

Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591 or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

### The Proposal

The FAA is considering an amendment to the Code of Federal Regulations (14 CFR Part 71), which would establish new Class E airspace at Nondalton, AK. The intended effect of this proposal is to establish Class E airspace upward from 700 ft. above the surface to contain Instrument Flight Rules (IFR) operations at Nondalton, AK.

The FAA Instrument Flight Procedures Production and Maintenance Branch has developed one new SIAP and one new DP for the Nondalton Airport. The new approach is Area Navigation (Global Positioning System) (RNAV (GPS)) Runway (RWY) 02, original; and the DP is the Iliamna One RNAV. New Class E controlled airspace extending upward from 700 ft. above the surface within the Nondalton Airport area would be created by this action. The proposed airspace is sufficient to contain aircraft executing the new instrument procedures at the Nondalton Airport.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 in FAA Order 7400.9N, *Airspace Designations and Reporting Points*, dated September 1, 2005, and effective September 15, 2005, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document would be published subsequently in the Order.

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. 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 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 establish Class E airspace sufficient to contain aircraft executing instrument procedures at Nondalton 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).

### 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 7400.9N, *Airspace Designations and Reporting Points*, dated September 1, 2005, and effective September 15, 2005, 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 Nondalton, AK [New]

Nondalton Airport, AK

(Lat. 59°58'49" N., long. 154°50'21" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Nondalton Airport and within 1 mile each side of the 214° bearing from the airport extending from the 6.3 mile radius to 9.9 miles southwest of the airport.

\* \* \* \* \*

Issued in Anchorage, AK, on October 14, 2005.

**Judith G. Heckl,**

*Area Director, Alaska Flight Service Operations.*

[FR Doc. 05–21230 Filed 10–24–05; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2005–22537; Airspace Docket No. 05–AAL–29]

### Proposed Establishment of Class E Airspace; Tok Junction, AK

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

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** This action proposes to establish new Class E airspace at Tok Junction, AK. Two new Standard Instrument Approach Procedures (SIAPs) are being published for the Tok Junction Airport. There is no existing Class E airspace to contain aircraft executing the new instrument procedures at Tok Junction, AK. Adoption of this proposal would result in the establishment of Class E airspace upward from 700 feet (ft.) and 1,200 ft. above the surface at Tok Junction, AK. **DATES:** Comments must be received on or before December 9, 2005.

**ADDRESSES:** Send comments on the 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 the docket number FAA–2005–22537/ Airspace Docket No. 05–AAL–29, at the beginning of your comments. You may also submit comments on the Internet at <http://dms.dot.gov>. You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Office (telephone 1–800–647–5527) is on the plaza level of the Department of Transportation NASSIF Building at the above address.

An informal docket may also be examined during normal business hours at the office of the Manager, Safety, Alaska Flight Service Operations, Federal Aviation Administration, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587.

**FOR FURTHER INFORMATION CONTACT:** Gary Rolf, Federal Aviation Administration, AAL-530, 222 West 7th Avenue, Box 14, Anchorage, AK 99513-7587; telephone number (907) 271-5898; fax: (907) 271-2850; e-mail: [gary.ctr.rolf@faa.gov](mailto:gary.ctr.rolf@faa.gov). Internet address: <http://www.alaska.faa.gov/at>.

**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 and be submitted in triplicate to the address listed above. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit with those comments a self-addressed, stamped postcard on which the following statement is made: "Comments to Docket No. FAA-2005-22537/Airspace Docket No. 05-AAL-29." 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 notice 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 Notice of Proposed Rulemaking's (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 Superintendent of Document's Web page at <http://www.access.gpo.gov/nara>.

Additionally, any person may obtain a copy of this notice by submitting a request to the Federal Aviation Administration, Office of Air Traffic Airspace Management, ATA-400, 800 Independence Avenue, SW., Washington, DC 20591 or by calling (202) 267-8783. Communications must identify both docket numbers for this notice. Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, to request a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

**The Proposal**

The FAA is considering an amendment to the Code of Federal Regulations (14 CFR Part 71), which would establish new Class E airspace at Tok Junction, AK. The intended effect of this proposal is to establish Class E airspace upward from 700 ft. and 1,200 ft. above the surface to contain Instrument Flight Rules (IFR) operations at Tok Junction, AK.

The FAA Instrument Flight Procedures Production and Maintenance Branch has developed two new SIAPs for the Tok Junction Airport. The new approaches are (1) Area Navigation (Global Positioning System) (RNAV (GPS)) Runway (RWY) 7, original; and (2) RNAV (GPS) RWY 25, original. New Class E controlled airspace extending upward from 700 ft. and 1,200 ft. above the surface within the Tok Junction Airport area would be created by this action. The proposed airspace is sufficient to contain aircraft executing the new instrument procedures at the Tok Junction Airport.

The area would be depicted on aeronautical charts for pilot reference. The coordinates for this airspace docket are based on North American Datum 83. The Class E airspace areas designated as 700/1200 foot transition areas are published in paragraph 6005 in FAA Order 7400.9N, *Airspace Designations and Reporting Points*, dated September 1, 2005, and effective September 15, 2005, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designations listed in this document would be published subsequently in the Order.

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. 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 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 establish Class E airspace sufficient to contain aircraft executing instrument procedures at Tok Junction 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).

**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 7400.9N, *Airspace Designations and Reporting Points*, dated September 1, 2005, and effective September 15, 2005, 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 Tok Junction, AK [New]**

Tok Junction Airport, AK  
(Lat. 63°19'46"N., long. 142°57'13" W.)

That airspace extending upward from 700 feet above the surface within a 6.7-mile radius of the Tok Junction Airport, and that airspace extending upward from 1,200 feet above the surface within a 64.8-mile radius of the Tok Junction Airport.

\* \* \* \* \*

Issued in Anchorage, AK, on October 14, 2005.

**Judith G. Heckl,**

*Area Director, Alaska Flight Service Operations.*

[FR Doc. 05-21232 Filed 10-24-05; 8:45 am]

**BILLING CODE 4910-13-P**

## **DEPARTMENT OF THE INTERIOR**

### **Minerals Management Service**

#### **30 CFR Part 250**

##### **RIN 1010-AD10**

#### **Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS)—Plans and Information—Protection of Marine Mammals and Threatened and Endangered Species**

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Proposed rule; extension of comment period.

**SUMMARY:** MMS is extending to January 6, 2006, the comment period of the proposed rule titled, "Oil and Gas and Sulphur Operations in the Outer Continental Shelf (OCS)—Plans and Information—Protection of Marine Mammals and Threatened and Endangered Species" published on September 6, 2005 (70 FR 52953). The previous deadline for comments was November 7, 2005. This notice will extend the original 60-day comment period to 120 days. This extension is necessary because of damage caused in the New Orleans area by Hurricane Katrina and the Louisiana/Texas area by Hurricane Rita and subsequent flooding. The extension will provide additional time to the oil and gas industry for reviewing and preparing comments to the rule as it recovers from these disasters.

**DATES:** MMS will consider all comments received by January 6, 2006. MMS will begin reviewing comments then and may not fully consider comments received after January 6, 2006.

**ADDRESSES:** You may submit comments on the rulemaking by any of the following methods listed below. Please use the Regulation Identifier Number (RIN) 1010-AD10 in your message.

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions on the website for submitting comments.

- E-mail MMS at [rules.comments@mms.gov](mailto:rules.comments@mms.gov). Use 1010-AD10 in the subject line.

- Fax: 703-787-1546. Identify with 1010-AD10.

- Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Attention: Rules Processing Team (RPT); 381 Elden Street, MS-4024; Herndon, Virginia 20170-4817. Please reference "Plans and Information—Protection of Marine Mammals and Threatened and Endangered Species—1010-AD10" in your comments.

You may also send comments on the information collection aspects of this rule directly to the Office of Management and Budget (OMB), Office of Information and Regulatory Affairs, OMB Attention: Desk Officer for the Department of the Interior (1010-10) via OMB e-mail:

([OIRA\\_DOCKET@omb.eop.gov](mailto:OIRA_DOCKET@omb.eop.gov)); or by fax (202) 395-6566; identify with 1010-AD10. Please also send a copy to MMS.

#### **FOR FURTHER INFORMATION CONTACT:**

Kumkum Ray, Regulations and Standards Branch at (703) 787-1604.

**SUPPLEMENTARY INFORMATION:** Lessees and operators with operations in the Gulf of Mexico Region are engaged in the restoration of normal operations following Hurricanes Katrina and Rita. The extension of the comment period will allow them, and the public, additional time to review the proposed rule and to comment on it. Accordingly, the Department of the Interior is extending the comment period date by 60 days to end on January 6, 2006.

Dated: October 17, 2005.

**Chad Calvert,**

*Acting Assistant Secretary—Land and Minerals Management.*

[FR Doc. 05-21282 Filed 10-24-05; 8:45 am]

**BILLING CODE 4310-MR-P**

## **DEPARTMENT OF DEFENSE**

### **Department of the Army**

#### **32 CFR Part 505**

#### **Privacy Act; Implementation**

**AGENCY:** Department of the Army

**ACTION:** Proposed rule.

**SUMMARY:** The Department of the Army is proposing to exempt those records contained in A0600-20 DCS, G-1, entitled "Sexual Assault Data Management System (SADMS) Files" when an exemption has been previously claimed for the records in another Privacy Act system of records. The exemption is intended to preserve the exempt status of the record when the purposes underlying the exemption for the original records are still valid and necessary to protect the contents of the records.

**DATES:** Comments must be received on or before December 27, 2005 to be considered by this agency.

**ADDRESSES:** Department of the Army, Freedom of Information/Privacy Division, U.S. Army Records Management and Declassification Agency, Attn: AHRC-PDD-FPZ, 7701 Telegraph Road, Casey Building, Suite 144, Alexandria, VA 22325-3905.

**FOR FURTHER INFORMATION CONTACT:** Ms. Janice Thornton at (703) 428-6497.

#### **SUPPLEMENTARY INFORMATION:**

#### **Executive Order 12866, "Regulatory Planning and Review"**

It has been determined that Privacy Act rules for the Department of Defense are not significant rules. The rules do not (1) Have an annual effect on the economy of \$100 million or more or adversely affect in a material way the economy; a sector of the economy; productivity; competition; jobs; the environment; public health or safety; or State, local, or tribal governments or communities; (2) Create a serious inconsistency or otherwise interfere with an action taken or planned by another Agency; (3) Materially alter the budgetary impact of entitlements, grants, user fees, or loan programs, or the rights and obligations of recipients thereof; or (4) Raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in this Executive order.

#### **Public Law 96-354, "Regulatory Flexibility Act" (5 U.S.C. Chapter 6)**

It has been determined that Privacy Act rules for the Department of Defense do not have significant economic impact on a substantial number of small entities because they are concerned only with the administration of Privacy Act systems of records within the Department of Defense.

#### **Public Law 96-511, "Paperwork Reduction Act" (44 U.S.C. Chapter 35)**

It has been determined that Privacy Act rules for the Department of Defense impose no information requirements