

**ANM WA E Eagle, CO [Removed]**

\* \* \* \* \*

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.*

\* \* \* \* \*

##### 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.

\* \* \* \* \*

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]

**BILLING CODE 4910–13–M**

## 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/ecomments>. 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