DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31060; Amdt. No. 3681]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures (ODPs) for operations at certain airports. These regulatory actions are needed because of the adoption of new or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective February 19, 2016. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

ADDRESSES: Availability of matters incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA forms are FAA Forms 8260–3, 8260–4, 8260–5, 8260–8, 8260–13, 8260–14, 8260–15, and 8260–20. The applicable forms are FAA Forms 8260–3, 8260–4, 8260–5, 8260–8, 8260–13, 8260–14, 8260–15, and 8260–20. The applicable forms are FAA Forms 8260–3, 8260–4, 8260–5, 8260–8, 8260–13, 8260–14, 8260–15, and 8260–20. The applicable forms are FAA Forms 8260–3, 8260–4, 8260–5, and 8260–20 when required by an entry on 8260–15A. The large number of SIAPs, Takeoff Minimums and ODPs, their complex nature, and the need for a special format make publication in the Federal Register expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their graphic depiction on charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at nfdc.faa.gov to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from the FAA Air Traffic Organization. Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT:

Thomas J. Nichols, Flight Procedure Standards Branch (AFS–420), Flight Technologies and Programs Divisions, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125) Telephone: (405) 954–4164.

SUPPLEMENTARY INFORMATION: This rule amends Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), by establishing, amending, suspending, or removing SIAPs, Takeoff Minimums and/or ODPs. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA forms are FAA Forms 8260–3, 8260–4, 8260–5, 8260–8, 8260–13, 8260–14, 8260–15, and 8260–20 when required by an entry on 8260–15A.

The material incorporated by reference describes SIAPs, Takeoff

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Minimums and/or ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as Amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may result in making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), good cause exists for making some SIAPs effective in less than 30 days.

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. For the same reason, the FAA certifies that this amendment will not have a 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 97:

Air Traffic Control, Airports, Incorporation by reference, Navigation (air),

Issued in Washington, DC, on January 29, 2016.

John S. Duncan,
Director, Flight Standards Service.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure Procedures effective at 0901 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

2. Part 97 is amended to read as follows:

Effective 3 MARCH 2016

Benton Harbor, MI, Southwest Michigan Rgnl, VOR RWY 10, Amdt 10B, CANCELED
East Hampton, NY, East Hampton, Takeoff Minimums and Obstacle DP, Amtd 3A
Lebanon, OH, Warren County/Johnson Lane Field, RNAV (GPS) RWY 19, Amtd 4
Oklahoma City, OK, Will Rogers World, RNAV (GPS) RWY 13, Amtd 3A
Walterboro, SC, Lowcountry Rgnl, ILS Y OR LOC Y RWY 23, Amtd 2
Walterboro, SC, Lowcountry Rgnl, ILS Z OR LOC Z RWY 23, Orig–C
Baraboo, WI, Baraboo Wisconsin Dells, LOC/DME RWY 1, Amtd 2
Baraboo, WI, Baraboo Wisconsin Dells, RNAV (GPS) RWY 19, Amtd 2
Hayward, WI, Sawyer County, RNAV (GPS) RWY 3, Orig–C
Hayward, WI, Sawyer County, RNAV (GPS) RWY 21, Amtd 1A

Effective 31 MARCH 2016

McGrath, AK, McGrath, VOR–A, Amtd 8, CANCELED
Quinhagak, AK, Quinhagak, RNAV (GPS) RWY 12, Amtd 1
Quinhagak, AK, Quinhagak, RNAV (GPS) RWY 30, Amtd 1
Quinhagak, AK, Quinhagak, Takeoff Minimums and Obstacle DP, Amtd 1
Stuttgart, AR, Stuttgart Muni, VOR/DME–A, Amtd 1B, CANCELED
Bakersfield, CA, Meadows Field, VOR/DME RWY 30R, Amtd 9, CANCELED
San Francisco, CA, San Francisco Intl, VOR RWY 19L, Amtd 11, CANCELED
Santa Rosa, CA, Charles M Schulz—Sonoma County, VOR/DME RWY 32, Amtd 20, CANCELED
Fort Lauderdale, FL, Fort Lauderdale/Hollywood Intl, VOR RWY 26R, Amtd 13A, CANCELED
Orlando, FL, Orlando Intl, VOR/DME RWY 36L, Amtd 5A, CANCELED
Orlando, FL, Orlando Intl, VOR/DME RWY 36R, Amtd 10A, CANCELED
Albany, GA, Southwest Georgia Rgnl, NDB RWY 4, Amtd 13B, CANCELED
Atlanta, GA, Fulton County Airport–Brown Field, RNAV (GPS) Y RWY 8, Orig–D, CANCELED
Clinton, IA, Clinton Muni, VOR RWY 3, Amtd 15A, CANCELED
Newton, IA, Newton Muni–Earl Johnson Field, VOR RWY 32, Amtd 9A, CANCELED
Ottumwa, IA, Ottumwa Rgnl, VOR RWY 31, Amtd 15, CANCELED
Sioux City, IA, Sioux Gateway/Coll Bus Day Field, VOR OR TACAN RWY 31, Amtd 26D, CANCELED
Waterloo, IA, Waterloo Rgnl, VOR RWY 36, Amtd 17A, CANCELED
Coeur D’Alene, ID, Coeur D’Alene–Pappy Boyington Field, VOR RWY 6, Orig–D, CANCELED
Idaho Falls, ID, Idaho Falls Rgnl, NDB RWY 20, Amtd 10D, CANCELED
Levison, ID, Lewiston–Nez Perce County, VOR RWY 26, Amtd 13, CANCELED
Salmon, ID, Lemhi County, Takeoff Minimums and Obstacle DP, Amtd 3
Chicago/Romeoville, IL, Lewis University, VOR RWY 9, Amtd 3, CANCELED
Chicago/West Chicago, IL, Dupage, VOR RWY 24, Amtd 13B, CANCELED
Danville, IL, Vermillion Regional, VOR RWY 21, Amtd 14A, CANCELED
Galesburg, IL, Galesburg Muni, VOR RWY 3, Amtd 7A, CANCELED
Lawrenceville, IL, Lawrenceville–Vincennes Intl, VOR RWY 18, Amtd 14A, CANCELED
Mattoon/Charleston, IL, Coles County Memorial, ILS OR LOC RWY 29, Amtd 6C
Mattoon/Charleston, IL, Coles County Memorial, NDB RWY 29, Amtd 5B
Mattoon/Charleston, IL, Coles County Memorial, RNAV (GPS) RWY 6, Orig–C
Mattoon/Charleston, IL, Coles County Memorial, RNAV (GPS) RWY 11, Orig–C
Mattoon/Charleston, IL, Coles County Memorial, RNAV (GPS) RWY 24, Amtd 1
Mattoon/Charleston, IL, Coles County Memorial, RNAV (GPS) RWY 29, Amtd 1
Quincy, IL, Quincy Rgnl–Baldwin Field, VOR RWY 4, Amtd 12, CANCELED
Auburn, IN, De Kalb County, VOR RWY 9, Amtd 7D, CANCELED
Goshen, IN, Goshen Muni, VOR RWY 27, Amtd 7A, CANCELED
Muncie, IN, Delaware County Rgnl, VOR RWY 32, Amtd 15, CANCELED
Richmond, IN, Richmond Muni, VOR RWY 24, Amtd 13, CANCELED
Richmond, IN, Richmond Muni, VOR RWY 33, Amtd 2, CANCELED
Liberal, KS, Liberal–Mid-America Rgnl, VOR RWY 35, Amtd 12, CANCELED
Ashland, KY, Ashland Rgnl, VOR/DME RWY 10, Amtd 12
Hopkinsville, KY, Hopkinsville–Christian County, RNAV (GPS) RWY 26, Amtd 2
Tompkinsville, KY, Tompkinsville–Monroe County, RNAV (GPS) RWY 4, Amtd 1B
The following entry for Port Angeles, WA, William R Fairchild Intl, VOR RWY 8, Amtd 1, CANCELED

Port Angeles, WA, William R Fairchild Intl, RNAV (GPS) RWY 8, Amtd 1

Port Angeles, WA, William R Fairchild Intl, RNAV (GPS) RWY 26, Amtd 1

[FR Doc. 2016–03368 Filed 2–18–16; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9751]

RIN 1545–BN22

PATH Act Changes to Section 1445

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final and temporary regulations.

SUMMARY: This document contains final and temporary regulations relating to the taxation of, and withholding on, foreign persons upon certain dispositions of, and distributions with respect to, United States real property interests (USRPIs). The regulations reflect changes made by the Protecting Americans from Tax Hikes Act of 2015 (the PATH Act). In addition, the regulations update certain mailing addresses listed in regulations under sections 897 and 1445. These regulations affect certain holders of USRPIs and withholding agents that are required to withhold tax on certain dispositions of, and distributions with respect to, USRPIs. This document also requests comments on certain other aspects of the PATH Act that apply to USRPIs and withholding agents. This document also requests comments on certain other aspects of the PATH Act that apply to USRPIs and withholding agents.

DATES: Effective date: These regulations are effective on February 19, 2016.

Applicability date: For dates of applicability, see §§ 1.1445–1(h), 1.1445–2(e), and 1.1445–5(h).

ADDRESSES: Send submissions to: CC:PA:LPD:PR (REG–101329–16), Room 5203, Internal Revenue Service, P.O. Box 7604, Ben Franklin Station, Washington, DC 20044. Submissions may be hand-delivered Monday through Friday between the hours of 8 a.m. and 4 p.m. to CC:PA:LPD:PR (REG–101329–16), Courier’s Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC 20224, or sent electronically via the Federal eRulemaking Portal at http://www.regulations.gov (IRS REG–101329–16).


SUPPLEMENTARY INFORMATION:

Paperwork Reduction Act

The collections of information contained in these final regulations were previously reviewed and approved by the Office of Management and Budget in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3507) under control numbers 1545–02, 1545–09, and 1545–10 in conjunction with Treasury decisions 7999 (49 FR 50689, Dec. 31, 1984), 8113 (51 FR 46620, Dec. 24, 1986), and 9082 (68 FR 46081, Aug. 5, 2003), respectively. There are no proposals for substantive changes to these collections of information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by the Office of Management and Budget.

Books or records relating to a collection of information must be retained as long as their contents might become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

Background

Section 897(a)(1) provides, in general, that gain or loss of a nonresident alien individual or foreign corporation from the disposition of a United States real property interest (USRPI) shall be taken into account under section 871(b)(1) or 882(a)(1), as applicable, as if the nonresident alien individual or foreign corporation were engaged in a trade or business within the United States during the taxable year and such gain or loss were effectively connected with such trade or business.

Section 897(c)(1)(A) defines a USRPI to include any interest (other than solely as a creditor) in any domestic corporation unless the taxpayer establishes that such corporation was at no time a United States real property holding corporation (USRPHC) during the applicable testing period (generally, the five-year period ending on the date of the disposition of the USRPHC).

Under section 897(c)(2), a USRPHC means any corporation if the fair market value of its USRPIs equals or exceeds 50 percent of the total fair market value of its USRPIs, its interests in real property located outside the United States, and any other assets that are used or held for use in a trade or business. However, section 897(c)(1)(B) generally provides...