

\* \* \*Effective upon publication

Philadelphia, PA, Northeast Philadelphia,  
ILS RWY 24, Amdt 11  
Philadelphia, PA, Philadelphia Intl, ILS RWY  
27L, Amdt 7  
Wilkes-Barre/Scranton, PA, Wilkes-Barre/  
Scranton Intl, ILS RWY 22, Amdt 4  
Chesapeake, VA, Chesapeake Muni, LOC  
RWY 5, Amdt 2  
Chesapeake, VA, Chesapeake Muni, NDB OR  
GPS RWY 5, Amdt 1

[FR Doc. 95-6686 Filed 3-16-95; 8:45 am]

BILLING CODE 4910-13-M

## 14 CFR Part 97

[Docket No. 28136 ; Amdt. No. 1655]

### 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 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 matter 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 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 on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and §97.20 of the Federal Aviation Regulations (FAR). 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 of 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 airports, its location, the procedure identification and the amendment number.

#### The Rule

This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained in the content of the following FDC/P NOTAM for each SIAP. The SIAP information in some

previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been cancelled.

The FDC/P NOTAMs for 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 chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule 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 all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. 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 these SIAPs 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 97

Air Traffic Control, Airports, Navigation (Air).

Issued in Washington, DC on March 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 March 17, 1995*

FDC date	State	City	Airport	FDC No.	SIAP
02/22/95	FL	Fort Myers	Page Field	FDC 5/0832	ILS RWY 5 AMDT 6A...
02/22/95	FL	Fort Myers	Page Field	FDC 5/0833	NDB RWY 5 AMDT 5...
02/22/95	MO	Kansas City	Kansas City Intl	FDC 5/0842	ILS RWY 19L, ORIG...
02/22/95	WI	Superior	Richard I. Bong	FDC 5/0843	NDB RWY 31 AMDT 4...
02/23/95	PA	Pittsburgh	Pittsburgh International	FDC 5/0853	ILS RWY 28R AMDT 6...
02/24/95	AK	Nome	Nome	FDC 5/0869	NDB/DME OR GPS-1, RWY 2, ORIG B...
03/01/95	GA	Atlanta	Peachtree City-Falcon Field	FDC 5/0970	VOR/DME RNAV OR GPS RWY TWY 31, ORIG...
03/02/95	KY	Covington	Cincinnati/Northern Kentucky Intl	FDC 5/1007	ILS RWY 36L, AMDT 36...
03/02/95	NC	Greenville	Pitt-Greenville	FDC 5/1058	ILS RWY 19 AMDT 2...
03/02/95	ND	Mohall	Mohall Muni	FDC 5/1002	VOR/DME OR GPS RWY 31 AMDT 2...
03/08/95	NC	Hickory	Hickory Regional	FDC 5/1073	VOR RWY 24 AMDT 23...
03/08/95	NC	Hickory	Hickory Regional	FDC 5/1074	NDB OR GPS RWY 24 AMDT 4...
03/08/95	NC	Hickory	Hickory Regional	FDC 5/1075	ILS RWY 24 AMDT 6...
03/08/95	NC	North Wilkesboro	Wilkes County	FDC 5/1071	NDB OR GPS RWY 1 AMDT 1A...
03/08/95	NC	North Wilkesboro	Wilkes County	FDC 5/1072	LOC RWY 1 AMDT 1...
03/08/95	NC	Statesville	Statesville Muni	FDC 5/1077	VOR/DME RWY 10 AMDT 6A...
03/08/95	NC	Statesville	Statesville Muni	FDC 5/1079	NDB RWY 20 AMDT 8A...
03/08/95	NC	Washington	Warren Field	FDC 5/1078	VOR/DME RWY 5, AMDT 2...

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**SECURITIES AND EXCHANGE COMMISSION**

**17 CFR Part 240**

[Release No. 35473; File Nos. S7-29-93; S7-6-94]

RIN 3235-AG00; 3235-AF84

**Payment for Order Flow, Confirmation of Transactions**

**AGENCY:** Securities and Exchange Commission.

**ACTION:** Final rule; change of effective date.

**SUMMARY:** The Commission is postponing the effective date of Rule 11Ac1-3 and certain amendments to Rule 10b-10 under the Securities Exchange Act of 1934 from April 3, 1995 to October 2, 1995 in order to facilitate the orderly implementation of the enhanced disclosure requirements relating to payment for order flow and non-SIPC membership by broker-dealers.

**EFFECTIVE DATES:** The effective date of the final rule published on November 2, 1994 (59 FR 55006) is postponed until October 2, 1995. The effective date of § 240.10b-10(a) (9), which was published on November 17, 1995 (59 FR 59612) and which applies to non-SIPC broker-dealers other than government securities broker-dealers, is postponed until October 2, 1995. The effective date of the other amendments to § 240.10b-10 that was published on November 17, 1995, remains April 3, 1995.

**FOR FURTHER INFORMATION CONTACT:** Carlene Kim, Senior Counsel, at 202/942-4180, Office of Trading Practices, Division of Market Regulation, Securities and Exchange Commission, 450 Fifth Street, N.W. Mail Stop 5-1, Washington, D.C. 20549. For questions relating to compliance with new Rule 11Ac1-3 and amendments to Rule 10b-10 concerning payment for order flow, please contact Gail Marshall, Attorney, at 202/942-7129, Office of Market Supervision, Division of Market Regulation. For questions relating to compliance with the amendment to Rule 10b-10 relating to disclosure of a broker-dealer's non-SIPC status, please contact C. Dirk Peterson, Senior

Counsel, at 202/942-0073, Office of Chief Counsel, Division of Market Regulation.

**SUPPLEMENTARY INFORMATION:**

**A. Payment for Order Flow**

On October 27, 1994, the Commission adopted Rule 11Ac1-3 [17 CFR 240.11Ac1-3] and amendments to Rule 10b-10 [17 CFR 240.10b-10] under the Securities Exchange Act of 1934.<sup>1</sup> Rule 11Ac1-3 requires broker-dealers to disclose, in annual account statements and new account forms, their policies regarding the receipt of payment for order flow and to provide a detailed description of the nature of the compensation received. Rule 11Ac1-3 also requires broker-dealers to provide information about order routing policies for orders subject to payment for order flow, including an explanation of the extent to which orders can be executed at prices superior to the best bid and offer. Rule 10b-10, as amended, requires broker-dealers to state on confirmations whether they receive payment for order flow, and that the source and nature of

<sup>1</sup> Securities Exchange Act Release No. 34902 (October 27, 1994), 59 FR 55006.