

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****[14 CFR Part 71]****[Airspace Docket No. 98-AEA-30]****Amendment to Class E Airspace; East Hampton, NY****AGENCY:** Federal Aviation Administration (FAA) DOT.**ACTION:** Final rule.

SUMMARY: This action amends Class E airspace extending upward from 700 feet Above Ground Level (AGL) at East Hampton, NY. The development of Standard Instrument Approach Procedures (SIAP) based on the VHF Omnidirectional Radio Range (VOR), Distance Measuring Equipment (DME), Area Navigation (RNAV) and Global Positioning System (GPS) at East Hampton Airport, NY, has made this action necessary. This action is intended to provide adequate Class E airspace for instrument flight rules (IFR) operations by aircraft executing the VOR/DME RNAV or GPS RWY 28 SIAP, VOR/DME RNAV or GPS RWY 10 SIAP and VOR or GPS-A SIAP to East Hampton Airport.

EFFECTIVE DATE: 0901 UTC, January 28, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. Francis Jordan, Airspace Specialist, Airspace Branch, AEA-520, Air Traffic Division, Eastern Region, Federal Aviation Administration, Federal Building #111, John F. Kennedy International Airport, Jamaica, New York 11430, telephone: (718) 553-4521.

SUPPLEMENTARY INFORMATION:**History**

On October 2, 1998, a notice proposing to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to amend the Class E airspace at East Hampton, NY, was published in the **Federal Register** (63 FR 53001). The development of the VOR/DME RNAV or GPS RWY 28 SIAP, VOR/DME RNAV or GPS RWY 10 SIAP and VOR or GPS-A SIAP for East Hampton Airport requires that amendment of the Class E airspace at East Hampton, NY. The notice proposed to amend controlled airspace extending upward from 700 feet AGL to contain IFR operations in controlled airspace during portions of the terminal operation and while transitioning between the enroute and terminal environments.

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA.

No comments to the proposal were received. The rule is adopted as proposed.

The coordinates for this airspace docket are based on North American Datum 83. Class E airspace areas designations for airspace extending upward from 700 feet AGL are published in paragraph 6005 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, 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 Part 71 of the Federal Aviation Regulations (14 CFR Part 71) amends Class E airspace at East Hampton, NY, to provide controlled airspace extending upward from 700 feet AGL for aircraft executing the VOR/DME RNAV or GPS RWY 28 SIAP, VOR/DME RNAV or GPS RWY 10 and VOR or GPS-A SIAP to East Hampton Airport.

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. Therefore, this regulation—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Polices 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 will not have significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

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—[AMENDED]

1. The authority citation for 14 CFR Part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; EO 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 7400.9F, Airspace

Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

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

* * * * *

AEA NY E5 East Hampton, NY [Revised]

East Hampton Airport, NY
(Lat. 40°57'35"N., Long 72°15'07"W.)

Hampton VORTAC
(Lat. 40°55'08"N., Long 72°19'00"W.)

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of East Hampton Airport and within 3.5 miles north and 5.3 miles south of the 089° bearing from the airport extending from the 6.5-mile radius to 15 miles east of the airport and within 3.5 miles northwest and 5.3 miles southeast of the Hampton VORTAC 230° radial extending from the 6.5-mile radius to 10 miles southwest of the VORTAC, excluding the portion of that coincides with the Westhampton Beach, NY, Class E airspace area.

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Issued in Jamaica, New York on November 13, 1998.

Franklin D. Hatfield,*Manager, Air Traffic Division, Eastern Region.*

[FR Doc. 98-31381 Filed 11-23-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Parts 107 and 108****[Docket Nos. 28859; Amendment No. 107-12, 108-17]****RIN 2120-AG32****Employment History, Verification and Criminal History Records Check****AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Correction.

SUMMARY: The FAA is correcting the preamble of a previously published final rule regarding the regulations that require an access investigation for unescorted access privileges to security areas at airports. The corrections are, in most cases, typographical; however by this correction the FAA is also updating the information on the cost of the fingerprint processing. No changes to the previously published amendatory language are included.

EFFECTIVE DATE: November 23, 1998.

FOR FURTHER INFORMATION CONTACT: Linda Valencia, Telephone (202) 267-3413.

Correction

In rule FR Doc. 98-25210 published on Thursday, September 24, 1998 (63 FR 51204), make the following corrections:

1. On page 51206, in the third column, second line from the bottom, "parties" should read "party's".
2. On page 51209, in the first column, in the ninth line from the top, "of" should read "for".
3. On page 51210, in the first column, sixth line from the bottom, insert the words "of the" between the words "Part 2" and "investigative files."
4. On page 51216, in the first column, the fourth paragraph, second line, "\$28" should read "\$29"; in the same paragraph, in the third line from the end of the paragraph, "\$4" should read "\$5".

Issued in Washington, D.C. on November 10, 1998.

Anthony Fainberg,

Director, Office of Civil Aviation Security Policy and Planning.

[FR Doc. 98-31377 Filed 11-23-98; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF THE TREASURY**Internal Revenue Service****26 CFR Part 1**

[TD 8785]

RIN 1545-AU70

Classification of Certain Transactions Involving Computer Programs; Correction

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Correction to final regulations.

SUMMARY: This document contains a correction to Treasury Decision 8785, which was published in the **Federal Register** on Friday, October 2, 1998 (63 FR 52971) relating to the tax treatment of certain transactions involving the transfer of computer programs.

DATES: This correction is effective October 2, 1998.

FOR FURTHER INFORMATION CONTACT: Anne Shelburne, (202) 874-1305 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

The final regulations that are the subject of this correction are under section 861 of the Internal Revenue Code.

Need for Correction

As published, TD 8785 contains errors which may prove to be misleading and are in need of clarification.

Correction of Publication

Accordingly, the publication of the final regulations (TD 8785), which were the subject of FR Doc. 98-26475, is corrected as follows:

1. On page 52971, column 1, in the preamble under the caption heading **FOR FURTHER INFORMATION CONTACT**, line 1, the language "Anne Shelburne, (202) 622-3880 (not a)" is corrected to read "Anne Shelburne, (202) 874-1305 (not a)".
2. On page 52975, column 3, in the preamble under the paragraph heading "**8. Services and Know-How**", second paragraph, lines 21 through 25, the language "secret protection. Know-how is considered a property interest under applicable law, and only if the know-how is specifically contracted for between the parties. These additional" is corrected to read "secret protection. These additional".

§ 1.861-18 [Corrected]

3. On page 52982, column 1, § 1.861-18(i)(4) *Example 1*, line three from the bottom of the paragraph, the language "A is not required to change from its accrual" is corrected to read "A is not required to change from its".

4. On page 52982, column 2, § 1.861-18(i)(4) *Example 2*, line five from the bottom of the paragraph, the language "A is not required to change from its accrual" is corrected to read "A is not required to change from its".

Cynthia E. Grigsby,

Chief, Regulations Unit, Assistant Chief Counsel (Corporate).

[FR Doc. 98-31285 Filed 11-23-98; 8:45 am]

BILLING CODE 4830-01-U

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 117**

[CGD05-98-097]

Drawbridge Operation Regulations; New Jersey Intracoastal Waterway; Grassy Sound Channel

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Fifth Coast Guard District has issued a temporary deviation from the regulations

governing the operation of the Route 47 (George A. Reading) Bridge across the Intracoastal Waterway (ICW), mile 108.9, in Wildwood, New Jersey. Beginning at 7 a.m. on December 4, through 7 a.m. on December 6, 1998, the bridge will be maintained in the closed position. This closure is necessary to facilitate demolition and reconstruction of the bridge's bascule span.

DATES: This deviation is effective from 7 a.m. on December 4, 1998 until 7 a.m. on December 6, 1998.

FOR FURTHER INFORMATION CONTACT:

Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (757) 398-6222.

SUPPLEMENTARY INFORMATION: On October 9, 1998, the Coast Guard published a Temporary Final Rule entitled "Drawbridge Operation Regulations; New Jersey Intracoastal Waterway; Grassy Sound Channel" in the **Federal Register** (63 FR 54353). That regulation, effective from October 19, 1998 to 5 p.m. on May 14, 1999, requires two-hours advance notice for bridge openings 24 hours a day to allow the contractor to facilitate sandblasting and painting operations.

On November 4, 1998, a letter was forwarded to the Coast Guard by the contractor requesting a temporary deviation from the current operation of the bridge. The proposed bridge work will involve the demolition and reconstruction of the bridge deck and superstructure, thereby immobilizing the operation of the bascule span entirely. Additionally, tugboats, cranes, and barges positioned at the site may impede vessel traffic that could pass under the bridge.

The Coast Guard has informed the known commercial users of the waterway of the bridge closure so that these vessels can arrange their transits to avoid being negatively impacted by the temporary deviation.

From 7 a.m. on December 4, until 7 a.m. on December 6, 1998, this deviation allows the Route 47 (George A. Reading) Bridge across Grassy Sound Channel, ICW mile 108.9 at Wildwood, to remain closed.

Dated: November 13, 1998.

Roger T. Rufe, Jr.,

Vice Admiral, U.S. Coast Guard Commander, Fifth Coast Guard District.

[FR Doc. 98-31373 Filed 11-23-98; 8:45 am]

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