

approaches are the Area Navigation (Global Positioning System) (RNAV (GPS)) Runway (RWY) 01, original, (2) RNAV (GPS) RWY 19, original. The unnamed revised DP is published in the front of the U.S. Terminal Procedures Alaska Vol 1. Class E controlled airspace extending upward from 700 ft. above the surface in the Holy Cross Airport area is modified by this action. Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No public comments have been received; thus the rule is adopted as proposed.

The area will 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 700/1,200 ft. transition areas are published in paragraph 6005 of 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 designation listed in this document will be published subsequently in the Order.

#### The Rule

This amendment to 14 CFR part 71 modifies Class E airspace at Holy Cross, Alaska. This Class E airspace is modified to accommodate aircraft executing two new SIAPs, and one revised DP 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 Holy Cross Airport, Holy Cross, 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 Holy Cross 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 Holy Cross, AK [Revised]

Holy Cross Airport, AK  
(Lat. 62°11’18” N., long. 159°46’30” W.)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of the Holy Cross Airport.

\* \* \* \* \*

Issued in Anchorage, AK, on January 13, 2006.

**Anthony M. Wylie,**  
*Manager, Safety, Area Flight Service Operations.*

[FR Doc. 06–592 Filed 1–23–06; 8:45 am]

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## DEPARTMENT OF STATE

### 22 CFR Parts 122 and 129

[Public Notice: 5278]

RIN 1400–AB97

#### Rule Title: Amendment to the International Traffic in Arms Regulations: Registration Fee Change

**AGENCY:** Department of State.

**ACTION:** Final rule.

**SUMMARY:** This rule makes final the interim rule that amended the International Traffic in Arms Regulations (ITAR) (22 CFR Parts 122 and 129) by increasing the registration fees, changing the registration renewal period, and making other minor administrative changes. Comments received on the interim rule are analyzed in the **SUPPLEMENTARY INFORMATION** section. No changes were made to the interim rule.

**DATES:** *Effective Date:* The interim rule is adopted as final February 23, 2006.

**FOR FURTHER INFORMATION CONTACT:** David Trimble, Office of Defense Trade Controls Compliance, Bureau of Political-Military Affairs, Department of State, Washington, DC 20522–0112, 202–663–2807 or FAX 202–261–8199. ATTN: ITAR Regulatory Change, 22 CFR part 122 and part 129.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 8, 2004, the Department of State published an interim rule (Public Notice 4920; 69 FR 70888), with a request for comments, amending the ITAR (22 CFR parts 122 and 129) by increasing the registration fees, changing the registration renewal period, and making other minor administrative changes. The administration of the Arms Export Control Act (22 U.S.C. 2751 *et seq.*), regulations for which are set forth in the ITAR, is a foreign affairs function. The Department received 43 comments from ITAR registrants and defense-related associations.

## Comment Analysis

### *Impact on Small Business and Fee Relief*

The majority of comments received concerned the fee increase's impact on small businesses. The comments provided noted the burden the fee increase would place on small businesses, and some sought relief from the increase. Prior to the publication of the interim rule, the Department fully considered the financial burden the fee increase would place on industry and small businesses when it decided upon the new fee structure, and concluded that the impact would be minimal for the majority of the registrants. In addition, as noted in the Regulatory Findings and Notice section, the Department has found that this fee increase will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets.

### *Rationale for Increasing Registration Fees*

Ten comments were received regarding the rationale for increasing the registration fee. The Department has increased the ITAR registration fee to help fund the activities of its Directorate of Defense Trade Controls (DDTC), as set forth in 22 U.S.C. 2717. In particular, the additional revenue will assist DDTC in achieving its goals of expanded automation, compliance, training, and quality assurance. The additional resources will enable DDTC to serve the export community with greater efficiency. This increase in registration fees is the first increase since 1997.

### *Registration Requirements*

Three comments were received regarding whether particular entities must register with DDTC. The interim rule and this final rule address an increase in the registration fee, the registration renewal period, and other minor administrative changes. The regulations pertaining to who must register with DDTC remain unchanged. Pursuant to 22 CFR 122.1, any person who engages in the United States in the business of either manufacturing or exporting defense articles or furnishing defense services is required to register with the Office (now Directorate) of Defense Trade Controls. Manufacturers

who do not engage in exporting must nevertheless register. In addition, 22 CFR 129.1 states that section 38(b)(1)(A)(ii) of the Arms Export Control Act (22 U.S.C. 2778) provides that persons engaged in the business of brokering activities shall register and pay a registration fee. Furthermore, 22 CFR 129.2 states that, *inter alia*, brokering activities include activities by U.S. persons who are located inside or outside of the United States or foreign persons subject to U.S. jurisdiction involving defense articles or defense services of U.S. or foreign origin, which are located inside or outside of the United States.

### *Rationale for Two-Year Registration*

Two comments were received requesting the retention of the option to register up to a maximum period of four years. DDTC has reduced the maximum registration period to two years because the increased volume of mergers and acquisitions by regulated companies has made it more difficult to maintain accurate information on registrants. Also, DDTC encountered problems with companies not updating their registration, except at the time of their renewal, as required by 22 CFR 129.4(c). The change from a four-year to a two-year maximum registration period will improve the currency and accuracy of the registrants' information, which is critical to all licensing decisions.

## List of Subjects

### *22 CFR Part 122*

Arms and munitions, Exports.

### *22 CFR Part 129*

Arms and munitions, Exports, Technical assistance.

Accordingly, for the reasons set forth above, the interim rule published at 69 FR 70888 is adopted as final.

Dated: December 21, 2005.

**Robert G. Joseph,**

*Under Secretary, Arms Control and International Security, Department of State.*  
[FR Doc. 06-667 Filed 1-23-06; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

### 33 CFR Part 117

[CGD05-06-004]

RIN 1625-AA-09

### Drawbridge Operation Regulations; Elizabeth River, Eastern Branch, VA

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Fifth Coast Guard District, has approved a temporary deviation from the regulations governing the operation of the Berkley Bridge, at mile 0.4, across the Eastern Branch of the Elizabeth River in Norfolk, Virginia. To facilitate electrical repairs, this deviation allows the drawbridge to remain closed-to-navigation from 7 a.m. on February 7, 2006, to 7 a.m. on February 8, 2006 and from 7 a.m. on February 14, 2006, to 7 a.m. on February 15, 2006.

**DATES:** This deviation is effective from 7 a.m. on February 7, 2006, to 7 a.m. on February 15, 2006.

**FOR FURTHER INFORMATION CONTACT:** Gary Heyer, Bridge Management Specialist, Fifth Coast Guard District, at (757) 398-6629.

**SUPPLEMENTARY INFORMATION:** The Berkley Bridge, a lift-type drawbridge, has a vertical clearance in the closed position to vessels of 48 feet, at mean high water.

The bridge owner, the Virginia Department of Transportation, has requested a temporary deviation from the current operating regulation set out in 33 CFR 117.1007, to effect electrical repairs of the draw span.

To facilitate the repairs, the drawbridge will be closed to navigation from 7 a.m. on February 7, 2006, to 7 a.m. on February 8, 2006 and from 7 a.m. on February 14, 2006, to 7 a.m. on February 15, 2006. During these periods, the repairs require immobilizing the operation of the lift span in the closed-to-navigation position. At all other times, the drawbridge will operate in accordance with the current operating regulations outlined in 33 CFR 117.1007.

The Coast Guard has informed the known users of the waterway so that they can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(c), this work will be performed with all due speed in order to return the bridge to