

**List of Subjects in 14 CFR Part 71**

Aviation, 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 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; 14 CFR 11.69.

**§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995 and effective September 16, 1995, is amended as follows:

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

\* \* \* \* \*

ACE IA E5 Atlantic, IA [Revised]

Atlantic Municipal Airport, IA  
(Lat. 41°24'26"N., long. 95°02'49"W)

Atlantic NDB  
(Lat. 41°24'14"N., long. 95°02'47"W)

That airspace extending upward from 700 feet above the surface within a 6.4-mile radius of Atlantic Municipal Airport and within 4 miles each side of the 315° bearing from the Atlantic NDB extending from the 6.4-mile radius to 8.3 miles northwest of the airport.

\* \* \* \* \*

Issued in Kansas City, MO on January 24, 1996.

Herman J. Lyons, Jr.,  
Manager, Air Traffic Division, Central Region.  
[FR Doc. 96–4378 Filed 2–26–96; 8:45 am]

BILLING CODE 4910–13–M

**14 CFR Part 93**

[Docket No. 28473]

**High Density Traffic Airports; Slot Allocation and Transfer Method**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Statement of policy.

**SUMMARY:** This policy statement is necessary to address the impact of airport closings and slow-downs upon slot utilization requirements due to the severe winter storm that affected several High Density Rule Traffic airports during the period January 7 through January 12, 1996.

**EFFECTIVE DATE:** February 27, 1996.

**FOR FURTHER INFORMATION CONTACT:** Patricia R. Lane, Manager, Air Traffic Rules and Airspace Law Branch, AGC–230, Regulations Division, Office of the Chief Counsel, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267–3491.

**SUPPLEMENTARY INFORMATION:****Background**

On August 18, 1992, the FAA published in the Federal Register (57 FR 37308), an amendment to the minimum slot usage requirement of § 93.227(a) of the Federal Aviation Regulations (14 CFR 93.227(a)). This amendment increased the minimum slot usage percentage from 65 percent to 80 percent, effective January 1, 1993. A slot that is not used or operated a minimum of 80 percent of the time within the bimonthly reporting period is subject to withdrawal by the FAA.

From January 7 through 12, 1996, several airports, including three of the High Density Traffic airports, were forced to close or significantly slow down operations because of severe weather conditions along the east coast of the United States. Due to the airport closings and slow downs, many air carriers and commuters were unable to operate their slots. Many of the carriers have expressed concerns that they will not be able to reach the 80 percent minimum usage requirement due to their inability to operate their slots during those 6 days.

Even though the 80 percent minimum usage requirement takes various adverse factors into account, such as occasional mechanical problems and bad weather, the blizzard that forced the closure and slow down of operations of the airports was an extraordinary weather system of great intensity and duration and should not be considered as a normal bad weather occurrence. The FAA has decided, based on the extreme adverse weather, that operators should not be penalized if they are unable to reach the 80 percent minimum usage requirement due to the 6-day airport closure/slow-down.

This document announces FAA's policy that will allow slot holders and operators to report the slots as being used for all 6 days. In this way, no operator will be in jeopardy of losing a slot merely because the airport was closed or operations were significantly reduced.

**Statement of Policy**

When an operator submits its bi-monthly use-or-lose report, it may designate any slot scheduled for operation at a High Density Traffic

airport from January 7 through January 12, 1996, as operated. The FAA's Office of Chief Counsel, Slot Administration Office will verify that the submitted slot was scheduled, and the FAA will treat as used any slot that the holder-of-record or operator-of-record was schedule to operate over the specified 6 day period.

Issued in Washington, DC on February 21, 1996.

Nicholas G. Garaufis,  
Chief Counsel.

[FR Doc. 96–4384 Filed 2–26–96; 8:45 am]

BILLING CODE 4910–13–M

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

[TD 8642]

RIN 1545–AR48; 1545–AR93

**Recognition of Gain or Loss by Contributing Partner on Distribution of Contributed Property or Other Property; Correction**

**AGENCY:** Internal Revenue Service, Treasury.

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains corrections to final regulations (TD 8642), which were published in the Federal Register on Tuesday, December 26, 1995 (60 FR 66727) relating to the recognition of gain or loss on certain distributions of contributed property by a partnership, and to the recognition of gain on certain distributions to a contributing partner.

**EFFECTIVE DATE:** January 9, 1995.

**FOR FURTHER INFORMATION CONTACT:** Stephen J. Coleman at (202) 622–3060, (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

The final regulations that are the subject of these corrections are under sections 704 and 737 of the Internal Revenue Code.

**Need for Correction**

As published, the final regulations contain errors which may prove to be misleading and are in need of clarification.

**Correction of Publication**

Accordingly, the publication of the final regulations (TD 8642), which are the subject of FR Doc. 95–30870, is corrected as follows:

**§ 1.737-3 [Corrected]**

1. On page 66737, column 2, § 1.737-3 (e), second paragraph from the bottom of the column, the paragraph designated "(e) Example 1." is correctly designated "Example 1."

2. On page 66737, column 3, § 1.737-3 (e), paragraph (i) of Example 2, line 4, the language "nondepreciable real property to the" is corrected to read "nondepreciable real property located in the United States to the".

3. On page 66737, column 3, § 1.737-3 (e), paragraph (ii) of Example 2, line 2, the language "Property B, nondepreciable real property," is corrected to read "Property B, nondepreciable real property located outside the United States,".

Cynthia E. Grigsby,  
Chief, Regulations Unit,  
Assistant Chief Counsel (Corporate).  
[FR Doc. 96-4177 Filed 2-26-96; 8:45 am]  
BILLING CODE 4830-01-U

**26 CFR Parts 31 and 301**

[TD 8636]

RIN 1545-AN57

**Time for Furnishing Wage Statements on Termination of Employer's Operations; Correction**

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

**ACTION:** Correction to final regulations.

**SUMMARY:** This document contains a correction to final regulations [TD 8636] which were published in the Federal Register for Thursday, December 21, 1995 (60 FR 66139). The final regulations relate to the time for furnishing wage statements to employees and for filing wage statements with the Social Security Administration upon the termination of an employer's operations.

**EFFECTIVE DATE:** January 1, 1997.

**FOR FURTHER INFORMATION CONTACT:** Jean M. Casey, (202) 622-6040 (not a toll-free number).

**SUPPLEMENTARY INFORMATION:****Background**

The final regulations that are the subject of this correction are under section 6051, 6071, and 6081 of the Internal Revenue Code.

**Need for Correction**

As published, TD 8636 contains a typographical error that is in need of clarification.

**Correction of Publication**

Accordingly, the publication of the final regulations which is the subject of FR Doc. 95-30685, is corrected as follows:

On page 66140, column 2, in the preamble under the paragraph heading "Additional month to provide Forms W-2 and W-3 to SSA", last line, the language "the final Form 941 is due." is corrected to read "the end of the quarter."

Cynthia E. Grigsby  
Chief, Regulations Unit, Assistant Chief Counsel (Corporate).  
[FR Doc. 96-4176 Filed 2-26-96; 8:45 am]  
BILLING CODE 4830-01-P

**DEPARTMENT OF DEFENSE****Department of the Army****Corps of Engineers****33 CFR Part 334****Albermarle Sound, Pamlico Sound, and Adjacent Waters, North Carolina; Danger Zones/Restricted Areas for Naval Aircraft Operations**

**AGENCY:** U.S. Army Corps of Engineers, DoD.

**ACTION:** Final rule.

**SUMMARY:** The Corps of Engineers is re-establishing a danger zone as a restricted area in the waters off of Harvey Point, Perquimans County, North Carolina. The area designated as the Harvey Point danger zone was disestablished by the Corps in 1988. Due to subsequent surveys of the area by the Navy, it has been determined that unexploded ordnance could exist and in the interest of safety to the public, the area should be closed to certain activities. The re-establishment of the danger zone as a restricted area will allow the public to enter the area but will prohibit any bottom disturbing activities such as dredging, clamming, crabbing, seining or anchoring. Due to the risk of damage to property or injury to the public, good cause exists to make this restricted area regulation effective upon publication in the Federal Register.

**EFFECTIVE DATE:** February 27, 1996.

**ADDRESSES:** HQUSACE, CECW-OR, Washington, DC 20314-1000.

**FOR FURTHER INFORMATION CONTACT:** Ms. Angie Yelverton of the Corps Wilmington District at (910) 251-4480, or Mr. Ralph Eppard, Regulatory Branch, CECW-OR at (202) 761-1783.

**SUPPLEMENTARY INFORMATION:** Pursuant to its authorities in Section 7 of the

Rivers and Harbors Act of 1917 (40 Stat. 266; 33 U.S.C. 1) and Chapter XIX of the Army Appropriations Act of 1919 (40 Stat. 892; 33 U.S.C. 3), the Corps is promulgating a regulation under 33 CFR 334.412 re-establishing an area that was previously a danger zone, as a restricted area in the waters off of Harvey Point, Albemarle Sound, North Carolina.

**Background**

In accordance with a request by the Navy, the Corps deleted the regulations in 33 CFR 334.410(b)(1) which established a target and bombing danger zone on the north shore of Albemarle Sound, on November 29, 1988 (53 FR 47952-47953). The area was no longer being used by the Navy. This amendment was made prior to promulgation of procedural regulations now found in 33 CFR 334.5. Disestablishment of a danger zone, by the Corps. Pursuant to these regulations, the Agency requesting revocation of a danger zone area shall certify that the area is suitable for use by the public. Harvey Point was previously used as a target and bombing site by the Navy, so the possibility of live ordnance in the mud below the water exists. In the interest of public safety, the Navy requested that the area be established as a restricted area until such time as a thorough survey of the area can be completed and any dangerous ordnance, if any, is removed. The restricted area as established today will allow the public to use the area for recreational and commercial uses, including fishing, swimming, water skiing, boating and other activities provided the activity does not disturb the bottom. Those activities which are specifically prohibited include dredging, clamming, crabbing, seining and anchoring. Upon completion of additional surveys by the Navy and, if appropriate, any subsequent cleanup, the area will be returned to unrestricted public use. An editorial change is also being made to the regulations in 33 CFR 334.410 which reflects a change in the Naval Command responsible for enforcing these danger zones and the added restricted area.

**Agency Decision To Adopt the Amendments Without Opportunity for Public Comment and Participation in Rulemaking**

The Corps has determined that implementation of final rulemaking for the Harvey Point restricted area will protect the public from possible hazards resulting from previous uses of the area. Nothing will be served by delaying the effective date of the rule. We have found it to be in the National interest to restrict the public use of the prior