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Issued in Seattle, Washington, on
November 4, 2005.

Raul C. Treviño,

*Area Director, Western En Route and Oceanic
Operations.*

[FR Doc. 05-23017 Filed 11-21-05; 8:45am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 71**

[Docket No. FAA-2005-22998; Airspace
Docket No. 2005-ASW-19]

**Establishment to Class E Airspace;
Hillsboro, TX**

AGENCY: Federal Aviation
Administration (FAA), DOT.

ACTION: Direct final rule; request for
comments.

SUMMARY: This action establishes the
Class E airspace area at Hillsboro
Municipal Airport, Hillsboro, TX (INJ),
to provide adequate controlled airspace
for the area navigation (RNAV) global
positioning system (GPS) standard
instrument approach procedure (SIAP).

DATES: Effective 0901 UTC, February 16,
2006.

Comments for inclusion in the Rules
Docket must be received on or before
January 16, 2006.

ADDRESSES: Send comments on the rule
to the Docket Management System, U.S.
Department of Transportation, Room
Plaza 401, 400 Seventh Street, SW.,
Washington, DC 20590-0001. You must
identify the docket number, FAA-2005-
22998/Airspace Docket No. 2005-ASW-
20, at the beginning of your comments.
You may also submit comments on the
Internet at <http://dms.dot.gov>. Anyone
can find and read the comments
received in this docket, including the
name, address and any other personal
information placed in the docket by a
commenter. You may review the public
docket containing any comments
received and this direct final rule in
person at the Dockets Office between 9
a.m. and 5 p.m., Monday through
Friday, except Federal holidays. The
Docket Office (telephone 1-800-647-
5527) is located on the plaza level of the
Department of Transportation NASSIF
Building at the street address stated
previously.

An informal docket may also be
examined during normal business hours
at the office of the Air Traffic Division,
Airspace Branch, Federal Aviation

Administration, Southwest Region, 2601
Meacham Boulevard, Forth Worth, TX.
Call the manager, Airspace Branch,
ASW-520, telephone (817) 222-5520;
fax (817) 222-5981, to make
arrangements for your visit.

FOR FURTHER INFORMATION CONTACT:

Joseph R. Yadouga, Air Traffic Division,
Airspace Branch, Federal Aviation
Administration, Southwest Region, Fort
Worth, TX 76193-0520; telephone (817)
222-5597.

SUPPLEMENTARY INFORMATION:

This amendment to 14 CFR part 71
establishes a Class D airspace
designation for an airspace area from the
surface up to but not including, 3,900
feet MSL at Rogers Municipal/Carter
Field, Rogers, AR, and will be published
in paragraph 5000 of FAA Order
7400.9N, dated September 1, 2004, and
effective September 16, 2005, which is
incorporated by reference in 14 CFR
71.1.

This amendment to 14 CFR part 71
also modifies the Class E airspace area
extending upward from the surface at
Rogers Municipal/Carter Field, Rogers,
AR, and will be published in paragraph
6000 of FAA Order 7400.9N, dated
September 1, 2005, and effective
September 16, 2005, which is
incorporated by reference in 14 CFR
71.1.

The Direct Final Rule Procedure

The FAA anticipates that this
regulation will not result in an adverse
or negative comment, and, therefore,
issues it as a direct final rule. 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.
Unless a written adverse or negative
comment, or a written notice of intent
to submit an adverse or negative
comment is received within the
comment period, the regulation will
become effective on the date specified.
After the close of the comment period,
the FAA will publish a document in the
Federal Register indicating that no
adverse or negative comments were
received and confirming the date on
which the final rule will become
effective. If the FAA does receive,
within the comment period, an adverse
or negative comment, or written notice
of intent to submit such a comment, a
document withdrawing the direct final
rule will be published in the **Federal
Register**, and a notice of proposed
rulemaking may be published with a
new comment period.

Comments Invited

Although this action is in the form of
a direct final rule, and was not preceded
by a notice of proposed rulemaking,
interested persons are invited to
comment on this rule by submitting
such written data, views, or arguments
as they may desire. Communications
must identify both docket numbers. All
communications received on or before
the closing date for comments will be
considered, and this rule may be
amended or withdrawn in light of the
comments received. Factual information
that supports the commenter's ideas and
suggestions is extremely helpful in
evaluating the effectiveness of this
action and determining whether
additional rulemaking action would be
needed.

Comments are specifically invited on
the overall regulatory, economic,
environmental, and energy aspects of
the rule that might suggest a need to
modify the rule. All comments
submitted will be available, both before
and after the closing date for comments,
in the Rules Docket for examination by
interested persons. A report that
summarizes each FAA-public contact
concerned with the substance of this
action will be filed in the Rules Docket.

Agency Findings

This rule does not have federalism
implications, as defined in Executive
Order No. 13132, because it does not
have a substantial direct effect on the
States, on the relationship between the
national government and the States, or
on the distribution of power and
responsibilities among the various
levels of government. Accordingly, the
FAA has not consulted with state
authorities prior to publication of this
rule.

The FAA has determined that this
regulation is noncontroversial and
unlikely to result in adverse or negative
comments. For the reasons discussed, I
certify that this regulation (1) is not a
"significant regulatory action" under
Executive Order 12866; (2) is not a
"significant rule" under Department of
Transportation (DOT) Regulatory
Policies and Procedures (44 FR 11034,
February 26, 1979); and (3) does not
warrant preparation of a Regulatory
Evaluation as these routine matters will
only affect air traffic procedures and air
navigation. I certify that this rule will
not have a significant economic impact
on a substantial number of small entities
under the criteria of the Regulatory
Flexibility Act.

Authority for This Rulemaking

The FAA authority to issue rules
regarding aviation safety is found in

Title 49 of the United States Code, Subtitle I, section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart I, section 40103, "Sovereignty and use of airspace." Under that section, the FAA is charged with developing plans and policy for the use of the navigable airspace and assigning by regulation or order the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. The FAA may modify or revoke an assignment when required in the public interest. This regulation is within the scope of that authority because it is in the public interest to provide greater control of the airspace for the safety of aircraft operating in the vicinity of the newly established airport traffic control tower.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration amends part 71 of the Federal Aviation Regulations (14 CFR part 71) as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

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.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9N, Airspace Designations and Reporting Points, dated September 1, 2005, and effective September 16, 2005, is amended as follows:

Paragraph 5000 Class D airspace areas extending upward from the surface of the earth.

* * * * *

ASW AR D Rogers, AR [New]

Rogers Municipal/Carter Field, Rogers, AR
Lat. 36°22'20" N, long. 94°06'25" W
Razorback VOR

Lat. 36°14'47" N, long. 94°07'17" W

That airspace extending upward from the surface up to but not including 3,900 feet

MSL within a 4-mile radius of Rogers Municipal/Carter Field and within 2.2 miles each side of the 005° radial of the Razorback VOR extending from the 4-mile radius to 6.0 miles south of the airport excluding that airspace west of a line (lat. 36°24'10" N., long. 94°10'49" W and lat. 36°16'24" N., long. 94°7'55" W) and excluding the Class C airspace associated with the Northwest Arkansas Regional Airport (XNA). This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6000 Class E airspace areas extending upward from the surface of the earth.

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ASW AR E2 Rogers, AR [Revised]

Rogers Municipal/Carter Field, Rogers, AR
Lat. 36°22'20" N, long. 94°06'25" W
Razorback VOR

Lat. 36°14'47" N, long. 94°07'17" W

Within a 4-mile radius of Rogers Municipal/Carter Field and within 2.2 miles each side of the 005° radial of the Razorback VOR extending from the 4-mile radius to 6.0 miles south of the airport excluding that airspace west of a line (lat. 36°24'10" N., long. 94°10'49" W and lat. 36°16'24" N., long. 94°7'55" W) and excluding the Class C airspace associated with the Northwest Arkansas Regional Airport (XNA). This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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Issued in Fort Worth, TX, on November 15, 2005.

William C. Yuknewicz,

Acting Area Director, Central En Route and Oceanic Operations.

[FR Doc. 05–23021 Filed 11–21–05; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 1 and 11

[Docket No. 2005D–0356]

Guidance for Industry: Questions and Answers Regarding the Final Rule on Establishment and Maintenance of Records (Edition 2); Availability

AGENCY: Food and Drug Administration, HHS.

ACTION: Notice of availability of guidance.

SUMMARY: The Food and Drug Administration (FDA) is announcing the availability of a guidance entitled

“Questions and Answers Regarding Establishment and Maintenance of Records (Edition 2).” The guidance responds to various questions raised about section 306 of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (the Bioterrorism Act) and the agency's implementing regulation, which requires the establishment and maintenance of records by persons who manufacture, process, pack, transport, distribute, receive, hold, or import food in the United States. Such records are to allow for the identification of the immediate previous sources and the immediate subsequent recipients of food. Persons covered by the regulation must be in compliance by December 9, 2005, June 9, 2006, or December 11, 2006, depending on the size of the business.

DATES: Submit written or electronic comments on the agency guidance at any time.

ADDRESSES: You may submit comments, identified by Docket No. 2005D–0356, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following ways:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

- Agency Web site: <http://www.fda.gov/dockets/ecommments>. Follow the instructions for submitting comments on the agency Web site.

Written Submissions

Submit written submissions in the following ways:

- FAX: 301–827–6870.
- Mail/Hand delivery/Courier [For paper, disk, or CD–ROM submissions]: Division of Dockets Management (HFA–305), Food and Drug Administration, 5630 Fishers Lane, rm. 1061, Rockville, MD 20852.

To ensure more timely processing of comments, FDA is no longer accepting comments submitted to the agency by e-mail. FDA encourages you to continue to submit electronic comments by using the Federal eRulemaking Portal or the agency Web site, as described in the *Electronic Submissions* portion of this paragraph.

Instructions: All submissions received must include the agency name and Docket No(s), and Regulatory Information Number (RIN) (if a RIN number has been assigned) for this rulemaking. All comments received may be posted without change to <http://www.fda.gov/ohrms/dockets/default.htm>, including any personal information provided. For detailed instructions on submitting comments