

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 is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this 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.

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 proposes to create Class E airspace sufficient to contain aircraft executing instrument approaches at Angoon Seaplane Base 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).

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, 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 7400.9M, *Airspace Designations and Reporting Points*, dated August 30, 2004, and effective September 16, 2004, is to be amended as follows:

* * * * *

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

* * * * *

AAL AK E5 Angoon, AK [New]

Angoon Seaplane Base, AK.
(Lat. 57°30'13" N., long. 134°35'07" W.)

That airspace extending upward from 700 feet above the surface within a 7.5-mile radius of the Angoon Seaplane Base.

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Issued in Anchorage, AK, on December 10, 2004.

Anthony M. Wylie,

Acting Area Director, Alaska Flight Services Area Office.

[FR Doc. 04–27825 Filed 12–20–04; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[REG–149519–03]

RIN 1545–BC63

Section 707 Regarding Disguised Sales, Generally; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to notice of proposed rulemaking and notice of public hearing.

SUMMARY: This document contains a correction to proposed regulations which were published in the **Federal Register** on Friday, November 26, 2004 (69 FR 68838). The proposed regulations relates to the treatment of transactions between a partnership and its partners as disguised sales of partnership interests between the partners.

FOR FURTHER INFORMATION CONTACT:

Deane M. Burke or Christopher L. Trump, (202) 622–3070 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The proposed regulations that is the subject of this correction is under section 707(a)(2)(B) of the Internal Revenue Code.

Need for Correction

As published, the notice of proposed rulemaking and notice of public hearing contain an error that may prove to be misleading and is in need of clarification.

Correction to Publication

Accordingly, the publication of the proposed regulations (REG–149519–03),

which was the subject of FR Doc. 04–26112, is corrected as follows:

On page 68843, column 3, in the preamble under the paragraph heading, "Review of Existing Regulations", line 5, the language "§§ 1.707–3, 1.707–4, and 1.707–5." is corrected to read "§§ 1.707–3, 1.707–4, 1.707–5 and 1.707–6."

Cynthia E. Grigsby,

Acting Chief, Regulations and Publications Branch, Legal Processing Division, Associate Chief Counsel (Procedure and Administration).

[FR Doc. 04–27913 Filed 12–20–04; 8:45 am]

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 1 and 31

[REG–155608–02]

RIN 1545–BB64

Revised Regulations Concerning Section 403(b) Tax-Sheltered Annuity Contracts; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to notice of proposed rulemaking and notice of proposed rulemaking by cross-reference to temporary regulations.

SUMMARY: This document corrects a notice of proposed rulemaking and notice of proposed rulemaking by cross-reference to temporary regulations (REG–155608–02) that was published in the **Federal Register** on Tuesday, November 16, 2004 (69 FR 67075). The proposed regulations provide updated guidance on section 403(b) contracts of public schools and tax-exempt organizations described in section 501(c)(3).

FOR FURTHER INFORMATION CONTACT: R. Lisa Mojiri-Azad or John Tolleris at (202) 622–6060 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The notice of proposed rulemaking and notice of proposed rulemaking by cross reference to temporary regulations (REG–155608–02) that is the subject of this correction are under sections 403(b) of the Internal Revenue Code, and under related provisions of sections 402(b), 402(g), 414(c), and 3121(a)(5)(D).

Need for Correction

As published, the notice of proposed rulemaking and notice of proposed rulemaking by cross reference to

temporary regulations REG-155608-02) contains errors that may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the notice of proposed rulemaking and notice of proposed rulemaking by cross reference to temporary regulations (REG-155608-02), which was the subject of FR Doc. 04-25237 is corrected as follows:

1. On page 67082, column 2, in the preamble, under the paragraph heading "Commingle Assets", line 8, the language "account to be treated as a tax exempt." is corrected to read "account to be treated as a tax exempt organization."

§ 1.403(b)-8 [Corrected]

2. On page 67096, column 3, § 1.403(b)-8, paragraph (d)(2)(ii), line 4, the language "account) § 1.403(b)-6(d) are satisfied" is corrected to read "account) and § 1.403(b)-6(d) are satisfied".

3. On page 67096, column 3, § 1.403(b)-8, paragraph (d)(3), line 4, the language "includes any assets that other than stock" is corrected to read "includes any assets other than stocks".

§ 1.414(c)-5 [Corrected]

4. On page 67099, column 3, § 1.414(c)-5, paragraph (d), line 7, the language under the nursing home may be under" is corrected to read "the nursing home may be under".

Cynthia E. Grigsby,

Acting Chief, Publications and Regulations Branch, Legal Processing Division, Associate Chief Counsel, (Procedures and Administration).

[FR Doc. 04-27918 Filed 12-20-04; 8:45 am]

BILLING CODE 4830-01-P

NATIONAL MEDIATION BOARD

29 CFR Part 1210

Administration of National Railroad Adjustment Board Functions and Activities—Fee Proposal

AGENCY: National Mediation Board.

ACTION: Proposed rule; notice of meeting.

SUMMARY: The National Mediation Board (NMB) extends an invitation to interested parties to attend an open meeting with the Board and its staff on Tuesday, January 11, 2005. The Board meeting will be held from 9 a.m. until 12 noon. The meeting will be held in the Margaret A. Browning Hearing Room (Room 11000), National Labor

Relations Board, 1099 14th St., NW., Washington, DC 20570. During the public meeting, the NMB invites interested persons to share their views on the possible establishment of a fee schedule by the NMB for the provision of certain arbitration services, primarily affecting minor labor disputes in the rail industry.

DATES: The meeting will be held on January 11, 2005, from 9 a.m. to 12 noon. Due to time and seating considerations, individuals desiring to attend the meeting, or to make a presentation before the Board, must notify the NMB staff, in writing, no later than 4 p.m. on Tuesday, January 4, 2005.

ADDRESSES: The public meeting will be held in the Margaret A. Browning Hearing Room, (Room 11000), National Labor Relations Board, 1099 14th St., NW., Washington, DC 20570. Requests to attend the meetings must be in writing, and must be addressed to Mr. Roland Watkins, Director of Arbitration/NRAB Administrator, National Mediation Board, 1301 K Street, NW., Suite 250—East, Washington, DC 20005. Attn: NMB Docket No. 2003-01. Written requests may be sent electronically to the following e-mail address: arb@nmb.gov.

FOR FURTHER INFORMATION CONTACT: Mr. Roland Watkins, Director of Arbitration/NRAB Administrator, National Mediation Board (telephone 202-692-5057).

SUPPLEMENTARY INFORMATION: The National Mediation Board will hold an open public meeting on Tuesday, January 11, 2005, from 9 a.m. until 12 noon. The purpose of the public meeting will be to solicit the views of interested persons concerning the possible establishment of a fee schedule by the NMB for the provision of certain arbitration services, primarily affecting minor labor disputes in the rail industry.

On Monday, August 9, 2004, the NMB published a Notice of Proposed Rulemaking (NPRM) (69 FR 48177), proposing among other things, the establishment of certain fees for providing arbitration services. See 69 FR 48182-48183. These fees are proposed to be codified at 29 CFR, 1210.12(b). Because of the public interest that was generated by the Board's fee proposal, and because the NPRM provided the first opportunity for direct public comment on the specific contents of a fee proposal, the NMB is providing another opportunity for interested persons to provide their views to the Board on this important matter.

Individuals desiring to attend the meeting must notify the NMB staff, in writing, at the above listed physical or e-mail address, by the deadline noted. If an individual desires to make a presentation to the Board at the meeting, he or she is required to submit a brief outline of the presentation when making the request. In addition, a full written statement must be submitted no later than 4 p.m. on Tuesday, January 4, 2005. In lieu of making an oral presentation, individuals may submit a written statement for the record.

To attend the meeting, all potential attendees must include in their request: (1) Their full name and (2) organizational affiliation (if any). Attendees are also reminded to bring a photo identification card with them to the public meeting in order to gain admittance to the building. Due to time and potential space limitations in the meeting room, the NMB will notify individuals of their attendance and/or speaking states. (*i.e.*, preliminary time for their presentation) prior to the meeting. Time allocations for oral presentations will depend upon the number of individuals who desire to make presentations to the Board. Individuals should be prepared to summarize their written statements at the meeting.

AGENDA: The meeting will be limited to issues relating to the NMB's proposal regarding the establishment of a fee schedule for certain arbitration services as contained at proposed 29 CFR 1210.12 "Fees", appearing in the **Federal Register** on August 9, 2004, at 69 FR 48182-48183. A copy of the full NPRM, including the proposed section on "Fees", may be obtained from the NMB's Web site at <http://www.nmb.gov/arbitration/arb-rulemaking.html>.

Dated: December 16, 2004.

Roland Watkins,

National Railroad Adjustment Board Administrator.

[FR Doc. 04-27861 Filed 12-20-04; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Research and Special Programs Administration

49 CFR Part 121

[Docket No. RSPA-91-13289; FS-1]

RIN 2137-AC00

Safeguarding Food From Contamination During Transportation

AGENCY: Research and Special Programs Administration (RSPA), DOT.