenue 14, Anchorage, AK 99513.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

### The Proposal

The FAA is proposing an amendment to Title 14 Code of Federal Regulations (14 CFR) part 71 to modify the Norton Sound Low Offshore Airspace Area, AK by lowering the floor to 1,200 feet MSL within a 35-mile radius of a point just south of Toksook Bay Airport, AK. The floors of Woody Island Low and 1234L Offshore Airspace Areas, AK will be lowered to 1,200 feet MSL within a 72.8-mile radius of Chignik Airport. The purpose of this proposal is to establish controlled airspace to support instrument flight rules operations at the Toksook Bay and Chignik Airports, in Alaska. The FAA Instrument Flight Procedures Production and Maintenance Branch has developed new instrument approach procedures for the Toksook Bay and Chignik Airports. New controlled airspace extending upward from 1,200 feet MSL above the surface in international airspace would be created by this action. The proposed airspace is sufficient to support the safety of IFR operations at the Toksook Bay and Chignik Airport.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (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 is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### ICAO Considerations

As part of this proposal relates to navigable airspace outside the United

States, this notice is submitted in accordance with the International Civil Aviation Organization (ICAO) International Standards and Recommended Practices.

The application of International Standards and Recommended Practices by the FAA, Office of System Operations Airspace and AIM, Airspace & Rules, in areas outside the United States domestic airspace, is governed by the Convention on International Civil Aviation. Specifically, the FAA is governed by Article 12 and Annex 11, which pertain to the establishment of necessary air navigational facilities and services to promote the safe, orderly, and expeditious flow of civil air traffic. The purpose of Article 12 and Annex 11 is to ensure that civil aircraft operations on international air routes are performed under uniform conditions.

The International Standards and Recommended Practices in Annex 11 apply to airspace under the jurisdiction of a contracting state, derived from ICAO. Annex 11 provisions apply when air traffic services are provided and a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting this responsibility may apply the International Standards and Recommended Practices that are consistent with standards and practices utilized in its domestic jurisdiction.

In accordance with Article 3 of the Convention, state-owned aircraft are exempt from the Standards and Recommended Practices of Annex 11. The United States is a contracting state to the Convention. Article 3(d) of the Convention provides that participating state aircraft will be operated in international airspace with due regard for the safety of civil aircraft. Since this action involves, in part, the designation of navigable airspace outside the United States, the Administrator is consulting with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

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

1. The authority citation for 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 the FAA Order 7400.9N, *Airspace Designations and Reporting Points*, dated September 1, 2005, and effective September 15, 2005, is amended as follows:

*Paragraph 6007 Offshore Airspace Areas.*  
\* \* \* \* \*

#### *Norton Sound Low, AK [Amended]*

That airspace extending upward from 1,200 MSL within a 45-mile radius of Deering Airport, AK, and within a 35-mile radius of lat. 60°21'17" N., long. 165°04'01" W., and airspace extending upward from 14,500 feet MSL within an area bounded by a line beginning at lat. 59°59'57" N., long. 168°00'08" W.; to lat. 62°35'00" N., long. 175°00'00" W.; to lat. 65°00'00" N., long. 168°58'23" W.; to lat. 68°00'00" N., long. 168°58'23" W.; to a point 12 miles offshore at lat. 68°00'00" N.; thence by a line 12 miles from and parallel to the shoreline to lat. 56°42'59" N., long. 160°00'00" W.; to lat. 58°06'57" N., long. 160°00'00" W.; to lat. 57°45'57" N., long. 161°46'08" W.; to the point of beginning.  
\* \* \* \* \*

#### *Woody Island Low, AK [Amended]*

The airspace extending upward from 1,200 MSL within a 72.8-mile radius of Chignik Airport, AK, and that airspace extending upward from 14,500 feet MSL within the area bounded by a line beginning at lat. 53°30'00" N., long. 160°00'00" W.; to lat. 56°00'00" N., long. 153°00'00" W.; to lat. 56°45'42" N., long. 151°45'00" W.; to lat. 58°19'58" N., long. 148°55'07" W.; to lat. 59°08'34" N., long. 147°16'06" W.; thence clockwise via the arc of a 149.5-mile radius circle centered on the Anchorage, AK, VOR/DME to a point 12 miles offshore; thence southwest by a line 12 miles from and parallel to the shoreline to a point 12 miles offshore at long. 160°00'00" W.; to the point of beginning.  
\* \* \* \* \*

#### *1234L [Amended]*

The airspace extending upward from 1,200 MSL within a 72.8-mile radius of Chignik Airport, AK, and that airspace extending upward from 2,000 feet above the surface within an area bounded by a line beginning at lat. 58°06'57" N., long. 160°00'00" W., south along long. 160°00'00" W. until it intersects the Anchorage Air Route Traffic Control Center boundary; thence southwest, northwest, north, and northeast along the Anchorage Air Route Traffic Control Center boundary to lat. 62°35'00" N., long.

175°00'00" W.; to lat. 59°59'57" N., long. 168°00'08" W.; to lat. 57°45'57" N., long. 161°46'08" W.; to the point of beginning.

\* \* \* \* \*

Issued in Washington, DC, on December 21, 2005.

**Edith V. Parish,**

*Manager, Airspace and Rules.*

[FR Doc. E5-7987 Filed 12-27-05; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

#### 21 CFR Parts 20, 510, 514, and 516

[Docket No. 2005N-0329]

RIN 0910-AF60

#### Designation of New Animal Drugs for Minor Uses or Minor Species; Reopening of the Comment Period

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Proposed rule; reopening of the comment period.

**SUMMARY:** The Food and Drug Administration (FDA) is reopening until January 27, 2006, the comment period for the proposed rule published in the **Federal Register** of September 27, 2005 (70 FR 56394), proposing implementing regulations for designation of new animal drugs for minor uses and minor species under section 573 of the Federal Food, Drug, and Cosmetic Act (the act). FDA is reopening the comment period to update comments and to receive any new information.

**DATES:** Submit written or electronic comments by January 27, 2006.

**ADDRESSES:** Submit written comments to the Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852. Submit electronic comments to <http://www.fda.gov/dockets/ecomments>.

**FOR FURTHER INFORMATION CONTACT:** Andrew Beaulieu, Center for Veterinary Medicine (HFV-50), Food and Drug Administration, 7519 Standish Pl., Rockville, MD 20855, 240-276-9090, e-mail: [Andrew.Beaulieu@fda.gov](mailto:Andrew.Beaulieu@fda.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In the **Federal Register** of September 27, 2005 (70 FR 56394), FDA proposed implementing regulations for designation of new animal drugs for minor uses and minor species under section 573 of the act (21 U.S.C. 360ccc-

2). Interested persons were originally given until December 12, 2005, to comment.

##### II. Request for Comments

Following publication of the September 27, 2005, proposed rule, FDA received requests to allow interested persons additional time to comment. The requesters asserted that the time period of 75 days was insufficient to respond fully to FDA's specific requests for comments and to allow potential respondents to thoroughly evaluate and address pertinent issues.

##### III. How to Submit Comments

Interested persons may submit to the Division of Dockets Management (see **ADDRESSES**) written or electronic comments regarding this document. Submit a single copy of electronic comments to <http://www.fda.gov/dockets/ecomments> or two paper copies of any mailed comments, except that individuals may submit one paper copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

Dated: December 21, 2005.

**Jeffrey Shuren,**

*Assistant Commissioner for Policy.*

[FR Doc. 05-24512 Filed 12-27-05; 8:45 am]

BILLING CODE 4160-01-S

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[REG-143244-05]

RIN 1545-BE93

#### Guidance Under Section 7874 for Determining Ownership by Former Shareholders or Partners of Domestic Entities

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

**ACTION:** Notice of proposed rulemaking by cross-reference to temporary regulations and notice of public hearing.

**SUMMARY:** In the Rules and Regulations section of this issue of the **Federal Register**, the IRS is issuing temporary regulations relating to the disregard of affiliate-owned stock in determining the percentage of stock of a foreign corporation held by former shareholders or partners of a domestic entity, in order to determine whether the foreign corporation is a surrogate foreign

corporation under section 7874 of the Internal Revenue Code (Code). The text of those regulations also serves as the text of these proposed regulations. This document also provides notice of a public hearing on these proposed regulations.

**DATES:** Written or electronic comments must be received by March 28, 2006. Outlines of topics to be discussed at the public hearing scheduled for April 27, 2006, at 10 a.m., must be received by April 6, 2006.

**ADDRESSES:** Send submissions to: CC:PA:LPD:PR (REG-143244-05), room 5203, 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-143244-05), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC, or sent electronically, via the IRS Internet site at: [www.irs.gov/regs](http://www.irs.gov/regs) or via the Federal eRulemaking Portal at [www.regulations.gov](http://www.regulations.gov) (IRS-REG-143244-05).

**FOR FURTHER INFORMATION CONTACT:** Concerning the proposed regulations, Jeffrey VanderWolk at (202) 622-3810; concerning submission and delivery of comments and the public hearing, Robin Jones at (202) 622-7180 (not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

##### Background and Explanation of Provisions

Temporary regulations in the Rules and Regulations section of this issue of the **Federal Register** amend the Income Tax Regulations (26 CFR part 1) relating to section 7874. The temporary regulations set forth rules on disregarding affiliate-owned stock in determining the percentage of stock of a foreign corporation held by former shareholders or partners of a domestic entity by reason of holding stock or a partnership interest in the domestic entity, for purposes of determining whether the foreign corporation is a surrogate foreign corporation under section 7874(a)(2)(B). The text of those regulations also serves as the text of these proposed regulations. The preamble to the temporary regulations explains the amendments.

##### Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. It has also been determined that section