

Unfunded Mandates Reform Act of 1995

Title II of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) requires agencies to prepare several analyses before proposing any rule that may result in annual expenditures of at least \$100 million annually by State, local and Indian tribal governments, or the private sector. USDA certifies that this rule will not result in expenditures of this magnitude.

Paperwork Reduction Act of 1995

This rule will not impose additional reporting or record keeping requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

List of Subjects in 7 CFR Part 3052

Accounting, Grant programs, Intergovernmental relations, Nonprofit organizations, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, part 3052 of Chapter XXX of Title 7 of the Code of Federal Regulations is amended as follows:

PART 3052—AUDITS OF STATES, LOCAL GOVERNMENTS, AND NON-PROFIT ORGANIZATIONS

■ 1. The authority citation for part 3052 continues to read as follows:

Authority: 5 U.S.C. 301.

■ 2. Amend § 3052.105 by revising the definition of “Oversight agency for audit” to read as follows:

§ 3052.105 Definitions.

\* \* \* \* \*

Oversight agency for audit means the Federal awarding agency that provides the predominant amount of direct funding to a recipient not assigned a cognizant agency for audit. When there is no direct funding, the Federal agency with the predominant indirect funding shall assume the oversight responsibilities. The duties of the oversight agency for audit are described in § 3052.400(b). A Federal agency with oversight for an auditee may reassign oversight to another Federal agency, which provides substantial funding and agrees to be the oversight agency for audit. Within 30 days after any reassignment, both the old and the new oversight agency for audit shall notify the auditee, and, if known, the auditor of the reassignment.

\* \* \* \* \*

■ 3. Amend § 3052.400 by revising paragraph (a) to read as follows:

§ 3052.400 Responsibilities.

(a) Cognizant agency for audit responsibilities. Recipients expending more than \$50 million in a year in Federal awards shall have a cognizant agency for audit. The designated cognizant agency for audit shall be the Federal awarding agency that provides the predominant amount of direct funding to a recipient unless OMB makes a specific cognizant agency for audit assignment. The determination of the predominant amount of direct funding shall be based upon direct Federal awards expended in the recipient’s fiscal years ending in 2004, 2009, 2014, and every fifth year thereafter. For example, audit cognizance for periods ending in 2006 through 2010 will be determined based on Federal awards expended in 2004. (However, for 2001 through 2005, the cognizant agency for audit is determined based on the predominant amount of direct Federal awards expended in the recipient’s fiscal year ending in 2000.) Notwithstanding the manner in which audit cognizance is determined, a Federal awarding agency with cognizance for an auditee may reassign cognizance to another Federal awarding agency which provides substantial direct funding and agrees to be the cognizant agency for audit. Within 30 days after any reassignment, both the old and the new cognizant agency for audit shall notify the auditee, and, if known, the auditor of the reassignment. The cognizant agency for audit shall:

(1) Provide technical audit advice and liaison to auditees and auditors.

(2) Consider auditee requests for extensions to the report submission due date required by § 3052.320(a). The cognizant agency for audit may grant extensions for good cause.

(3) Obtain or conduct quality control reviews of selected audits made by non-Federal auditors, and provide the results, when appropriate, to other interested organizations.

(4) Promptly inform other affected Federal agencies and appropriate Federal law enforcement officials of any direct reporting by the auditee or its auditor of irregularities or illegal acts, as required by GAGAS or laws and regulations.

(5) Advise the auditor and, where appropriate, the auditee of any deficiencies found in the audits when the deficiencies require corrective action by the auditor. When advised of deficiencies, the auditee shall work with the auditor to take corrective action. If corrective action is not taken, the cognizant agency for audit shall notify the auditor, the auditee, and applicable

Federal awarding agencies and pass-through entities of the facts and make recommendations for follow-up action. Major inadequacies or repetitive substandard performance by auditors shall be referred to appropriate State licensing agencies and professional bodies for disciplinary action.

(6) Coordinate, to the extent practical, audits or reviews made by or for Federal agencies that are in addition to the audits made pursuant to this part, so that the additional audits or reviews build upon audits performed in accordance with this part.

(7) Coordinate a management decision for audit findings that affect the Federal programs of more than one agency.

(8) Coordinate the audit work and reporting responsibilities among auditors to achieve the most cost-effective audit.

(9) For biennial audits permitted under § 3052.220, consider auditee requests to qualify as a low-risk auditee under § 3052.530(a).

\* \* \* \* \*

§§ 3052.200, 3052.230, 3052.400 [Amended]

■ 4. In addition to the amendments set forth above, in 7 CFR part 3052 remove the term “\$300,000” and add, in its place, the term “\$500,000” in the following places:

- (a) Section 3052.200(a), (b), and (d);
(b) Section 3052.230(b)(2); and
(c) Section 3052.400 (d)(4).

Dated: May 9, 2005.

Patricia E. Healy, Acting Chief Financial Officer.

Dated: May 11, 2005.

Mike Johanns, Secretary, United States Department of Agriculture.

[FR Doc. 05–11840 Filed 6–15–05; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 95

[Docket No. 30448; Amdt. No. 455]

IFR Altitudes; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts miscellaneous amendments to the required IFR (instrument flight rules) altitudes and changeover points for certain Federal airways, jet routes, or

direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. This regulatory action is needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

**EFFECTIVE DATE:** 0901 UTC, July 7, 2005.

**FOR FURTHER INFORMATION CONTACT:** Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 95 of the Federal Aviation Regulations (14 CFR part 95) amends, suspends, or revokes IFR altitudes governing the operation of all aircraft in flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in part 95.

**The Rule**

The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes,

ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference. The reasons and circumstances that create the need for this amendment involve matters of flight safety and operational efficiency in the National Airspace System, are related to published aeronautical charts that are essential to the user, and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment are impracticable and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

**Conclusion**

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 95**

Airspace, Navigation (air).  
Issued in Washington, DC, on June 6, 2005.  
**James J. Ballough,**  
*Director, Flight Standards Service.*

**Adoption of the Amendment**

■ Accordingly, pursuant to the authority delegated to me by the Administrator, part 95 of the Federal Aviation Regulations (14 CFR part 95) is amended as follows effective at 0901 UTC, July 7, 2005.

**PART 95—[AMENDED]**

- 1. The authority citation for part 95 continues to read as follows:  
**Authority:** 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44719, 44721.
- 2. Part 95 is amended to read as follows:

**REVISIONS TO IFR ALTITUDES AND CHANGEOVER POINTS**  
[Amendment 455 effective date July 07, 2005]

From	To	MEA
<b>§ 95.1001 Direct Routes—U.S. COLOR ROUTES</b>		
<b>§ 95.515 Green Federal Airway G15 Is Amended To Read in Part</b>		
Anvik, AK NDB/DME .....	Takotna River, AK NDB .....	*9000
*6000—MOCA *7000—GNSS MEA		
<b>§ 95.10 Amber Federal Airway A1 Is Amended To Read in Part</b>		
Ocean Cape AK, NDB .....	Capem AK, INT .....	6000
2000—MOCA		
Capem, AK INT .....	Corva AK, INT .....	6000
4400—MOCA		
Corva, AK INT .....	Egger, AK NT .....	2000
Egger AK, INT .....	Orca Bay, AK NDB .....	5000
Orca Bay, AK NDB .....	Campbell Lake, AK NDB .....	9000
8000—MOCA		
<b>§ 95.1115 Amber Federal Airway A15 Is Amended To Read in Part</b>		
Nichols, AK NDB .....	Sumner Strait, AK NDB .....	*7000
*5100—MOCA *6000—GNSS MEA		
<b>§ 95.6 Blue Federal Airway B25 Is Amended To Read in Part</b>		
Orca Bay NDB .....	*Shope, AK FIX .....	4900

REVISIONS TO IFR ALTITUDES AND CHANGEOVER POINTS—Continued

[Amendment 455 effective date July 07, 2005]

From	To	MEA
*6600—MCA Shope, AK FIX, N BND		

**§ 95.5000 Ground-Based High Altitude RNAV Routes**

From/To 889R	Total distance	Changeover Point		Track angle	MEA	MAA
		Distance	From			
Nowel, AK .....	79.77	10.0	Nowel ...	110T/290 TO COP .....	18000	45000
Arise, AK .....	70.65			292T/112 TO Arise .....	18000	45000
Arise, AK .....				111T/291 TO Konks .....		
Konks, AK .....				293T/113 TO Konks .....		
Konks, AK .....	116.24	40.0	Konks ...	111T/291 TO COP .....	18000	45000
Laire, AK .....				294T/114 TO Laire .....		

From	To	MEA
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**§ 95.6001 Victor Routes—U.S.**

**§ 95.6036 VOR Federal Airway V36 Is Amended To Read in Part**

Buffalo, NY VOR/DME .....	*Dalee, NY FIX .....	3500
*8000—MRA		

**§ 95.6208 VOR Federal Airway V208 Is Amended by Adding**

Ventura, CA VOR/DME .....	Weezi, CA FIX .....	5000
Weezi, CA FIX .....	Santa Catalina, CA VORTAC .....	4000

**§ 95.6308 Alaska VOR Federal Airway V308 Is Amended To Read in Part**

Fishh, AK FIX .....	Sparrevohn, AK VOR/DME .....	*8000
*6000—MOCA		
*6000—GNSS MEA		

**§ 95.6317 Alaska VOR Federal Airway V317 Is Amended To Read in Part**

Csper, AK FIX .....	*Hapit, AK FIX .....	**15000
*15000—MRA		
**4100—MOCA		
**5000—GNSS MEA		
Hoods, AK FIX .....	Sisters Island, AK VORTAC .....	*7000
*5500—MOCA		
*6000—GNSS MEA		
Sisters Island, AK VORTAC .....	Csper, AK FIX .....	*7000
*5000—MOCA		
*5000—GNSS MEA		
Gesti, AK DME FIX .....	Level Island, AK VOR/DME .....	7000
5000—MOCA		
5000—GNSS MEA		
Level Island, AK VOR/DME .....	Hoods, AK FIX .....	*9000
*5900—MOCA		
*7000—GNSS MEA		

**§ 95.6319 Alaska VOR Federal Airway V319 Is Amended To Read in Part**

Arsen, AK FIX .....	Fanci, AK FIX .....	*4000
*2000—MOCA		
*2000—GNSS MEA		
Torte, AK FIX .....	*Veill, AK FIX .....	**12000
*10000—MCA VEILL, AK FIX E BND		
**10000—MOCA		
**10000—GNSS MEA		

**§ 95.6350 Alaska VOR Federal Airway V350 Is Amended To Read in Part**

Dahls, AK FIX .....	Emmonak, AK VOR/DME .....	*3600
*3000—MOCA		
*3000—GNSS MEA		

**§ 95.6453 Alaska VOR Federal Airway V453 Is Amended To Read in Part**

Bethel, AK VORTAC .....	Unalakleet, AK VOR/DME .....	*9000
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From	To	MEA
*4900—MOCA *6000—GNSS MEA Educe, AK FIX .....	Bethel, AK VORTAC .....	
	S BND .....	*7000
	N BND .....	*4000
*2500—MOCA *3000—GNSS MEA		

**§ 95.6510 Alaska VOR Federal Airway V510 Is Amended To Read in Part**

Anvik, AK NDB/DME .....	Abear, DME FIX. E BND .....	10000
	W BND .....	9000
*6200—MOCA *7000 GNSS MEA Abear, AK FIX .....	Mc Grath, AK VORTAC .....	*10000
*6200—MOCA *7000—GPS MEA		

**§ 95.6617 Alaska VOR Federal Airway V617 Is Amended To Read in Part**

Homer, AK VOR/DME .....	Johnstone Point, AK VOR/DME .....	*12000
*8600—MOCA *9000—GNSS MEA		

From	To	MEA	MAA
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**§ 95.7001 Jet Routes**

**§ 95.7094 Jet Route J94 Is Amended To Read in Part**

Manteca, CA VORTAC .....	Kirck, CA FIX .....	19000	45000
Kirck, CA FIX .....	Mustang, NV VORTAC .....	19000	45000

**§ 95.7133 Jet Route J133 Is Amended To Read in Part**

Sitka, AK NDB .....	Orca Bay NDB .....	18000	45000
Orca Bay, AK NDB .....	Johnstone Point VOR/DME .....	18000	45000

**§ 95.7711 Jet Route J711 Is Amended To Delete**

Sitka, AK NDB .....	Laire, AK FIX .....	18000	45000
Laire, AK FIX .....	Hinchinbrook, AK NDB .....	18000	45000

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**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 97**

[Docket No. 30447; Amdt. No. 3124]

**Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments**

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

**ACTION:** Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) and/or Weather Takeoff Minimums 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, addition of new obstacles, or changes in 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 June 16, 2005. The compliance date for each SIAP and/or Weather Takeoff Minimums 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 June 16, 2005.

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

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located;

3. The National Flight Procedures Office, 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, call 202-741-6030, or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html).

*For Purchase—*Individual SIAP and Weather Takeoff Minimums copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or