

FDC date	State	City	Airport	FDC No.	SIAP
01/24/95	WI	Madison	Dane County Regional-Truax Field	FDC 5/0303	VOR or TACAN or GPS RWY 18 AMDT 20...
01/24/95	WI	Madison	Dane County Regional-Truax Field	FDC 5/0306	ILS RWY 18 AMDT 6...
01/24/95	WI	Madison	Dane County Regional-Truax Field	FDC 5/0308	ILS RWY 36 AMDT 29...
01/24/95	WI	Madison	Dane County Regional-Truax Field	FDC 5/0496	NDB or GPS RWY 36 AMDT 28...
01/24/95	WI	Madison	Dane County Regional-Truax Field	FDC 5/0496	NDB or GPS RWY 36 AMDT 28...
01/24/95	WI	Madison	Morey	FDC 5/0300	VOR or GPS-B AMDT 5...
01/24/95	WI	Madison	Morey	FDC 5/0302	VOR or GPS-A AMDT 6...
01/25/95	IA	Fort Dodge	Fort Dodge Regional	FDC 5/0332	RNAV or GPS RWY 24, AMDT 5...
01/25/95	ME	Bangor	Bangor Intl	FDC 5/0317	ILS RWY 15 AMDT 2...
01/27/95	FL	Melbourne	Melbourne Intl	FDC 5/0365	VOR RWY 9R AMDT 19...
01/27/95	FL	Melbourne	Melbourne Intl	FDC 5/0366	VOR or GPS RWY 27L AMDT 11...
01/27/95	FL	Melbourne	Melbourne Intl	FDC 5/0368	ILS RWY 9R AMDT 9...
01/27/95	FL	Miami	Kendall-Tamiami Executive	FDC 5/0362	ILS RWY 9R AMDT 7A...
01/27/95	FL	Miami	Kendall-Tamiami Executive	FDC 5/0363	NDB RWY 9R ORIG-A...
01/27/95	FL	Punta Gorda	Charlotte County	FDC 5/0359	VOR or GPS RWY 3 ORIG...
01/27/95	FL	Punta Gorda	Charlotte County	FDC 5/0360	VOR or GPS RWY 21 AMDT 3...
01/31/95	FL	Fort Lauderdale	Fort Lauderdale-Hollywood Intl	FDC 5/0415	NDB RWY 13 AMDT 14A...
01/31/95	FL	Fort Lauderdale	Fort Lauderdale-Hollywood Intl	FDC 5/0416	LOC RWY 9R AMDT 3A...
01/31/95	FL	Fort Lauderdale	Fort Lauderdale-Hollywood Intl	FDC 5/0417	VOR RWY 27R AMDT 10A...
01/31/95	FL	Fort Lauderdale	Fort Lauderdale-Hollywood Intl	FDC 5/0418	LOC RWY 13 ORIG-A...
01/31/95	FL	Kissimmee	Kissimmee Muni	FDC 5/0423	NDB RWY 15 AMDT 9...
01/31/95	FL	Miami	Miami Intl	FDC 5/0425	NDB or GPS RWY 27L AMDT 18...
01/31/95	FL	Miami	Miami Intl	FDC 5/0428	NDB RWY 27R ORIG...
01/31/95	FL	Miami	Miami Intl	FDC 5/0429	ILS RWY 12, AMDT 2A...
01/31/95	FL	Miami	Miami Intl	FDC 5/0431	IL RWY 27L, AMDT 22...
01/31/95	FL	Vero Beach	Vero Beach Muni	FDC 5/0434	VOR/DME RWY 29L, AMDT 2A...
01/31/95	FL	Vero Beach	Vero Beach Muni	FDC 5/0435	NDB RWY 29L, ORIG-A...
01/31/95	GA	Augusta	Bush Field	FDC 5/0441	RADAR-1 AMDT 6...
01/31/95	GA	Elberton	Elberton County-Patz Field	FDC 5/0444	VOR/DME or GPS RWY 10, AMDT 2A...
01/31/95	MS	Bay St. Louis	Stennis Intl	FDC 5/0445	NDB RWY 17 ORIG...
01/31/95	MS	Bay St. Louis	Stennis Intl	FDC 5/0446	RNAV or GPS RWY 17 AMDT 2...
02/01/95	FL	Fort Lauderdale	Fort Lauderdale-Hollywood Intl	FDC 5/0456	RADAR-1 AMDT 3A...
02/01/95	FL	Miami	Miami Intl	FDC 5/0455	ILS RWY 9R AMDT 7...
02/01/95	FL	Pompano Beach	Pompano Beach Airpark	FDC 5/0457	LOC RWY 14 ORIG...
02/01/95	FL	Vero Beach	Vero Beach Muni	FDC 5/0451	NDB RWY 11R ORIG 2A...
02/02/95	AK	Kodiak	Kodiak	FDC 5/0476	NDB-1, RWY 25, AMDT 3...
02/02/95	GA	Macon	Middle Georgia Regional	FDC 5/0500	VOR RWY 13 AMDT 7A...
02/02/95	MN	Grand Marais	Cook County	FDC 5/0483	NDB or GPS RWY 27 ORIG...
02/02/95	MN	Moose Lake	Moose Lake Carlton County	FDC 5/0520	NDB or GPS RWY 4 ORIG...
02/02/95	NY	Islip	Long Island MacArthur	FDC 5/0504	ILS RWY 6 AMDT 21...
02/03/95	AL	Mobile	Mobile Downtown	FDC 5/0541	RADAR-1 ASR RWY 36 ORIG...
02/03/95	CA	San Diego	San Diego Intl-Lindbergh Field	FDC 5/0523	NDB RWY 27 AMDT 1...
02/03/95	CA	San Diego	San Diego Intl-Lindbergh Field	FDC 5/0526	LOC RWY 27 AMDT 2...
02/07/95	MN	Duluth	Duluth Intl	FDC 5/0572	ILS RWY 9 AMDT 18...
02/07/95	NY	New York	John F. Kennedy Intl	FDC 5/0594	ILS/DME RWY 22R ORIG...

[FR Doc. 95-4072 Filed 2-16-95; 8:45 am]

BILLING CODE 4910-13-M

**14 CFR Part 97**

[Docket No. 28073; Amdt. No. 1650]

**Standard Instrument Approach Procedures; Miscellaneous Amendments**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) 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:** An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference-approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

**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; or

3. The Flight Inspection Area Office which originated the SIAP.

**For Purchase**

Individual SIAP copies may be obtained from:

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

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

**By Subscription**

Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

**FOR FURTHER INFORMATION CONTACT:** Paul J. Best, Flight Procedures Standards Branch (AFS-420), Technical Programs Division, Flight Standards Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-8277.

**SUPPLEMENTARY INFORMATION:** This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description of each SIAP is contained in official FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Forms 8260-3, 8260-4, and 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but 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 contained in FAA form documents is unnecessary. The

provisions of this amendment state the affected CFR (and FAR) sections, with the types and effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure identification and the amendment number.

**The Rule**

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. Some SIAP amendments may have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP amendments may require making them effective in less than 30 days. For the remaining SIAPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these SIAPs, 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 and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are unnecessary, impracticable, and contrary to the public interest and, where applicable, that 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, Navigation (air).

Issued in Washington, DC on February 10, 1995.

**Thomas C. Accardi,**

*Director, Flight Standards Service.*

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach 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. app. 1348, 1354(a), 1421 and 1510; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

**§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]**

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

\* \* \* *Effective May 25, 1995*

Block Island, RI, Block Island State, GPS RWY 28, Orig.  
Hereford, TX, Hereford Muni, NDB or GPS RWY 21, Amdt 2

\* \* \* *Effective March 30, 1995*

Colorado City, AZ, Colorado City Muni, NDB-A RWY 29, Orig  
Hot Springs, AR, Memorial Fld, ILS RWY 5, Amdt 13  
Windsor Locks, CT, Bradley Intl, GPS RWY 15, Orig.  
Fort Lauderdale, FL, Fort Lauderdale Executive, NDB Rwy 8, Amdt 8  
Fort Lauderdale, FL, Fort Lauderdale Executive, ILS RWY 8, Amdt 4  
Fort Lauderdale, FL, Fort Lauderdale Executive, VOR/DME RNAV or GPS RWY 8, Amdt 3  
Miami, FL, Miami INTL, VOR/DME RNAV or GPS RWY 9L, Amdt 10  
Miami, FL, Miami INTL, VOR/DME RNAV or GPS RWY 27R, Orig  
Miami, FL, Miami INTL, RNAV RWY 27R, Amdt 5A, Cancelled  
Miami, FL, Opa Locka, VOR/DME RNAV RWY 9L, Amdt 8  
Miami, FL, Opa Locka, VOR/DME RNAV RWY 27R, Orig  
Atlanta, GA, Fulton County Airport-Brown Field, RADAR-1, Amdt 18, Cancelled  
Rantoul, IL, Rantoul National Aviation Center, VOR RWY 27, Orig

Shelbyville, IN, Shelbyville Muni, VOR or GPS RWY 18, Amdt 9  
 Shenandoah, IA, Shenandoah Muni, VOR/DME OR GPS RWY 12, Amdt 3  
 Rochester, NH, Sykhaven, GPS RWY 33, Orig  
 Hickory, NC, Hickory Regional, VOR/DME or GPS RWY 6, Orig, Cancelled  
 Maxton, NC, Laurinburg-Maxton, VOR/DME-A, Orig-A, Cancelled  
 Sanford, NC, Sanford-Lee County Brick Field, VOR/DME-A, Orig-A, Cancelled  
 Wilmington, NC, New Hanover County, VOR or TACAN-A, Amdt 2A, Cancelled  
 Wilmington, NC, New Hanover County, RNAV RWY 24, Amdt 4A, Cancelled  
 Harrison, OH, Cincinnati West, VOR or GPS RWY 18, Amdt 2  
 Marysville, OH, Union County, NDB or GPS RWY 27, Amdt 5  
 Ardmore, OK, Ardmore Muni, ILS RWY 30, Amdt 3  
 Chambersburg, PA, Chambersburg Muni, VOR/DME-A, Amdt 2, Cancelled  
 Friday Harbor, WA, Friday Harbor, NDB RWY 34, Orig.

\* \* \* Effective March 2, 1995

Holland, MI, Tulip City, ILS/DME RWY 26, Orig  
 Amarillo, TX, Amarillo Intl, GPS RWY 22, Orig

\* \* \* Effective 2 February 1995

Jacksonville, FL, Jacksonville Intl, ILS RWY 7, Amdt 12

\* \* \* Effective Upon Publication

Teterboro, NJ, Teterboro, VOR/DME RWY 24, Amdt 8  
 Santa Fe, NM, Santa Fe County Muni, VOR OR GPS RWY 33, Amdt 8  
 Castroville, TX, Castroville Muni, NDB OR GPS RWY 33, Amdt 2  
 Bluefield, WV, Mercer County, VOR/DME or GPS RWY 23, Amdt 4

[FR Doc. 95-4071 Filed 2-16-95; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF COMMERCE

### Office of the Secretary

#### 15 CFR Part 15a

[Docket No. 950126028-5028-01]

RIN 0690-AA22

#### Testimony by Employees and the Production of Documents in Legal Proceedings

**AGENCY:** Office of the Secretary, Department of Commerce.

**ACTION:** Final rule.

**SUMMARY:** The Department of Commerce is revising its regulations which prescribes policies and procedures to be followed with respect to the testimony of Department employees regarding official matters, and the production of Department documents in legal proceedings. These regulations will

serve as a statement of policy and the amendments expand the scope of the existing regulations and provide for more comprehensive standards and guidelines for Department components, employees, former employees, other federal agencies, and the public in general regarding the appropriate procedures concerning testimony and the production of documents.

**EFFECTIVE DATE:** March 20, 1995.

**FOR FURTHER INFORMATION CONTACT:** M. Timothy Conner or Donald J. Reed, (202) 482-1067.

**SUPPLEMENTARY INFORMATION:** Section 301 of Title 5, United States Code, provides that the head of an Executive department may prescribe regulations for the custody, use and preservation of its records. The Supreme Court has upheld the ability of Federal agencies to establish procedures in section 301 regulations governing the production of records and testimony in legal proceedings in which the United States is not a party. *United States ex rel. Touhy v. Ragen*, 340 U. S. 462 (1951).

These rules establish Department of Commerce (DOC) policies and procedures applicable to the production of DOC documents and/or testimony by DOC employees in legal proceedings. Basically, the legal proceedings addressed in the rules are any administrative or judicial activities traditionally conducted within the executive or judicial branches of Federal, state, local or foreign governmental entities in which the United States: (i) Is not a party; (ii) is not represented; (iii) does not have a direct and substantial interest; and (iv) is not providing representation to an individual or entity that is a party.

Similarly, the rules will not cover activities that are not legal proceedings such as Congressional request for records or testimony, or requests for records under the Freedom of Information Act, 5 U.S.C. 552. In addition, the rules will not infringe upon or displace responsibilities committed to the Department of Justice in conducting litigation on behalf of the United States.

Finally, the rules will not remove the need to comply with any applicable confidentiality provisions such as the Privacy Act, The Freedom of Information Act or the Trade Secrets Act. In fact, if the requirements of confidentiality statutes or regulations are not met, records or testimony cannot be provided even where the requirements of these regulations are satisfied.

A notice of proposed rule making was published on September 9, 1994, (59 FR

46598). One comment was received regarding the standing of the individual or business entity, from whom the information was obtained, to contest its production or release. This comment did not require a modification in the final rule. The Department of Commerce's *Touhy* regulations cannot, in and of themselves, provide standing to third parties. *Touhy* regulations only provide a procedure whereby the agency can determine whether any evidentiary privileges or statutory requirements of privacy or confidentiality apply, or if there is any other legal basis for withholding information.

This rule has been determined to be "not significant" for purposes of Executive Order 12866.

The Assistant General Counsel for Legislation and Regulation certified to the Chief Counsel for Advocacy of the Small Business Administration that this rule would not have a significant economic impact on a substantial number of small entities. This is because the rule is established to facilitate the Department's safeguarding, control and preservation of its records, information, papers and property. As a result, a regulatory flexibility analysis was not prepared.

#### List of Subjects in 15 CFR Part 15a

Administrative practice and procedure, Courts, Government employees.

For the reasons set out in the preamble Part 15a is revised to read as follows:

#### PART 15a—TESTIMONY BY EMPLOYEES AND THE PRODUCTION OF DOCUMENTS IN LEGAL PROCEEDINGS

Sec.

- 15a.1 Scope.
- 15a.2 Definitions.
- 15a.3 Demands for testimony or production of documents: Department Policy.
- 15a.4 Demand for testimony or production of documents: Department procedures.
- 15a.5 Procedures when a Department employee receives a subpoena.
- 15a.6 Legal Proceedings between private litigants: Expert and/or opinion testimony.
- 15a.7 Demands or requests in legal proceedings for records protected by confidentiality statutes.
- 15a.8 Testimony of Department employees in proceedings involving the United States.

**Authority:** 5 U. S. C. 301; 15 U. S. C. 1501, 1512, 1513, 1515 and 1518; Reorganization Plan No. 5 of 1950; 3 CFR, 1949-1953 Comp., p. 1004; 44 U.S.C. 3101.