

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 97**

[Docket No. 29065; Amdt. No. 1837]

RIN 2120-AA65

**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 (SIAP's) 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 SIAP's 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 SIAP's. 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), 14 CFR part 51, and 14 CFR 97.20 of the Federal Aviation Regulations (FAR). The applicable FAA Forms are identified as FAA Form 8260-5. Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAP's, 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 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.

This amendment to part 97 is effective upon publication of each separate SIAP as contained in the transmittal. The SIAP's contained in this amendment are based on the criteria contained in the United States 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.

The FAA has determined through testing that current non-localizer type, non-precision instrument approaches developed using the TERPS criteria can be flown by aircraft equipped with Global Positioning System (GPS) equipment. In consideration of the above, the applicable SIAP's will be altered to include "or GPS" in the title without otherwise reviewing or

modifying the procedure. (Once a stand alone GPS procedure is developed, the procedure title will be altered to remove "or GPS" from these non-localizer, non-precision instrument approach procedure titles.)

The FAA has determined through extensive analysis that current SIAP's intended for use by Area Navigation (RNAV) equipped aircraft can be flown by aircraft utilizing various other types of navigational equipment. In consideration of the above, those SIAP's currently designated as "RNAV" will be redesignated as "VOR/DME RNAV" without otherwise reviewing or modifying the SIAP's.

Because of the close and immediate relationship between these SIAP's and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are, 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 November 14, 1997.

**Thomas E. Stuckey,**

*Acting 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 as follows:

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

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

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

**§§ 97.23, 97.27, 97.33, 97.35 [Amended]**

2. Amend §§ 97.23, 97.27, 97.33, and 97.35, as appropriate, by adding, revising, or removing the following SIAP's, effective at 0901 UTC on the dates specified:

. . . *Effective Jan. 1, 1998*

Ozark, AL, Blackwell Field, VOR or GPS RWY 30, Amdt 6A CANCELLED

Ozark, AL, Blackwell Field, VOR RWY 30, Amdt 6A

Crookston, MN, Crookston Muni-Kirkwood Field, VOR or GPS RWY 31, Amdt 4A CANCELLED

Crookston, MN, Crookston Muni-Kirkwood Field, VOR RWY 31, Amdt 4A

Coshocton, OH, Richard Downing, VOR/DME RNAV or GPS RWY 22, Amdt 4 CANCELLED

Coshocton, OH, Richard Downing, VOR/DME RNAV RWY 22, Amdt 4

Marshall, TX, Harrison County, VOR/DME RNAV or GPS RWY 33, Amdt 1B CANCELLED

Marsahall, TX, Harrison County, VOR/DME RNAV RWY 33, Amdt 1B

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## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 14 CFR Part 1260

#### Miscellaneous Revisions to the NASA Grant and Cooperative Agreement Handbook, Section A

AGENCY: National Aeronautics and Space Administration (NASA).

ACTION: Final rule.

**SUMMARY:** The NASA Grant and Cooperative Agreement Handbook regulation is published in the Code of Federal Regulations. This is a final rule to amend the Handbook to: Redefine certain grant terms to eliminate ambiguities; clarify definitions and proposal and certification requirements relative to action type; raise the subcontract consent level from \$25,000 to \$100,000; clarify when it is necessary to obtain a revised budget proposal for competitively selected research grants; reduce the level of detail required for proposed travel costs; waive the requirement for Grant Officer approval of competitively selected research grants where 50 percent or more of the proposed funding is for equipment or travel; and clarify the requirements for proposal and approval procedures to permit the direct charge of general purpose equipment.

**EFFECTIVE DATE:** December 1, 1997.

#### FOR FURTHER INFORMATION CONTACT:

Donna Fortunat, NASA, Office of Procurement, Contract Analysis Division (Code HC), (202) 358-0426.

#### SUPPLEMENTARY INFORMATION:

##### Background

The NASA Grant and Cooperative Agreement Handbook is the NASA regulation for awarding and administering grants and cooperative agreements (14 CFR part 1260). Subpart A provides the text of provisions and special conditions and addresses NASA's authority, definitions, applicability, amendments, publications, deviations, pre-award requirements and post-award requirements.

##### Impact

NASA certifies that this regulation will not have a significant economic impact on a substantial number of small business entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This final rule does not impose any reporting or recordkeeping requirements subject to the Paper Reduction Act.

#### List of Subjects in 14 CFR Part 1260

Grant programs—science and technology, Reporting and recordkeeping requirements, Research.

**Tom Luedtke,**

*Deputy Associate Administrator for Procurement.*

Accordingly, 14 CFR Part 1260 is amended as follows:

#### PART 1260—GRANTS AND COOPERATIVE AGREEMENTS

1. The authority citation for 14 CFR Part 1260 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1), Pub. 2.97-258, 96 Stat. 1003 (31 U.S.C. 6301 *et seq.*), and OMB Circular A-110.

2. In section 1260.2, the definitions "Extension" and "Supplement" are removed, and the following definition "Amendment" is added in alphabetical order to read as follows:

##### § 1260.2 Definitions.

\* \* \* \* \*

**Amendment.** Any document used to effect modifications to grants and cooperative agreements. Amendments may be issued unilaterally at the discretion of the Grant Officer.

\* \* \* \* \*

3. In section 1260.11, paragraphs (d) and (e)(1) are revised and paragraph (e)(3) is added to read as follows:

##### § 1260.11 Evaluation and selection.

\* \* \* \* \*

(d) *Equipment justification on travel justification.* Unless the proposal is selected using a competitive process, for example, a NASA Research Announcement or a Cooperative Agreement Notice, these documents will be submitted by the technical office for grant officer approval when more than half of the proposed budget is for equipment or travel and associated indirect cost. The justification shall describe the extent to which the equipment or travel is necessary.

(e) *Proposal budget evaluation.* (1) The technical officer will review the recipients' estimated cost for conformance to program requirements and funds availability. The results of this review shall be recorded in Column B of the proposed Budget Summary Form (Exhibit C). New budgets are not required when the program office recommended funding is within 20 percent of the proposed amount, provided specific proposed objectives have not been added or deleted. However, when equipment and/or subcontracts are involved, the cognizant program office is required to identify the cost element(s) affected by the change in funding level.

\* \* \* \* \*

(3) The grant officer will address requests for direct charge of general purchase equipment in a negotiation summary and indicate whether the proposed purchase is approved as a direct cost.

\* \* \* \* \*

4. Section 1260.13 is revised to read as follows:

##### § 1260.13 Award procedures.

(a) *Award instruments*—(1) *Annual grant.* Grant may be awarded for a short term (e.g., on an annual basis).

(2) *Multiple year grant.* NASA policy is to make maximum use of multiple year grants to support research projects that may span several years. A multiple year grant is generally selected for a period of three years in keeping with NASA's policy calling for research to be peer reviewed at least every three years.

(i) If the decision to provide multiple year funding to a research proposal is made, the special condition in § 1260.52, "Multiple Year Grants", will be included in the award.

(ii) Periods approved under the Multiple Year Grants special condition in § 1260.52, and funded at the levels specified in the special condition, are not considered to be new awards. Therefore, new proposals, new proposal-related certifications (such as Drug Free Workplace and Debarment and Suspension) and new technical evaluations are not required.