

to point of beginning.

Area N. That airspace extending upward from 5,000 feet MSL to and including 10,000 feet MSL beginning at

Lat. 33°59'26" N., long. 118°53'23" W. VNY 235 24.2 DME  
 Lat. 34°06'00" N., long. 118°42'12" W. VNY 235 12.9 DME  
 Lat. 34°06'00" N., long. 118°14'24" W. Railroad Freight Yard  
 Lat. 34°02'49" N., long. 118°21'48" W.  
 Lat. 34°00'20" N., long. 118°23'05" W. West Los Angeles College  
 Lat. 33°57'42" N., long. 118°22'10" W. Manchester/405 Fwy  
 Lat. 33°57'42" N., long. 118°27'23" W. Ballona Creek/Pacific Ocean  
 Lat. 34°00'23" N., long. 118°32'33" W. SMO 267 4.3 DME  
 Lat. 33°59'50" N., long. 118°44'43" W.  
 to point of beginning.

\* \* \* \* \*

Issued in Washington DC, on August 4, 2005.

**Edith V. Parish,**

*Acting Manager, Airspace and Rules.*

[FR Doc. 05-15855 Filed 8-10-05; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 1

[TD 9210]

**RIN 1545-BE75**

#### LIFO Recapture Under Section 1363(d); Correction

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

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains a correction to final regulations that were published in the **Federal Register** on July 12, 2005 (70 FR 39920) regarding the LIFO recapture by corporations converting from C Corporations to S Corporations.

**DATES:** This correction is effective July 12, 2005.

**FOR FURTHER INFORMATION CONTACT:** Pietro Canestrelli, at (202) 622-3060 and Martin Schaffer, at (202) 622-3070 (not toll-free numbers).

#### SUPPLEMENTARY INFORMATION:

##### Background

The correction notice that is the subject of this document is under section 1363 of the Internal Revenue Code.

##### Need for Correction

As published, the correction notice (TD 9210), contains an error that may prove to be misleading and is in need of clarification.

##### Correction of Publication

Accordingly, the correction notice (TD 9210), which was the subject of FR Doc. 05-13383, is corrected as follows:

On page 39920, column 3, in the preamble, under the paragraph heading "Summary of Comments and Explanation of Revisions" first paragraph, lines 23 through 25, the language "corporation, the date of recapture event is a transfer of a partnership interest to an S corporation, the date of the transfer" is corrected to read as "corporation, the date of the transfer".

**Guy Traynor,**

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

[FR Doc. 05-15762 Filed 8-10-05; 8:45 am]

**BILLING CODE 4830-01-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### 32 CFR Part 706

#### Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law) has determined that USS JIMMY CARTER (SSN 23) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**DATES:** Effective Date: September 21, 2004.

**FOR FURTHER INFORMATION CONTACT:** Commander Gregg A. Cervi, JAGC, U.S. Navy, Deputy Assistant Judge Advocate

General (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE., Suite 3000, Washington Navy Yard, DC 20374-5066, telephone 202-685-5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR Part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that USS JIMMY CARTER (SSN 23) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Rule 21(c), pertaining to the location and arc of visibility of the sternlight; Annex I, section 2(a)(i), pertaining to the height of the masthead light; Annex I, section 2(k), pertaining to the height and relative positions of the anchor lights; and Annex I, section 3(b), pertaining to the location of the sidelights. The Deputy Assistant Judge Advocate General (Admiralty and Maritime Law) has also certified that the aforementioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

Moreover, it has been determined, in accordance with 32 CFR Parts 296 and 701, that publication of this amendment for public comment prior to adoption is impracticable, unnecessary, and contrary to public interest since it is based on technical findings that the placement of lights on this vessel in a manner differently from that prescribed herein will adversely affect the vessel's ability to perform its military functions.

#### List of Subjects in 32 CFR Part 706

Marine safety, Navigation (water), and Vessels.

■ For the reasons set forth in the preamble, amend part 706 of title 32 of the Code of Federal Regulations as follows:

**PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972**

Authority: 33 U.S.C. 1605.

**§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.**

\* \* \* \* \*

■ 2. Table One of § 706.2 is amended by adding, in numerical order, the following entry for USS JIMMY CARTER:

■ 1. The authority citation for 32 CFR Part 706 continues to read:

Vessel	Number	Distance in meters of forward masthead light below minimum required height § 2(a)(i) Annex I
USS JIMMY CARTER .....	SSN 23 .....	4.32

■ 3. Table Three of § 706.2 is amended by adding, in numerical order, the

following entry for USS JIMMY CARTER:

**§ 706.2 Certifications of the Secretary of the Navy under Executive Order 11964 and 33 U.S.C. 1605.**

\* \* \* \* \*

TABLE THREE

Vessel	Number	Masthead lights arc of visibility; rule 21(a)	Side lights arc of visibility; rule 21(b)	Stern light arc of visibility; rule 21(c)	Side lights distance in-board of ship's sides in meters; 3(b) annex 1	Stern light, distance forward of stern in meters; rule 21(c)	Forward anchor light, height above hull in meters; 2(K) annex 1	Anchor lights relationship of aft light to forward light in meters 2(K) annex 1
USS JIMMY CARTER	SSN 23 .....	.....	.....	211°	5.12	10.7	2.8	1.63 below.

Approved: September 21, 2004.

G. A. Cervi,

Commander, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty and Maritime Law).

**Editorial Note:** This document was received at the Office of the Federal Register August 8, 2005.

[FR Doc. 05-15897 Filed 8-10-05; 8:45 am]

BILLING CODE 3810-FF-P

**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**32 CFR Part 706**

**Certifications and Exemptions Under the International Regulations for Preventing Collisions at Sea, 1972**

**AGENCY:** Department of the Navy, DOD.

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is amending its certifications and exemptions under the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS), to reflect that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law) has determined that USS BAINBRIDGE (DDG 96) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with certain provisions of the 72 COLREGS without interfering with its special function as a naval ship. The intended effect of this rule is to warn mariners in waters where 72 COLREGS apply.

**DATES:** Effective Date: April 12, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Commander Gregg A. Cervi, JAGC, U.S. Navy, Deputy Assistant Judge Advocate General (Admiralty and Maritime Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Ave., SE., Suite 3000, Washington Navy Yard, DC 20374-5066, telephone 202-685-5040.

**SUPPLEMENTARY INFORMATION:** Pursuant to the authority granted in 33 U.S.C. 1605, the Department of the Navy amends 32 CFR part 706. This amendment provides notice that the Deputy Assistant Judge Advocate General (Admiralty and Maritime Law), under authority delegated by the Secretary of the Navy, has certified that USS BAINBRIDGE (DDG 96) is a vessel of the Navy which, due to its special construction and purpose, cannot fully comply with the following specific provisions of 72 COLREGS without interfering with its special function as a naval ship: Annex I, paragraph 2(f)(i), pertaining to the placement of the masthead light or lights above and clear of all other lights and obstructions; Annex I, paragraph 2(f)(ii), pertaining to the vertical placement of task lights; Annex I, paragraph 3(a), pertaining to the location of the forward masthead light in the forward quarter of the ship, and the horizontal distance between the forward and after masthead lights; and