

CORRECTION TO REVISIONS TO IFR ALTITUDES & CHANGEOVER POINTS—Continued

[Amendment 456 Effective Date September 01, 2005]

From	To	MEA	MAA
*18000—GNSS MEA. #18000—DME/DME IRU RNAV MEA.			
§ 95.4112 RNAV Route Q112 Is Added to Read			
Inpin, FL FIX *18000—GNSS MEA. #18000—DME/DME IRU RNAV MEA.	Defun, FL FIX	#*18000	45000
§ 95.4116 RNAV Route Q116 Is Added to Read			
Kpasa, FL FIX *18000—GNSS MEA. #18000—DME/DME IRU RNAV MEA.	Ceeya, GA FIX	#*18000	45000
§ 95.4118 RNAV Route Q118 Is Added to Read			
Kpasa, FL FIX *18000—GNSS MEA. #18000—DME/DME IRU RNAV MEA.	Lenie, GA FIX	#*18000	45000

John M. Allen,*Acting Director, Flight Standards Service.*

[FR Doc. 05-17476 Filed 8-31-05; 8:45 am]

BILLING CODE 4910-13-P

**SECURITIES AND EXCHANGE
COMMISSION****17 CFR Part 242****[Release No. 34-52355; File No. S7-10-04]****Regulation NMS****AGENCY:** Securities and Exchange Commission.**ACTION:** Final rule; extension of compliance date.**SUMMARY:** The Commission is extending the compliance date for the amendment to Rule 301(b)(5) of Regulation ATS under the Securities Exchange Act of 1934 that was adopted in connection with Regulation NMS.**DATES:** The effective date for amended Rule 301(b)(5) remains August 29, 2005. The compliance date for amended Rule 301(b)(5) is extended from August 29, 2005 to September 28, 2005.**FOR FURTHER INFORMATION CONTACT:** Michael Gaw, (202) 551-5602, Assistant Director, Division of Market Regulation, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.**SUPPLEMENTARY INFORMATION:** On June 29, 2005, the Securities and Exchange Commission ("Commission") published in the **Federal Register** its release

adopting Regulation NMS¹ under the Securities Exchange Act of 1934 ("Exchange Act"). In connection with the adoption of Regulation NMS, the Commission amended Rule 301(b)(5) of Regulation ATS² under the Exchange Act ("Fair Access Rule"). The Fair Access Rule provides, among other things, that, if an alternative trading system accounts for a certain percentage of the average daily volume in a security over four of the preceding six months, it: (1) Must establish written standards for granting access to trading on its system, and (2) must not unreasonably prohibit or limit any person in respect to access to services offered by such system by applying these written standards in an unfair or discriminatory manner.³ In adopting Regulation NMS, the Commission amended the Fair Access Rule to lower the fair access threshold from 20% of the average daily volume in a security to 5%. The Regulation NMS Adopting Release established an effective date and a compliance date of August 29, 2005 for the amended Fair Access Rule.

A number of questions have been raised during the implementation period regarding the application of the amended Fair Access Rule to different business models. The Commission and its staff are continuing to consider these issues as well as requests for exemptive relief. Delaying the compliance date for thirty days will permit the Commission

and its staff additional time to respond to the questions and exemptive requests.

For the reasons cited above and given the impending August 29, 2005 compliance date, the Commission, for good cause, finds that notice and solicitation of comment regarding the extension of the compliance date for the amended Fair Access Rule is impracticable, unnecessary, or contrary to the public interest.⁴ The Commission notes that the compliance date is a few days away, and that a limited extension of the compliance date will provide the Commission and its staff with needed time to resolve implementation issues with respect to various market participants.

Further, the Commission notes that, in light of these time constraints, full notice and comment could not be completed prior to the August 29, 2005 compliance date. The change to the compliance date for amended Rule 301(b)(5) is effective immediately. This date is less than 30 days after publication in the **Federal Register**, in accordance with the Administrative Procedure Act, which allows effectiveness in less than 30 days after publication for "a substantive rule which grants or recognizes an exemption or relieves a restriction."⁵

By the Commission.

¹ See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496 (June 29, 2005) ("Regulation NMS Adopting Release").

² See 17 CFR 242.300 *et seq.* Regulation ATS governs the activities of alternative trading systems.

³ See 17 CFR 242.301(b)(5).

⁴ See Section 553(b)(3)(B) of the Administrative Procedure Act (5 U.S.C. 553(b)(3)(B)) (an agency may dispense with prior notice and comment when it finds, for good cause, that notice and comment are "impracticable, unnecessary, or contrary to the public interest").

⁵ 5 U.S.C. 553(d)(1).

Dated: August 29, 2005.

Jonathan G. Katz,
Secretary.

[FR Doc. 05-17531 Filed 8-30-05; 1:53 pm]

BILLING CODE 8010-01-P

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 14

RIN 2900-AM20

Jurisdictions and Addresses of Regional Counsels

AGENCY: Department of Veterans Affairs.

ACTION: Final rule.

SUMMARY: This document amends the Department of Veterans Affairs (VA) regulations regarding the jurisdictions and addresses of the General Counsel's Regional Counsels. This amendment is necessary to update Title 38, Code of Federal Regulations, to reflect recent jurisdiction and address changes.

DATES: *Effective Date:* September 1, 2005.

FOR FURTHER INFORMATION CONTACT:

Susan Sokoll, Deputy Director, Legal Information Division, Office of General Counsel (026H), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, telephone (202) 273-6558.

SUPPLEMENTARY INFORMATION: VA's regulation 38 CFR 14.501, "Functions and responsibilities of Regional Counsels," has the jurisdictions and addresses of Regional Counsels in paragraph (f). This amendment removes obsolete information in that paragraph, regarding the jurisdictions and addresses of Regional Counsels and replaces it with current information. The rule provides updated addresses for several Regional Counsels. Additionally, it reflects a reorganization of the jurisdictions of some Regional Counsels. The 23 regions previously referenced in § 14.501(f) have been consolidated into 22 regions. Accordingly, this rule removes reference to former Region 17 and reflects the revised jurisdictions of Regions 18 and 19 as a result of that reorganization.

Administrative Procedure Act

These changes to 38 CFR 14.501(f) are being published without regard to notice-and-comment procedures of 5 U.S.C. 553(b) because they involve only matters of agency organization, which are exempted from such procedures by virtue of 5 U.S.C. 553(b)(3)(A). Further, because these changes do not involve substantive rules, they are not subject to

the provisions of 5 U.S.C. 553(d) providing for a 30-day delay in the effective date of substantive rules.

Paperwork Reduction Act

This document contains no provisions constituting a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501-3521).

Unfunded Mandates

The Unfunded Mandates Reform Act of 1995 requires, at 2 U.S.C. 1532, that agencies prepare an assessment of anticipated costs and benefits before developing any rule that may result in an expenditure by State, local, or tribal governments, in the aggregate, or by the private sector of \$100 million or more (adjusted annually for inflation) in any given year. This rule would have no such effect on State, local, or tribal governments, or the private sector.

Executive Order 12866

This document has been reviewed by the Office of Management and Budget under Executive Order 12866.

Regulatory Flexibility Act

The Secretary hereby certifies that this regulatory amendment will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601-612. This regulation deals with the internal organization of the VA Regional Counsels and primarily impacts VA and beneficiaries. To the extent that any small entities deal with VA Regional Counsels, this rule merely provides information to assist such entities in identifying and locating the proper Regional Counsel and thus will not have any significant economic impact upon a substantial number of small entities. Therefore, pursuant to 5 U.S.C. 605(b), this amendment is exempt from the initial and final regulatory flexibility analysis requirements of sections 603 and 604.

Catalog of Federal Domestic Assistance

There is no Catalog of Federal Domestic Assistance program number associated with this rulemaking.

List of Subjects in 38 CFR Part 14

Administrative practice and procedure, Claims, Courts, Foreign relations, Government employees, Lawyers, Legal services, Organization and functions (Government agencies), Reporting and recordkeeping requirements, Surety bonds, Trusts and trustees, Veterans.

Approved: August 11, 2005.

Gordon H. Mansfield,
Deputy Secretary of Veterans Affairs.

■ For the reasons set forth in the preamble, 38 CFR part 14 is amended as follows:

PART 14—LEGAL SERVICES, GENERAL COUNSEL, AND MISCELLANEOUS CLAIMS

■ 1. The authority citation for part 14 continues to read as follows:

Authority: 5 U.S.C. 301; 28 U.S.C. 2671-2680; 38 U.S.C. 501(a), 512, 515, 5502, 5902-5905; 28 CFR part 14, appendix to part 14, unless otherwise noted.

■ 2. Section 14.501(f) is revised to read as follows:

§ 14.501 Functions and responsibilities of Regional Counsels.

* * * * *

(f) The jurisdictions and addresses of Regional Counsels are as follows:

(1) *Region 1: (JURISDICTION)* Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island; (ADDRESS) VAMC, 200 Springs Road, Bldg. 61, Bedford, MA 01730.

(2) *Region 2: (JURISDICTION)* New Jersey, Metropolitan New York City; (ADDRESS) 800 Poly Place, Building 14, Brooklyn, NY 11209.

(3) *Region 3: (JURISDICTION)* District of Columbia; Fairfax, Virginia; Arlington, Virginia; Alexandria, Virginia; Martinsburg, West Virginia; and Maryland; (ADDRESS) 3900 Loch Raven Blvd., Bldg. 4, Baltimore, MD 21218.

(4) *Region 4: (JURISDICTION)* Pennsylvania, Delaware; (ADDRESS) University & Woodland Avenues, Philadelphia, PA 19104.

(5) *Region 5: (JURISDICTION)* Georgia, South Carolina; (ADDRESS) 1700 Clairmont Rd., Decatur, GA 30033-4032.

(6) *Region 6: (JURISDICTION)* Florida, Puerto Rico; (ADDRESS) P.O. Box 5005, Building 22, Room 333, Bay Pines, FL 33744.

(7) *Region 7: (JURISDICTION)* Ohio, West Virginia (excluding Martinsburg, West Virginia); (ADDRESS) 10000 Brecksville Rd., Bldg. 1, 5th Floor, Brecksville, OH 44141.

(8) *Region 8: (JURISDICTION)* Arkansas, Tennessee; (ADDRESS) 110 9th Ave., South Room A-201A, Nashville, TN 37203.

(9) *Region 9: (JURISDICTION)* Alabama, Mississippi; (ADDRESS) 1500 E. Woodrow Wilson Dr., Jackson, MS 39216.

(10) *Region 10: (JURISDICTION)* Illinois, Iowa; (ADDRESS) VA Medical Center, Bldg. 1, G Section 1st Floor, P. O. Box 1427, Hines, IL 60141.