

AIRAC date	State	City	Airport	FDC No.	FDC Date	Subject
23-Apr-20	AR	Lake Village	Lake Village Muni	0/9320	2/26/20	VOR-A, Amdt 8B.
23-Apr-20	KS	Liberal	Liberal Mid-America Rgnl	0/9631	3/2/20	VOR RWY 4, Amdt 3.
23-Apr-20	KS	Liberal	Liberal Mid-America Rgnl	0/9632	3/2/20	VOR/DME RWY 17, Amdt 4.
23-Apr-20	MN	Buffalo	Buffalo Muni	0/9633	2/26/20	VOR-A, Orig.
23-Apr-20	TX	Beeville	Beeville Muni	0/9634	2/26/20	VOR/DME RWY 12, Amdt 6A.
23-Apr-20	FL	Marianna	Marianna Muni	0/9684	2/26/20	VOR-A, Amdt 12A.
23-Apr-20	FL	Marianna	Marianna Muni	0/9685	2/26/20	VOR-B, Amdt 5A.
23-Apr-20	FL	Marianna	Marianna Muni	0/9686	2/26/20	NDB-C, Amdt 4B.
23-Apr-20	MI	Iron Mountain Kingsford	Ford	0/9687	2/26/20	LOC/DME BC RWY 19, Amdt 13A.
23-Apr-20	MI	Iron Mountain Kingsford	Ford	0/9688	2/26/20	RNAV (GPS) RWY 1, Orig-A.
23-Apr-20	MI	Iron Mountain Kingsford	Ford	0/9689	2/26/20	RNAV (GPS) RWY 19, Orig-A.
23-Apr-20	MI	Iron Mountain Kingsford	Ford	0/9690	2/26/20	VOR RWY 31, Amdt 16A.
23-Apr-20	MA	Hyannis	Barnstable Muni-Boardman/Polando Field.	0/9691	2/26/20	RNAV (GPS) RWY 15, Orig-B.
23-Apr-20	MA	Hyannis	Barnstable Muni-Boardman/Polando Field.	0/9692	2/26/20	RNAV (GPS) RWY 6, Orig-A.
23-Apr-20	MA	Hyannis	Barnstable Muni-Boardman/Polando Field.	0/9693	2/26/20	RNAV (GPS) RWY 24, Amdt 1.
23-Apr-20	MA	Hyannis	Barnstable Muni-Boardman/Polando Field.	0/9694	2/26/20	RNAV (GPS) RWY 33, Orig-B.
23-Apr-20	NY	New York	Laguardia	0/9903	2/14/20	ILS OR LOC RWY 4, Amdt 37A.
23-Apr-20	FL	Miami	Miami-Opa Locka Executive.	0/9974	2/27/20	ILS OR LOC RWY 27R, Amdt 1C.

[FR Doc. 2020-05868 Filed 3-20-20; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 31301; Amdt. No. 3895]

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 March 23, 2020. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the **Federal Register** as of March 23, 2020.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590-0001.

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The office of Aeronautical Navigation Products, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, email fedreg.legal@nara.gov or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

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 Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73169. 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 removes 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, 8260-15A, and 8260-15B 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 and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPS, Takeoff 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 require 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 March 6, 2020.

Rick Domingo,

Executive 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 23 April 2020

Laurel, MS, Hesler-Noble Field, VOR–A, Amdt 6
 Lebanon, NH, Lebanon Muni, RNAV (GPS) RWY 18, Amdt 1
 Hudson, NY, Columbia County, NDB–A, Amdt 4B, CANCELLED
 New Castle, PA, New Castle Muni, NDB RWY 23, Amdt 3C, CANCELLED
 Viroqua, WI, Viroqua Muni, Takeoff Minimums and Obstacle DP, Amdt 2

Effective 21 May 2020

Marianna, AR, Marianna/Lee County–Steve Edwards Field, RNAV (GPS) RWY 36, Amdt 1B

West Memphis, AR, West Memphis Muni, ILS OR LOC RWY 17, Amdt 5B
 Fort Huachuca Sierra Vista, AZ, Sierra Vista Muni–Libby AAF, TACAN RWY 8, Amdt 1B
 Fort Huachuca Sierra Vista, AZ, Sierra Vista Muni–Libby AAF, TACAN RWY 26, Amdt 1B
 Chico, CA, Chico Muni, Takeoff Minimums and Obstacle DP, Amdt 7
 Modesto, CA, Modesto City–Co–Harry Sham Fld, ILS OR LOC RWY 28R, Amdt 15
 Modesto, CA, Modesto City–Co–Harry Sham Fld, RNAV (GPS) RWY 28R, Amdt 1
 Modesto, CA, Modesto City–Co–Harry Sham Fld, VOR RWY 28R, Amdt 1
 Paso Robles, CA, Paso Robles Muni, PASO ROBLES ONE, Graphic DP
 Paso Robles, CA, Paso Robles Muni, Takeoff Minimums and Obstacle DP, Amdt 2
 Sacramento, CA, Sacramento Intl, Takeoff Minimums and Obstacle DP, Amdt 1A
 Live Oak, FL, Suwannee County, RNAV (GPS) RWY 25, Orig–C
 Perry, FL, Perry–Foley, Takeoff Minimums and Obstacle DP, Amdt 1B
 Clarion, IA, Clarion Muni, NDB RWY 14, Amdt 4A, CANCELLED
 Council Bluffs, IA, Council Bluffs Muni, ILS OR LOC RWY 36, Amdt 1B
 Independence, IA, James H Connell Fld at Independence Muni, RNAV (GPS) RWY 18, Amdt 1A
 Independence, IA, James H Connell Fld at Independence Muni, RNAV (GPS) RWY 36, Amdt 1A
 Independence, IA, James H Connell Fld at Independence Muni, Takeoff Minimums and Obstacle DP, Amdt 5A
 Mapleton, IA, James G Whiting Memorial Field, RNAV (GPS) RWY 20, Orig–C
 Sheldon, IA, Sheldon Rgnl, RNAV (GPS) RWY 33, Amdt 1D
 Spencer, IA, Spencer Muni, RNAV (GPS) RWY 12, Orig–A
 Urbana, IL, Frasca Field, VOR–A, Amdt 11B
 Harper, KS, Harper Muni, RNAV (GPS)–A, Orig
 Harper, KS, Harper Muni, VOR OR GPS–B, Amdt 1B, CANCELLED
 Independence, KS, Independence Muni, ILS OR LOC RWY 35, Amdt 2A
 Independence, KS, Independence Muni, VOR–A, Amdt 3A
 Kingman, KS, Kingman Airport–Clyde Cessna Field, Takeoff Minimums and Obstacle DP, Orig–B
 Harlan, KY, Tucker–Guthrie Memorial, RNAV (GPS)–A, Amdt 1
 Shreveport, LA, Shreveport Downtown, Takeoff Minimums and Obstacle DP, Amdt 4
 Baltimore, MD, Baltimore/Washington Intl Thurgood Marshall, Takeoff Minimums and Obstacle DP, Amdt 10A
 Augusta, ME, Augusta State, RNAV (GPS)–B, Orig–C, CANCELLED
 Augusta, ME, Augusta State, Takeoff Minimums and Obstacle DP, Amdt 4
 Battle Creek, MI, W K Kellogg, NDB RWY 23R, Amdt 19A, CANCELLED
 Austin, MN, Austin Muni, RNAV (GPS) RWY 35, Amdt 2A
 Mahanomen, MN, Mahanomen County, RNAV (GPS) RWY 17, Amdt 1A
 Mahanomen, MN, Mahanomen County, RNAV (GPS) RWY 35, Amdt 1A

Pine River, MN, Pine River Rgnl, NDB RWY 34, Amdt 2A
 Staples, MN, Staples Muni, NDB RWY 14, Amdt 3C
 Tarkio, MO, Gould Peterson Muni, Takeoff Minimums and Obstacle DP, Amdt 1
 Trenton, MO, Trenton Muni, NDB RWY 18, Amdt 7D, CANCELLED
 Trenton, MO, Trenton Muni, NDB RWY 36, Amdt 10B, CANCELLED
 Tioga, ND, Tioga Muni, RNAV (GPS) RWY 12, Orig-B
 Toledo, OH, Toledo Executive, Takeoff Minimums and Obstacle DP, Amdt 3
 Gregory, SD, Gregory Muni—Flynn Fld, RNAV (GPS) RWY 13, Orig-C
 Pierre, SD, Pierre Rgnl, ILS OR LOC RWY 31, Amdt 13
 Gilmer, TX, Fox Stephens Field-Gilmer Muni, VOR/DME—A, Amdt 1A, CANCELLED
 Houston, TX, William P Hobby, Takeoff Minimums and Obstacle DP, Amdt 7
 Mount Pleasant, TX, Mount Pleasant Rgnl, VOR/DME—A, Orig-A, CANCELLED
 Sulphur Springs, TX, Sulphur Springs Muni, RNAV (GPS) RWY 1, Amdt 1C
 Terrell, TX, Terrell Muni, NDB RWY 17, Amdt 4, CANCELLED
 Ogden, UT, Ogden-Hinckley, ILS OR LOC RWY 3, Amdt 5A
 Newport News, VA, Newport News/Williamsburg Intl, ILS OR LOC RWY 7, Amdt 35
 Marshfield, WI, Marshfield Muni, SDF RWY 34, Amdt 7, CANCELLED

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[TD 9895]

RIN 1545-BM36

Covered Asset Acquisitions

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Final regulations and removal of temporary regulations.

SUMMARY: This document contains final Income Tax Regulations under section 901(m) of the Internal Revenue Code (Code) with respect to transactions that generally are treated as asset acquisitions for U.S. income tax purposes and either are treated as stock acquisitions or are disregarded for foreign income tax purposes. These regulations are necessary to provide guidance on applying section 901(m). These regulations affect taxpayers claiming foreign tax credits.

DATES:

Effective date: These regulations are effective on March 23, 2020.

Applicability dates: For dates of applicability, see §§ 1.704–1(b)(1)(ii)(b)(4), 1.901(m)–1(b), 1.901(m)–2(f), 1.901(m)–3(d), 1.901(m)–4(g), 1.901(m)–5(i), 1.901(m)–6(d), 1.901(m)–7(g), and 1.901(m)–8(e).

FOR FURTHER INFORMATION CONTACT:

Jeffrey L. Parry at (202) 317–6936 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Background

On December 7, 2016, both a notice of proposed rulemaking by cross-reference in part to temporary regulations (REG–129128–14) (2016 proposed regulations) under sections 901(m) and 704 of the Code and temporary regulations (TD 9800) under section 901(m) were published in the **Federal Register** at 81 FR 88562 and 81 FR 88103. The temporary and proposed regulations include the rules described in Notice 2014–44 (2014–32 I.R.B. 270 (August 4, 2014)) and Notice 2014–45 (2014–34 I.R.B. 388 (August 18, 2014)).

A public hearing was not requested, and none was held. However, the Department of the Treasury (Treasury Department) and the IRS received written comments in response to the notice of proposed rulemaking. After consideration of all the comments, the 2016 proposed regulations under section 901(m) are adopted as revised by this Treasury decision. The revisions are discussed in this preamble. This Treasury decision also adopts the 2016 proposed regulations under section 704 without revision. The regulations adopted by this Treasury decision are referred to herein as the “final regulations.” Defined terms used in this preamble but not defined herein have the meaning provided in the final regulations.

Summary of Comments and Explanation of Revisions

1. Scope of Covered Asset Acquisitions (CAAs)

Proposed § 1.901(m)–2(b) identifies six categories of transactions that constitute CAAs, three of which are specified in the statute and three of which are additional categories of transactions that are identified as CAAs pursuant to the authority granted under section 901(m)(2)(D).

One comment requested that an exemption to section 901(m) be provided for CAAs in which all or substantially all of the gains and losses with respect to the relevant foreign assets (RFAs) are recognized by members of the U.S.-parented group that includes the section 901(m) payor. The comment suggested that the policies of

section 901(m) are not implicated in such a situation because if the same group takes into account the gains on the RFAs up front and then, in the future recognizes offsetting cost recovery items on those assets, over time, the U.S. income tax base is unchanged.

The Treasury Department and IRS agree that an exemption would be appropriate in certain cases, but have determined that the comment’s suggestion is overbroad. As proposed by the comment, the exemption would apply to U.S. members of an affiliated group that do not file a consolidated return and to related controlled foreign corporations. This leaves open the possibility of manipulation of foreign tax credits. For example, in the case of affiliated but non-consolidated U.S. entities, the entity recognizing the U.S. gain on the assets up front may be an entity that is exempt from tax under section 501 while the entity recognizing the offsetting cost recovery items may be in a position to take advantage of the excess foreign taxes related to the basis difference.

The Treasury Department and IRS have determined that the exemption should apply only if a domestic section 901(m) payor or a member of its consolidated group recognized the gains or losses or took into account a distributive share of the gains or losses recognized by a partnership for U.S. tax purposes as part of the original CAA. Accordingly, the definition of aggregate basis difference is modified to take into account allocated basis difference adjustments determined based on gain or loss recognized with respect to an RFA as a result of a CAA. See § 1.901(m)–1(a)(1), (6), (48), and (49). For example, if one domestic corporation, USS1, sold a foreign disregarded entity (FDE) that held an asset to another member of its consolidated group, USS2, the transaction is a CAA, because it is an asset sale for U.S. income tax purposes and an acquisition of stock of the FDE for foreign tax purposes. As a result, the asset is an RFA owned by USS2 subject to section 901(m). However, any aggregate basis difference USS2 determines with respect to the RFA will be adjusted to take into account the gain recognized for U.S. income tax purposes by USS1 on the original sale, provided USS1 and USS2 are still members of the same consolidated group in the year the allocated basis difference is determined.

Another comment suggested that the final category of transactions, which includes any asset acquisition for U.S. and foreign income tax purposes that results in an increase in the U.S. basis