

FDC date	State	City	Airport	FDC No.	SIAP
07/20/98	TX	Higgins	Higgins-Lipscomb County	8/5115	VOR/DME or GPS Rwy 18, Amdt 3...
07/21/98	MD	Baltimore	Martin State	8/5141	NDB or GPS Rwy 15 Amdt 7B...
07/21/98	MD	Baltimore	Martin State	8/5142	LOC Rwy 15 Orig-C...
07/21/98	MD	Baltimore	Martin State	8/5143	NDB or GPS Rwy 33 Amdt 7C...
07/21/98	OH	Cleveland	Cuyahoga County	8/5146	LOC BC Rwy 5, Amdt 10...
07/21/98	OH	Cleveland	Cuyahoga County	8/5147	ILS Rwy 23, Amdt 13...
07/21/98	OH	Cleveland	Cuyahoga County	8/5149	NDB or GPS Rwy 23, Amdt 8...
07/22/98	SD	Pine Ridge	Pine Ridge	8/5186	GPS Rwy 30, Orig...

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Amdt No. 1883; Docket No. 29295]

RIN 212-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:

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 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), 1 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 a Global Positioning System (GPS) and or Flight Management System (FMS) equipment. In consideration of the above, the applicable SIAP's will be altered to include "or GPS or FMS" in the title without otherwise reviewing or modifying the procedure. (Once a stand alone GPS or FMS procedure is developed, the procedure title will be altered to remove "or GPS or FMS" 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 July 24, 1998.

Richard O. Gordon,

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 Upon Publication

Murray, KY, Murray/Kyle-Oakley Field, NDB or GPS RWY 23, Orig CANCELLED

Murray, KY, Murray/Kyle-Oakley Field, NDB RWY 23, Orig Iola, KS, Iola/Allen County, NDB RWY 1, Amdt 1 CANCELLED

Iola, KS, Iola/Allen County, NDB RWY 1, Amdt 1

Scott City, KS, Scott City Muni, NDB or GPS RWY 35, Amdt 1 CANCELLED

Scott City, KS, Scott City Muni, NDB RWY 35, Amdt 1

Appleton, MN, Appleton Muni, NDB or GPS RWY 13, Orig-A CANCELLED

Appleton, MN, Appleton Muni, NDB RWY 13, Amdt 1

Bowman, ND, Bowman Muni, NDB or GPS RWY 29, Amdt 2A CANCELLED

Bowman, ND, Bowman Muni, NDB RWY 29, Amdt 3

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FEDERAL TRADE COMMISSION

16 CFR Part 254

Guides for Private Vocational and Distance Education Schools

AGENCY: Federal Trade Commission.

ACTION: Final rule.

SUMMARY: The Federal Trade Commission (FTC or Commission) announces final amendments to its Guides for Private Vocational Schools to: add a provision addressing misrepresentations regarding the availability of employment after completion of training or the success of a school's graduates in obtaining employment; streamline the Guides by eliminating redundancies and provisions that do not offer guidance specific to vocational schools; and change the title of the Guides.

EFFECTIVE DATE: This rule is effective October 9, 1998.

ADDRESSES: Requests for copies of the amended Guides should be sent to the Consumer Response Center, Room 130, Federal Trade Commission, Sixth St. and Pennsylvania Ave., NW, Washington, DC 20580.

FOR FURTHER INFORMATION CONTACT: Joseph J. Koman, Jr., (202) 326-3014, Carol Jennings (202) 326-3010, or Walter Gross III, (202) 326-3319, Federal Trade Commission, Bureau of Consumer Protection, Sixth St. and Pennsylvania Ave., NW, Washington, DC 20580.

SUPPLEMENTARY INFORMATION:

I. Background

The Vocational Schools Guides, adopted by the Commission in 1972, are intended to advise proprietary businesses offering vocational training courses, either on the school's premises or through correspondence or another long-distance method, how to avoid unfair or deceptive advertising and promotional claims when recruiting and enrolling students. The Guides address claims that are descriptive of the school, such as potentially deceptive trade or business names, and claims about accreditation, content of curricula, teachers' qualifications, teaching methods, affiliations with other private or public entities, and approval by other agencies or institutions. The Guides also address misleading representations regarding financial assistance and program costs, as well as enrollment qualification or limitations. Schools are cautioned to avoid using classified advertisements that appear to be “help-wanted” ads, misleading prospective students about opportunities for

employment while undergoing training, and the deceptive use of diplomas or degrees. The Guides suggest certain affirmative disclosures prior to enrolling students and address miscellaneous sales and debt collection practices.

These Guides, like other industry guides issued by the Commission, are “administrative interpretations of laws administered by the Commission for the guidance of the public in conducting its affairs in conformity with legal requirements.” 16 CFR 1.5. Conduct inconsistent with the Guides may result in corrective action by the Commission under applicable statutory provisions.

As part of the Commission's systematic review of all of its rules and guides, the Commission published a request for comments concerning the Vocational Schools Guides on April 3, 1996 (61 FR 14685). The Commission sought information about the costs and benefits of the Guides and their regulatory and economic impact. In response to this notice, nine comments were filed by government agencies, consumers and consumer organizations, and industry members and trade associations.¹ These comments indicated general support for relating the Guides, although some industry members recommended repealing them.

On April 23, 1997, the Commission announced its decision to retain the Guides and sought supplemental comment on some proposed modifications (62 FR 19703). The Commission recognized that there is some overlap between its Guides and regulations of the Department of Education. Because the Department of Education administers student loan and grant money for vocational training, it plays the primary role in addressing abuses in this industry. There is a concurrent role for the Commission, however, in monitoring and addressing deceptive promotional practices.² State licensing agencies also regulate vocational training. Increasingly, however, vocational schools are owned by national or regional chains; thus, a federal enforcement presence remains important.

¹ Comments were filed by the New York Regional Office of the U.S. Department of Education Office of Postsecondary Education (two comments); New York State Beauty Schools Association, Inc.; National Consumer Law Center; Career College Association; Distance Education and Training Council; Colorado Aero Tech; American Association of Cosmetology Schools; and one individual consumer.

² For example, the Department of Education uses its investigative and enforcement resources primarily to address practices occurring after a student has signed up for training, rather than advertising and promotional practices that take place during recruitment of students.