

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

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

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

■ 2. Part 97 is amended to read as follows:

. . . *Effective 20 January 2005*

Clarksville, AR, Clarksville Muni, RNAV (GPS) RWY 9, Orig-A
 Beckwourth, CA, Nervino, RNAV (GPS) RWY 25, Orig
 Fort Lauderdale, FL, Fort Lauderdale-Hollywood Intl, RNAV (GPS) RWY 27R, Orig-B
 Orlando, FL, Executive, RNAV (GPS) RWY 7, Orig-B
 Orlando, FL, Orlando Intl, RNAV (GPS) RWY 17R, Orig-C
 Columbus, GA, Columbus Metropolitan, RADAR–1, Amdt 8B, CANCELLED
 Hinesville, GA, Liberty County, RNAV (GPS) RWY 32, Orig-A
 Macon, GA, Macon Downtown, RADAR–1, Amdt 3, CANCELLED
 Macon, GA, Middle Georgia Regional, RADAR–1, Amdt 14, CANCELLED
 Montezuma, GA, Dr. C.P. Savage Sr, RNAV (GPS) RWY 36, Orig-A
 Vidalia, GA, Vidalia Regional, RNAV (GPS) RWY 24, Orig-A
 Jackson, KY, Julian Carroll, RNAV (GPS) RWY 1, Orig-A
 Batesville, MS, Panola County, RNAV (GPS) RWY 1, Orig-A
 Batesville, MS, Panola County, RNAV (GPS) RWY 19, Orig-A
 Philadelphia, MS, Philadelphia Muni, RNAV (GPS) RWY 36, Orig-A
 Raymond, MS, John Bell Williams, RNAV (GPS) RWY 12, Orig-B
 Raymond, MS, John Bell Williams, RNAV (GPS) RWY 30, Orig-B
 Grants, NM, Grants-Milan Muni, RNAV (GPS) 31, Orig-A
 Santa Fe, NM, Santa Fe Muni, RNAV (GPS) RWY 20, Orig-A
 Santa Fe, NM, Santa Fe Muni, RNAV (GPS) RWY 28, Orig-A
 Beaufort, NC, Michael J. Smith Field, RNAV (GPS) RWY 3, Orig-A
 Beaufort, NC, Michael J. Smith Field, RNAV (GPS) RWY 8, Orig-A
 Beaufort, NC, Michael J. Smith Field, RNAV (GPS) RWY 32, Orig-A
 Elizabeth City, NC, Elizabeth City Coast Guard Air Station/Regional, RNAV (GPS) RWY 1, Orig-A
 Greenville, NC, Pitt-Greenville, ILS OR LOC RWY 20, Amdt 4
 Greenville, NC, Pitt-Greenville, RNAV (GPS) RWY 20, Amdt 1
 Greenville, NC, Pitt-Greenville, RNAV (GPS) RWY 8, Amdt 1
 Greenville, NC, Pitt-Greenville, RNAV (GPS) RWY 2, Orig
 Greenville, NC, Pitt-Greenville, RNAV (GPS) RWY 26, Amdt 1
 Greenville, NC, Pitt-Greenville, RNAV (GPS) Y RWY 2, Orig, CANCELLED
 Greenville, NC, Pitt-Greenville, RNAV (GPS) Z RWY 2, Orig, CANCELLED

Statesville, NC, Statesville Regional, LOC/DME RWY 28, Orig
 Henryetta, OK, Henryetta Muni, RNAV (GPS) RWY 36, Orig-A
 Oklahoma City, OK, Clarence E. Page Muni, RNAV (GPS) RWY 35L, Orig-A
 Ponca City, OK, Ponca City Regional, RNAV (GPS) RWY 35, Orig-A
 Wagoner, OK, Hefner-Easley, RNAV (GPS) RWY 18, Orig-A
 Wagoner, OK, Hefner-Easley, RNAV (GPS) RWY 36, Orig-A
 Baytown, TX, R W J Airpark, RNAV (GPS) RWY 26, Amdt 1
 Baytown, TX, R W J Airpark, RNAV (GPS) RWY 32, Orig
 Baytown, TX, R W J Airpark, VOR/DME RWY 32, Amdt 5
 Baytown, TX, R W J Airpark, GPS RWY 32, Orig, CANCELLED
 Baytown, TX, R W J Airpark, VOR/DME RNAV RWY 26, Amdt 1, CANCELLED
 Dallas, TX, Addison, RNAV (GPS) RWY 33, Orig-A
 Chase City, VA, Chase City Muni, RNAV (GPS) RWY 18, Orig
 Chase City, VA, Chase City Muni, RNAV (GPS) RWY 36, Orig

. . . *Effective 17 February 2005*

Apple Valley, CA, Apple Valley, RNAV (GPS) RWY 18, Orig-B

. . . *Effective 17 March 2005*

Kalskag, AK, Kalskag, RNAV (GPS) RWY 6, Orig
 Kalskag, AK, Kalskag, RNAV (GPS)-A, Orig
 Kalskag, AK, Kalskag, GPS RWY 6, Orig-A, CANCELLED
 Kalskag, AK, Kalskag, GPS RWY 24, Orig-A, CANCELLED
 Tracy, MN, Tracy Muni, RNAV (GPS) RWY 11, Orig
 Tracy, MN, Tracy Muni, RNAV (GPS) RWY 29, Orig
 Madison, WI, Dane County Regional-Truax Field, RNAV (GPS) RWY 14, Amdt 1
 Madison, WI, Dane County Regional-Truax Field, RNAV (GPS) RWY 18, Amdt 1
 Madison, WI, Dane County Regional-Truax Field, RNAV (GPS) RWY 21, Amdt 1
 Madison, WI, Dane County Regional-Truax Field, RNAV (GPS) RWY 32, Amdt 1
 Madison, WI, Dane County Regional-Truax Field, RNAV (GPS) RWY 36, Amdt 1
 Madison, WI, Dane County Regional-Truax Field, ILS OR LOC/DME RWY 18, Orig
 Madison, WI, Dane County Regional-Truax Field, ILS OR LOC/DME RWY 21, Orig
 Madison, WI, Dane County Regional-Truax Field, ILS OR LOC/DME RWY 36, Orig
 Madison, WI, Dane County Regional-Truax Field, ILS RWY 18, Amdt 7C, CANCELLED
 Madison, WI, Dane County Regional-Truax Field, ILS RWY 21, Orig-A, CANCELLED
 Madison, WI, Dane County Regional-Truax Field, ILS RWY 36, Amdt 29D, CANCELLED
 Madison, WI, Dane County Regional-Truax Field, RADAR–1, Amdt 17

The FAA published an Amendment in Docket No. 30430, Amdt No. 3110 to Part 97 of the Federal Aviation Regulations under section 97.33 effective 20 JAN 2005 in Transmittal

Letter 04–26. The following SIAP is hereby rescinded. The SIAP has not yet been published in the **Federal Register**. Transmittal Letter 05–02 dated 17DEC05 will contain the information related to the **Federal Register**.

Deadhorse, AK, Deadhorse, LOC/DME BC RWY 22, Amdt 10

The procedures listed below appeared in Transmittal Letter 04–26, all were incorrectly associated with the state of Alabama (AL) on page 7 of the part 97 Docket. The correct state of association is Alaska (AK). The 8260 series forms were correct and do not need to be published again. Corrections appear below:

Point Lay, AK, Point Lay LRRS, RNAV (GPS) RWY 5, Orig
 Point Lay, AK, Point Lay LRRS, RNAV (GPS) RWY 23, Orig
 Point Lay, AK, Point Lay LRRS, NDB RWY 5, Orig
 Point Lay, AK, Point Lay LRRS, NDB RWY 5, Orig, CANCELLED
 Point Lay, AK, Point Lay LRRS, GPS RWY 5, Orig, CANCELLED
 Point Lay, AK, Point Lay LRRS, GPS RWY 23, Orig, CANCELLED

[FR Doc. 04–27218 Filed 12–13–04; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF COMMERCE**Office of the Secretary****15 CFR Part 6**

[Docket No. 031205307–4336–02]

RIN 0690–AA34

Civil Monetary Penalties; Adjustment for Inflation

AGENCY: Office of the Secretary, Commerce.

ACTION: Final rule.

SUMMARY: This final rule is being issued to adjust each civil monetary penalty provided by law within the jurisdiction of the Department of Commerce (the Department). The Federal Civil Penalties Inflation Adjustment Act of 1990, as amended by the Debt Collection Improvement Act of 1996, required the head of each agency to adjust its civil monetary penalties (CMP) for inflation no later than October 23, 1996, and requires them to make adjustments at least once every four years thereafter. These inflation adjustments will apply only to violations that occur after the effective date of this rule.

DATES: This rule is effective December 14, 2004.

ADDRESSES: Office of General Counsel, Department of Commerce, 14th and Constitution Avenue, MS 5876, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT:

Peter Robbins, 202-482-0846

SUPPLEMENTARY INFORMATION:

The Federal Civil Penalties Inflation Adjustment Act of 1990 (Public Law 101-410) provided for the regular evaluation of CMPs to ensure that they continued to maintain their deterrent value and that penalty amounts due to the Federal Government were properly accounted for and collected. On April 26, 1996, the Federal Civil Penalties Inflation Adjustment Act of 1990 was amended by the Debt Collection Improvement Act of 1996 (Public Law 104-134) to require each agency to issue regulations to adjust its CMPs for inflation at least every four years. The amendment further provided that any resulting increases in a CMP due to the inflation adjustment should apply only to the violations that occur subsequent to the date of the publication in the **Federal Register** of the increased amount of the CMP. The first inflation adjustment of any penalty shall not exceed ten percent of such penalty.

On October 24, 1996, and again on November 1, 2000, the Department published in the **Federal Register** a schedule of CMP adjusted for inflation as required by law. By this publication CMPs are again being adjusted for inflation as prescribed by law.

A civil monetary penalty is defined as any penalty, fine, or other sanction that:

1. Is for a specific monetary amount as provided by Federal law, or has a maximum amount provided for by Federal law; and,
2. Is assessed or enforced by an agency pursuant to Federal law; and,
3. Is assessed or enforced pursuant to an administrative proceeding or a civil action in the Federal courts.

This regulation adjusts the civil penalties that are established by law and assessed or enforced by the Department.

The actual penalty assessed for a particular violation is dependent upon a variety of factors. For example, The National Oceanic and Atmospheric Administration (NOAA) Civil Administrative Penalty Schedule (the Schedule), a compilation of internal guidelines that are used when assessing penalties for violations for most of the statutes NOAA enforces, will be interpreted in a manner consistent with this regulation to maintain the deterrent effect of the penalties recommended therein. The penalty ranges in the Schedule are intended to aid enforcement attorneys in determining the appropriate penalty to assess for a particular violation. Pursuant to the notice published in the **Federal Register** (59 FR 19160, April 22, 1994), the

Schedule is maintained and made available for inspection by the public at specific locations.

The inflation adjustment was determined pursuant to the methodology prescribed by Public Law 101-410, which requires the maximum CMP, or the minimum and maximum CMP, as applicable, to be increased by the cost-of-living adjustment. The term "cost-of-living adjustment" was defined in Public Law 104-34 to mean the percentage for each CMP by which the Consumer Price Index (CPI) for June of the calendar year preceding the adjustment exceeds the CPI for the month of June of the calendar year in which the amount of such CMP was last set or adjusted pursuant to law. For the purpose of computing the inflation adjustments, the CPI for June of the calendar year preceding the adjustment means the CPI for June of 2003.

Public Law 101-410 requires each rounded increase to be added to the minimum or maximum penalty amount being adjusted, and the total is the amount of such penalty, as adjusted, subject to the ten percent limitation provided by Public Law 104-134 for the first adjustments.

Rulemaking Requirements

It has been determined that this rule is not significant for purposes of Executive Order 12866.

The Department for good cause finds that notice and opportunity for comment is unnecessary for this rulemaking pursuant to 5 U.S.C. 553(b)(B). It is unnecessary to ask for notice and comment because the Debt Collection Improvement Act of 1996 (the Act) required the head of each agency to adjust its civil monetary penalties no later than October 23, 1996, and at least every four years thereafter, and the Federal Civil Monetary Penalty Inflation Adjustment Act of 1990, as amended by the Act, states how to calculate the inflation adjustment, making such adjustments wholly non-discretionary. This rule merely adjusts the Department's CMP according to the statutory requirements. For the same reasons, there exists good cause to waive the thirty day delay in effectiveness of the rule, pursuant to 5 U.S.C. 553(d)(3).

Because notice and opportunity for comment are not required by 5 U.S.C. 553, or any other law, a Regulatory Flexibility Analysis is not required and none was prepared. This rule does not contain information collection requirements for purposes of the Paperwork Reduction Act.

List of Subjects in 15 CFR Part 6

Law enforcement, Penalties.

James L. Taylor,

Deputy Chief Financial Officer and Director for Financial Management.

■ For the reasons set forth in the preamble, subtitle A of Title 15 of the Code of Federal Regulations is amended as follows:

PART 6—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

■ 1. The authority citation for part 6 continues to read as follows:

Authority: Sec. 4, as amended, and sec. 5, Pub. L. 101-410, 104 Stat. 890 (28 U.S.C. 2461 note); Pub. L. 104-134, 110 Stat. 1321, 28 U.S.C. 2461 note.

■ 2. Section 6.4 is revised to read as follows:

§ 6.4 Adjustments to penalties.

The civil monetary penalties provided by law within the jurisdiction of the respective agencies or bureaus of the Department, as set forth below in this section, are hereby adjusted in accordance with the inflation adjustment procedures prescribed in Section Five, from the amounts of such penalties in effect prior to December 14, 2004, to the amounts of such penalties, as thus adjusted.

(a) Bureau of Industry and Security.
(1) 15 U.S.C. 5408(b)(1), Fastener Quality Act, violation; from \$27,500 to \$27,500.

(2) 22 U.S.C. 6761(a)(1)(A), Chemical Weapons Convention Implementation Act—Inspection Violation, from \$25,000 to \$25,000.

(3) 22 U.S.C. 6761(a)(1)(B), Chemical Weapons Convention Implementation Act—Record Keeping Violation, from \$5,000 to \$5,000.

(4) 50 U.S.C. 1705(a), International Emergency Economic Powers Act—Export Administration Regulation Violation, from \$11,000 to \$11,000.

(5) 50 U.S.C. 1705(a), International Emergency Economic Powers Act—Chemical Weapons Convention Implementation Act, Import Restriction Violation, from \$11,000 to \$11,000.

(6) 50 U.S.C. App. 2410(c), Export Administration Act—Other Violation, from \$11,000 to \$11,000.

(7) 50 U.S.C. App. 2410(c), Export Administration Act and Section 38 of the Arms Export Control Act—National Security Violation, from \$110,000 to \$120,000.

(b) Economic Development Administration. 19 U.S.C. 2349, Trade Act of 1974—False Statements or Submissions with Applications for Assistance, from \$5,500 to \$5,500.

(c) Bureau of the Census. (1) 13 U.S.C. 304, Delinquency on Delayed filing of Export Documentation, from \$1,100 to \$10,000.

(2) 13 U.S.C. 305, Collection of Foreign Trade Statistics—Violations, from \$1,100 to \$10,000.

(d) Economics and Statistics Administration. 22 U.S.C. 3105(a), International Investment and Trade in Services Act—Failure to Furnish Information, from \$27,500 to \$27,500.

(e) International Trade Administration. (1) 19 U.S.C. 81s, Foreign Trade Zone—Violation, from \$1,100 to \$1,100.

(2) 16 U.S.C. 1677(f)(4), U.S.-Canada FTA Protective Order—Violation, from \$110,000 to \$120,000.

(f) National Oceanic and Atmospheric Administration. (1) 15 U.S.C. 5623(a)(3), Land Remote Sensing Policy Act of 1992, from \$11,000 to \$11,000.

(2) 15 U.S.C. 5658(c), Land Remote Sensing Policy Act of 1992, from \$11,000 to \$11,000.

(3) 16 U.S.C. 773f(a), Northern Pacific Halibut Act of 1982, from \$27,500 to \$27,500.

(4) 16 U.S.C. 783, Sponge Act (1914), from \$550 to \$550.

(5) 16 U.S.C. 957, Tuna Conventions Act of 1950 (1962);

(i) Violation/Subsection a, from \$27,500 to \$27,500.

(ii) Subsequent Violation/Subsection a, from \$60,000 to \$65,000.

(iii) Violation/Subsection b, from \$1,100 to \$1,100.

(iv) Subsequent Violation/Subsection b, from \$5,500 to \$5,500.

(v) Violation/Subsection c, from \$120,000 to \$130,000.

(6) 16 U.S.C. 971e(e), Atlantic Tuna Convention Act of 1975 (1995), from \$120,000 to \$130,000.

(7) 16 U.S.C. 972f(b), Eastern Pacific Tuna Licensing Act of 1984;

(i) Violation/Subsections (a)(1)–(3), from \$27,500 to \$27,500.

(ii) Subsequent Violation/Subsections (a)(1)–(3), from \$60,000 to \$60,000.

(iii) Violation/Subsections (a)(4)–(5), from \$5,500 to \$5,500.

(iv) Subsequent Violation/Subsections (a)(4)–(5), from \$5,500 to \$5,500.

(v) Violation/Subsection (a)(6), from \$120,000 to \$130,000.

(8) 16 U.S.C. 973f(a), South Pacific Tuna Act of 1988, from \$300,000 to \$325,000.

(9) 16 U.S.C. 1174(b), Fur Seal Act Amendments of 1983, from \$11,000 to \$11,000.

(10) 16 U.S.C. 1375(a)(1), Marine Mammal Protection Act of 1972 (1981), from \$11,000 to \$11,000.

(11) 16 U.S.C. 1385(e), Dolphin Protection Consumer Information Act (1990), from \$110,000 to \$120,000.

(12) 16 U.S.C. 1437(d)(1), National Marine Sanctuaries Act (1992), from \$120,000 to \$130,000.

(13) 16 U.S.C. 1540(a)(1), Endangered Species Act of 1973;

(i) Knowing Violations of Section 1538 (1988), from \$27,500 to \$27,500.

(ii) Other Knowing Violations (1988), from \$13,200 to \$13,200.

(iii) Otherwise Violations (1978), from \$550 to \$550.

(14) 16 U.S.C. 1858(a), Magnuson-Stevens Fishery Conservation and Management Act (1990), from \$120,000 to \$130,000.

(15) 16 U.S.C. 2437(a)(1), Antarctic Marine Living Resources Convention Act of 1984;

(i) Knowing Violation, from \$11,000 to \$11,000.

(ii) Violation, from \$5,500 to \$5,500.

(16) 16 U.S.C. 2465(a), Antarctic Protection Act of 1990;

(i) Knowing Violation, from \$11,000 to \$11,000.

(ii) Violation, from \$5,500 to \$5,500.

(17) 16 U.S.C. 3373(a), Lacey Act Amendments of 1981;

(i) Sale and Purchase Violation, from \$11,000 to \$11,000.

(ii) Marking Violation, from \$275 to \$275.

(iii) False Labeling Violation, from \$11,000 to \$11,000.

(iv) Other than Marking Violation, from \$11,000 to \$11,000.

(18) 16 U.S.C. 3606(b)(1), Atlantic Salmon Convention Act of 1982 (1990), from \$120,000 to \$130,000.

(19) 16 U.S.C. 3637(b), Pacific Salmon Treaty Act of 1985 (1990), from \$120,000 to \$130,000.

(20) 16 U.S.C. 4016(b)(1)(B), Fish and Seafood Promotion Act of 1986, from \$5,500 to \$5,500.

(21) 16 U.S.C. 5010(a)(1), North Pacific Anadromous Stocks Act of 1992, from \$110,000 to \$120,000.

(22) 16 U.S.C. 5103(b)(2), Atlantic Coastal Fisheries Cooperative Management Act (1993), from \$120,000 to \$130,000.

(23) 16 U.S.C. 5154(c)(1), Atlantic Striped Bass Conservation Act (1990), from \$120,000 to \$130,000.

(24) 16 U.S.C. 5507(a)(1), High Seas Fishing Compliance Act of 1995, from \$110,000 to \$120,000.

(25) 16 U.S.C. 5606(b), Northwest Atlantic Fisheries Convention Act of 1995, from \$120,000 to \$130,000.

(26) 22 U.S.C. 1978(e), Fishermen's Protective Act of 1967 (1971);

(i) Violation, from \$11,000 to \$11,000.

(ii) Subsequent Violation, from \$27,500 to \$27,500.

(27) 30 U.S.C. 1462(a), Deep Seabed Hard Mineral Resources Act (1980), from \$27,500 to \$27,500.

(28) 42 U.S.C. 9152(c)(1), Ocean Thermal Energy Conversion Act of 1980, from \$27,500 to \$27,500.

■ 3. Section 6.5 is revised to read as follows:

§ 6.5 Effective date of adjustments.

The adjustments made by § 6.4 of this part, of the penalties there specified, are effective on December 14, 2004, and said penalties, as thus adjusted by the adjustments made by § 6.4 of this part, shall apply only to violations occurring after December 14, 2004, and before the effective date of any future inflation adjustment thereto made subsequent to December 14, 2004 as provided in § 6.6 of this part.

[FR Doc. 04–27314 Filed 12–13–04; 8:45 am]

BILLING CODE 3510–33–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 10

Administrative Practices and Procedures

CFR Correction

In Title 21 of the Code of Federal Regulations, parts 1 to 99, revised as of April 1, 2004, on page 123, § 10.50 is corrected by removing paragraph (c)(11).

[FR Doc. 04–55527 Filed 12–13–04; 8:45 am]

BILLING CODE 1505–01–D

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 520

Oral Dosage Form New Animal Drugs; Furosemide

AGENCY: Food and Drug Administration, HHS.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of an abbreviated new animal drug application (ANADA) filed by Phoenix Scientific, Inc. The ANADA provides for veterinary prescription use of furosemide syrup in dogs by oral administration for treatment of edema associated with cardiac insufficiency and acute noninflammatory tissue edema.

DATES: This rule is effective December 14, 2004.