

AIRAC Date	State	City	Airport	FDC No.	FDC date	Subject
7-Oct-21	WI	Rhinelander	Rhinelander-Oneida County.	1/1665	8/20/21	RNAV (GPS) RWY 33, Amdt 1B.
7-Oct-21	WI	Rhinelander	Rhinelander-Oneida County.	1/1666	8/20/21	RNAV (GPS) RWY 27, Amdt 1C.
7-Oct-21	NE	Ogallala	Searle Fld	1/7383	8/17/21	RNAV (GPS) RWY 31, Orig-C.
7-Oct-21	NE	Ogallala	Searle Fld	1/7385	8/17/21	RNAV (GPS) RWY 8, Amdt 2C.
7-Oct-21	NE	Ogallala	Searle Fld	1/7393	8/17/21	RNAV (GPS) RWY 26, Amdt 2C.
7-Oct-21	KY	Williamsburg	Williamsburg-Whitley County.	1/7409	8/20/21	LOC RWY 20, Orig-D.
7-Oct-21	KY	Williamsburg	Williamsburg-Whitley County.	1/7411	8/20/21	VOR RWY 20, Orig-D.
7-Oct-21	MN	Minneapolis	Flying Cloud	1/8648	8/30/21	ILS OR LOC RWY 10R, Amdt 3C.
7-Oct-21	IL	Quincy	Quincy Rgnl-Baldwin Fld	1/8699	8/23/21	ILS OR LOC RWY 4, Amdt 17B.
7-Oct-21	IL	Quincy	Quincy Rgnl-Baldwin Fld	1/8700	8/23/21	NDB RWY 4, Amdt 17A.
7-Oct-21	OK	Woodward	West Woodward	1/8990	8/17/21	RNAV (GPS) RWY 17, Orig-A.
7-Oct-21	OK	Woodward	West Woodward	1/8991	8/17/21	RNAV (GPS) RWY 35, Orig-A.
7-Oct-21	OK	Woodward	West Woodward	1/8992	8/17/21	VOR/DME-A, Amdt 7A.
7-Oct-21	AK	Nenana	Nenana Muni	1/9009	8/17/21	RNAV (GPS) RWY 4L, Amdt 1A.
7-Oct-21	AK	Nenana	Nenana Muni	1/9010	8/17/21	NDB RWY 4L AMDT 3C.
7-Oct-21	GA	Baxley	Baxley Muni	1/9024	8/18/21	RNAV (GPS) RWY 26, Amdt 1B.
7-Oct-21	GA	Baxley	Baxley Muni	1/9025	8/18/21	RNAV (GPS) RWY 8, Amdt 1B.
7-Oct-21	GA	Baxley	Baxley Muni	1/9026	8/18/21	NDB RWY 8, Amdt 2B.
7-Oct-21	CA	Chino	Chino	1/9035	8/17/21	ILS OR LOC RWY 26R, Amdt 8A.
7-Oct-21	CA	Chino	Chino	1/9036	8/17/21	RNAV (GPS) RWY 26R, Orig-D.
7-Oct-21	CA	Chino	Chino	1/9038	8/17/21	VOR RWY 26R, Orig.

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BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION
Federal Aviation Administration
14 CFR Part 97

[Docket No. 31388; Amdt. No. 3973]

Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This rule establishes, amends, suspends, or removes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure procedures (ODPs) 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, adding new obstacles, or changing 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 September 13, 2021. The compliance date for each SIAP, associated Takeoff Minimums, and ODP 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 September 13, 2021.

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

For Examination

1. U.S. Department of Transportation, Docket Ops-M30, 1200 New Jersey Avenue SE, West Bldg., Ground Floor, Washington, DC 20590-0001;

2. The FAA Air Traffic Organization Service Area in which the affected airport is located;

3. The Office of Aeronautical Information Services, 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, email fr.inspection@nara.gov or go to: <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

Availability

All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit the National Flight Data Center at nfdc.faa.gov to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from

the FAA Air Traffic Organization Service Area in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT:

Thomas J. Nichols, Flight Procedures and Airspace Group, Flight Technologies and Procedures Division, Flight Standards Service, Federal Aviation Administration. Mailing Address: FAA Mike Monroney Aeronautical Center, Flight Procedures and Airspace Group, 6500 South MacArthur Blvd., Registry Bldg. 29, Room 104, Oklahoma City, OK 73169. Telephone (405) 954-4164.

SUPPLEMENTARY INFORMATION: This rule amends 14 CFR part 97 by establishing, amending, suspending, or removing SIAPS, Takeoff Minimums and/or ODPS. The complete regulatory description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, 8260-15B, when required by an entry on 8260-15A, and 8260-15C.

The large number of SIAPs, Takeoff Minimums and ODPS, their complex nature, and the need for a special format make publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPS, but instead refer to their graphic depiction on charts

printed by publishers or aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA form documents is unnecessary. This amendment provides the affected CFR sections and specifies the type of SIAPs, Takeoff Minimums and ODPs with their applicable effective dates. This amendment also identifies the airport and its location, the procedure, and the amendment number.

Availability and Summary of Material Incorporated by Reference

The material incorporated by reference is publicly available as listed in the **ADDRESSES** section.

The material incorporated by reference describes SIAPs, Takeoff Minimums and/or ODPs as identified in the amendatory language for part 97 of this final rule.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums and ODP as amended in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flights safety relating directly to published aeronautical charts.

The circumstances that created the need for some SIAP and Takeoff Minimums and ODP amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, 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, Takeoff Minimums and ODPs, and safety in air commerce, I find that notice and public procedure under 5 U.S.C. 553(b) are impracticable and contrary to the public interest and, where applicable, under 5 U.S.C. 553(d), 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.

Lists of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, Navigation (Air).

Issued in Washington, DC, on September 3, 2021.

Wade E.K. Terrell,

Aviation Safety, Flight Standards Service, Manager (A), Flight Technologies and Procedures Division.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or removing Standard Instrument Approach Procedures and/or Takeoff Minimums and Obstacle Departure 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. 106(f), 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

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

Effective 7 October 2021

Brevig Mission, AK, PFKT, RNAV (GPS) RWY 12, Amdt 1A
Fairbanks, AK, PAFA, RNAV (GPS) RWY 20L, Amdt 2
Gustavus, AK, Gustavus, GUSTAVUS TWO Graphic DP
Chatom, AL, 5R1, RNAV (GPS) RWY 12, Orig-B
Blytheville, AR, KBYH, ILS OR LOC RWY 18, Amdt 3
Paragould, AR, KPGR, RNAV (GPS) RWY 4, Orig-C
Paragould, AR, KPGR, RNAV (GPS) RWY 22, Orig-D
Atlanta, GA, PDK, ILS OR LOC RWY 21L, Amdt 9
Atlanta, GA, PDK, RNAV (GPS) Y RWY 21L, Amdt 2

Sterling/Rockfalls, IL, KSQI, ILS OR LOC RWY 25, Amdt 12
Fort Leavenworth, KS, KFLV, RNAV (GPS) RWY 16, Orig-B
Fort Leavenworth, KS, KFLV, RNAV (GPS) RWY 34, Orig-C
Fort Leavenworth, KS, KFLV, VOR-A, Orig-C
Frankfort, MI, KFKS, RNAV (GPS) RWY 15, Amdt 1B
Sturgis, MI, Kirsch Muni, Takeoff Minimums and Obstacle DP, Amdt 4
Keene, NH, KEEN, ILS OR LOC RWY 2, Amdt 5
Keene, NH, KEEN, RNAV (GPS) RWY 2, Amdt 1
Keene, NH, KEEN, VOR RWY 2, Amdt 13A, CANCELLED
New York, NY, John F Kennedy Intl, RNAV (GPS) Z RWY 13R, Orig
Hamilton, OH, KHAO, RNAV (GPS) RWY 11, Amdt 1A
Hamilton, OH, KHAO, RNAV (GPS) RWY 29, Amdt 1A
La Grande, OR, KLGD, RNAV (GPS) RWY 17, Amdt 1
Conway, SC, KHYW, RNAV (GPS) RWY 4, Amdt 1B
Conway, SC, KHYW, RNAV (GPS) RWY 22, Amdt 1B
Williamsburg, VA, KJGG, VOR-B, AMDT 3A
Janesville, WI, KJVL, ILS OR LOC RWY 4, Amdt 13
Janesville, WI, KJVL, ILS OR LOC RWY 32, Amdt 1C
Wheeling, WV, KHLG, RNAV (GPS) RWY 21, Amdt 1A
Wheeling, WV, KHLG, RNAV (GPS) RWY 34, Amdt 1B
Rescinded: On August 5, 2021 (86 FR 42708), the FAA published an Amendment in Docket No. 31382 Amdt No. 3967, to Part 97 of the Federal Aviation Regulations under section 97.37. The following entry for Koyukuk, AK, effective October 7, 2021, is hereby rescinded in its entirety:
Koyukuk, AK, Koyukuk, DIBVY THREE Graphic DP
Rescinded: On August 20, 2021 (86 FR 46774), the FAA published an Amendment in Docket No. 31384 Amdt No. 3969, to Part 97 of the Federal Aviation Regulations under section 97.33. The following entries for Headland, AL, effective October 7, 2021, are hereby rescinded in their entirety:
Headland, AL, 0J6, RNAV (GPS) RWY 9, Amdt 1B
Headland, AL, 0J6, RNAV (GPS) RWY 27, Amdt 1B
Rescinded: On August 31, 2021 (86 FR 48502), the FAA published an Amendment in Docket No. 31386 Amdt No. 3971, to Part 97 of the Federal Aviation Regulations under section 97.37. The following entries for Gold Beach, OR, and Jackson, WY effective October 7, 2021, are hereby rescinded in their entirety:
Gold Beach, OR, Gold Beach Municipal Airport, NELL ONE Graphic DP
Gold Beach, OR, Gold Beach Municipal Airport, Takeoff Minimums and Obstacle DP, Orig

Jackson, WY, Jackson Hole, GEYSER SIX
Graphic DP
[FR Doc. 2021-19643 Filed 9-10-21; 8:45 am]
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FEDERAL TRADE COMMISSION

16 CFR Parts 642 and 698

RIN 3084-AB63

Prescreen Opt-Out Notice Rule

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission (“FTC” or “Commission”) is issuing a final rule (“Final Rule”) to amend its Prescreen Opt-Out Notice Rule to correspond to changes made to the Fair Credit Reporting Act (“FCRA”) by the Dodd-Frank Act and to reinstate and amend a model prescreen opt-out notice.

DATES: This rule is effective October 13, 2021.

FOR FURTHER INFORMATION CONTACT:

David Lincicum (202-326-2773), Division of Privacy and Identity Protection, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Background

A. The Prescreen Opt-Out Notice Rule

Section 615(d) of the FCRA¹ requires that any person who uses a consumer report in order to make an unsolicited firm offer of credit or insurance to the consumer (“prescreened offer” or “prescreened solicitation”) shall provide with each written solicitation a clear and conspicuous statement that: (A) Information contained in the consumer’s consumer report was used in connection with the transaction; (B) the consumer received the offer of credit or insurance because the consumer satisfied the criteria for credit worthiness or insurability under which the consumer was selected for the offer; (C) if applicable, the credit or insurance may not be extended if, after the consumer responds to the offer, the consumer does not meet the criteria used to select the consumer for the offer or any applicable criteria bearing on credit worthiness or insurability or does not furnish any required collateral; (D) the consumer has a right to prohibit information contained in the consumer’s file with any consumer reporting agency from being used in

connection with any credit or insurance transaction that is not initiated by the consumer; and (E) the consumer may exercise the opt-out right by notifying a notification system established under section 604(e) of the FCRA.

The Fair and Accurate Credit Transactions Act of 2003 (“FACT Act”) was signed into law on December 4, 2003. Public Law 108-159, 117 Stat. 1952. Section 213(a) of the FACT Act amended FCRA section 615(d) to require that the statement mandated by section 615(d) “be presented in such format and in such type size and manner as to be simple and easy to understand, as established by the Commission, by rule, in consultation with the Federal banking agencies and the National Credit Union Administration.” On August 1, 2005, the FTC issued its Prescreen Opt-Out Notice Rule.²

B. Dodd-Frank Act

The Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”) was signed into law in 2010.³ The Dodd-Frank Act substantially changed the federal legal framework for financial services providers. Among the changes, the Dodd-Frank Act transferred to the Consumer Financial Protection Bureau (“CFPB”) the Commission’s rulemaking authority under portions of the FCRA.⁴ Accordingly, in 2012, the Commission rescinded several of its FCRA rules, which had been replaced by rules issued by the CFPB.⁵ The FTC retained rulemaking authority for other rules to the extent the rules apply to motor vehicle dealers described in section 1029(a) of the Dodd-Frank Act⁶ that are predominantly engaged in the sale and servicing of motor vehicles, the leasing and servicing of motor vehicles, or both (“motor vehicle dealers”).⁷ The retained rules include the Prescreen Opt-Out Notice Rule, which now applies only to motor vehicle dealers.⁸ Consumer report users originally covered by the Prescreen Opt-Out Notice Rule that are not motor vehicle dealers are covered by the CFPB’s rule.⁹

On May 22, 2019, the FTC rescinded several FCRA model notices and forms

¹ 70 FR 5021 (Aug. 1, 2005).

² Public Law 111-203 (2010).

³ 15 U.S.C. 1681 *et seq.* The Dodd-Frank Act does not transfer to the CFPB rulemaking authority for section 615(e) of the FCRA (“Red Flag Guidelines and Regulations Required”) and section 628 of the FCRA (“Disposal of Records”). *See* 15 U.S.C. 1681s(e).

⁴ 77 FR 22200 (April 13, 2012); 12 U.S.C. 5519.

⁵ 15 U.S.C. 5519.

⁶ 77 FR 22200 (April 13, 2012).

⁷ *Id.*

⁸ 12 CFR 1022.54.

that were no longer necessary due to the Dodd-Frank Act’s change to its rulemaking authority.¹⁰ The prescreen opt-out model notice was included in this rescission.

II. Regulatory Review of the Prescreen Opt-Out Notice Rule

On September 21, 2020, the Commission solicited comments on the Prescreen Opt-Out Notice Rule. The Commission sought information about the costs and benefits of the Rule, and its regulatory and economic impact. In addition, the Commission proposed amending sections 642.1 and 642.2 to narrow the scope of the Rule to motor vehicle dealers excluded from CFPB jurisdiction as described in the Dodd-Frank Act and reinstating the Prescreen Opt-Out Notice Rule model notice. The Commission received two comments concerning the Rule.¹¹

III. Overview of Final Rule

The Commission promulgated the Prescreen Opt-Out Notice Rule at a time when it had rulemaking authority for a broader group of consumer report users. While the Dodd-Frank Act did not change the Commission’s enforcement authority for the Prescreen Opt-Out Notice Rule, it did narrow the Commission’s rulemaking authority with respect to the Rule. It now covers only motor vehicle dealers.¹² The amendments in the Dodd-Frank Act necessitate technical revisions to the Prescreen Opt-Out Notice Rule to ensure that the regulation is consistent with the text of the amended FCRA. Accordingly, the Commission amends the Prescreen Opt-Out Notice Rule to properly reflect the Rule’s scope.

The amendment to section 642.1 narrows the scope of the Prescreen Opt-Out Notice Rule to those entities set forth in the Dodd-Frank Act that are predominantly engaged in the sale and servicing of motor vehicles, excluding those dealers that directly extend credit to consumers and do not routinely assign the extensions of credit to an unaffiliated third party.¹³ It does so by replacing the general term “person” with the term “motor vehicle dealers,” as defined in amended section 642.2. One commenter argued the Rule should use the term “MVD” in the place of “motor vehicle dealers” in order to reduce the word count of the Rule.¹⁴ The Commission believes the term

¹⁰ 84 FR 23471 (May 22, 2019).

¹¹ The comments can be found at www.regulations.gov/document/FTC-2020-0066-0001/comment.

¹² 15 U.S.C. 1681s(e)(1); 12 U.S.C. 5519.

¹³ 12 U.S.C. 5519.

¹⁴ Devin Davis (Comment 2).

¹ 15 U.S.C. 1681m(d).