

Title 34—Education**PART 77—DEFINITIONS THAT APPLY TO DEPARTMENT REGULATIONS**

- 2. The authority citation for *part 77* is added to read as follows:

Authority: 20 U.S.C. 1221e–3, 2831(a), 2974(b), and 3474.

- 3. Section 77.1(c) is amended by revising the definition of “EDGAR” to read as follows:

§ 77.1 Definitions that apply to all Department programs.

* * * * *

(c) * * *

EDGAR means the Education Department General Administrative Regulations (34 CFR parts 74, 75, 76, 77, 79, 80, 81, 82, 84, 86, 97, 98, and 99).

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PART 85—[REMOVED]

- 4. Remove 34 CFR part 85.

PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS

- 5. The authority citation for part 668 continues to read as follows:

Authority: 20 U.S.C. 1001, 1002, 1003, 1070g, 1085, 1088, 1091, 1092, 1094, 1099c, and 1099c–1, unless otherwise noted.

- 6. Section 668.16 is amended by revising paragraph (k) to read as follows:

§ 668.16 Standards of administrative capability.

* * * * *

(k) Is not, and does not have any principal or affiliate of the institution (as those terms are defined in 2 CFR parts 180 and 3485) that is—

(1) Debarred or suspended under Executive Order 12549 (3 CFR, 1986 Comp., p. 189) or the Federal Acquisition Regulations (FAR), 48 CFR part 9, subpart 9.4; or

(2) Engaging in any activity that is a cause under 2 CFR 180.700 or 180.800, as adopted at 2 CFR 3485.12, for debarment or suspension under E.O. 12549 (3 CFR, 1986 Comp., p. 189) or the FAR, 48 CFR part 9, subpart 9.4;

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§ 668.82 [Amended]

- 7. Section 668.82 is amended by:

■ a. In paragraph (e)(1)(i)(B), removing the words “Cause exists under 34 CFR 85.700 or 85.800” and adding, in their place, the words “Cause exists under 2 CFR 180.700 or 180.800, as both those sections are adopted at 2 CFR 3485.12,”.

■ b. In paragraph (f)(1) introductory text, removing the words “under procedures described in 34 CFR

85.612(d)” and adding, in their place, the words “under the procedures described in 2 CFR 3485.612(d)”.

■ c. In paragraph (f)(2)(i) introductory text, removing the words “under procedures described in 34 CFR 85.612(d)” and, adding in their place, the words “under the procedures described in 2 CFR 3485.612(d)”.

■ d. In paragraph (f)(2)(ii) introductory text, removing the words “under 34 CFR 85.201(b)” and adding, in their place, “under 2 CFR 3485.612(c)”.

PART 682—FEDERAL FAMILY EDUCATION LOAN (FFEL) PROGRAM

- 8. The authority citation for part 682 continues to read as follows:

Authority: 20 U.S.C. 1071 to 1087–2, unless otherwise noted.

§ 682.200 [Amended]

- 9. In § 682.200, paragraph (b), the definition of “Lender” is amended by:

■ a. In paragraph (6)(i), removing the words “(as those terms are defined in 34 CFR part 85)” and adding, in their place, the words “(as those terms are defined in 2 CFR parts 180 and 3485)”.

■ b. In paragraph (6)(ii), removing the words “as defined in 34 CFR part 85” and adding, in their place, the words “as defined in 2 CFR parts 180 and 3485”.

§ 682.416 [Amended]

- 10. Section 682.416(d)(1)(ii)(B) is amended by removing the words “cause under 34 CFR 85.700 or 85.800” and adding, in their place, the words “cause under 2 CFR 180.700 or 180.800, as those sections are adopted at 2 CFR 3485.12”.

§ 682.706 [Amended]

- 11. Section 682.706(b)(7) is amended by removing the words “meet the standards described in 34 CFR 85.201(c)” and adding, in their place, the words “meet the standards described in 2 CFR 3485.612(d)”.

[FR Doc. 2012–7358 Filed 3–27–12; 8:45 am]

BILLING CODE 4000–01–P

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

[Docket No. 30834; Amdt. No. 3471]

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 revokes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures 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 March 28, 2012. 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 March 28, 2012.

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 the affected airport is located;

3. The National Flight Procedures Office, 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, call 202–741–6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

*Availability—*All SIAPs are available online free of charge. Visit nfdc.faa.gov

to register. Additionally, individual SIAP and Takeoff Minimums and ODP 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.

FOR FURTHER INFORMATION CONTACT:

Richard A. Dunham III, Flight Procedure Standards Branch (AFS-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 rule amends Title 14, Code of Federal Regulations, Part 97 (14 CFR part 97) by amending the referenced SIAPs. The complete regulatory description of each SIAP is listed on the appropriate FAA Form 8260, as modified by the National Flight Data Center (FDC)/Permanent Notice to Airmen (P-NOTAM), and is incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of Title 14 of the Code of Federal Regulations.

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. This amendment provides the affected CFR sections and specifies the types of SIAP

and the corresponding effective dates. This amendment also identifies the airport and its location, the procedure and the amendment number.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP as amended in the transmittal. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained for each SIAP as modified by FDC/P-NOTAMs.

The SIAPs, as modified by FDC P-NOTAM, and contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these changes to SIAPs, the TERPS criteria were applied only to specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a FDC 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.

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 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, Incorporation by reference, and Navigation (air).

Issued in Washington, DC, on March 16, 2012.

John McGraw,

Deputy Director, Flight Standards Service.

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 amending 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. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

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

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, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, Identified as follows:

* * * *Effective Upon Publication*

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
5-Apr-12	KY	Covington	Cincinnati/Northern Kentucky Intl.	2/2955	3/7/12	This NOTAM, published in TL 12-08, is hereby rescinded in its entirety.
5-Apr-12	MN	Duluth	Duluth Intl	2/6445	3/7/12	This NOTAM, published in TL 12-08, is hereby rescinded in its entirety.
3-May-12	NJ	Newark	Newark Liberty Intl	2/1693	3/12/12	RNAV (RNP) Y RWY 22L, Orig-E.
3-May-12	FL	Immokalee	Immokalee Rgnl	2/1894	3/1/12	VOR RWY 18, Amdt 6.
3-May-12	FL	Immokalee	Immokalee Rgnl	2/1895	3/1/12	RNAV (GPS) RWY 27, Orig.
3-May-12	FL	Immokalee	Immokalee Rgnl	2/1899	3/1/12	RNAV (GPS) RWY 9, Orig.
3-May-12	FL	Immokalee	Immokalee Rgnl	2/1900	3/1/12	RNAV (GPS) RWY 18, Orig.
3-May-12	FL	Immokalee	Immokalee Rgnl	2/1901	3/1/12	RNAV (GPS) RWY 36, Orig.
3-May-12	KS	Independence	Independence Muni	2/2874	3/1/12	ILS OR LOC RWY 35, Amdt 1A.
3-May-12	NE	Lincoln	Lincoln	2/7132	3/12/12	RNAV (GPS) RWY 14, Orig-A.

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
3-May-12	ME	Norridgewock	Central Maine Arpt of Norridgewock.	2/7495	3/12/12	GPS RWY 3, Orig.
3-May-12	ME	Norridgewock	Central Maine Arpt of Norridgewock.	2/7496	3/12/12	GPS RWY 15, Orig.
3-May-12	ME	Norridgewock	Central Maine Arpt of Norridgewock.	2/7497	3/12/12	VOR/DME RWY 3, Amdt 2.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8225	3/1/12	ILS OR LOC RWY 31, Amdt 25.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8276	3/1/12	RNAV (GPS) RWY 13, Orig.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8295	3/1/12	VOR OR TACAN RWY 31, Amdt 26A.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8297	3/1/12	RNAV (GPS) RWY 17, Orig.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8304	3/1/12	NDB RWY 13, Amdt 15D.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8342	3/1/12	NDB RWY 31, Amdt 23B.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8384	3/1/12	NDB RWY 35, Orig-B.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8395	3/1/12	VOR/DME OR TACAN RWY 13, Amdt 18.
3-May-12	IA	Sioux City	Sioux Gateway/Col. Bud Day Field.	2/8404	3/1/12	RNAV (GPS) RWY 31, Orig.
3-May-12	NM	Albuquerque	Albuquerque Intl Sunport	2/9631	3/1/12	RADAR-1, Amdt 20C.
3-May-12	TN	Chattanooga	Chattanooga/Lovel Field ..	2/9729	3/12/12	ILS OR LOC RWY 20, ILS RWY 20 (CAT II), Amdt 36.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 30833; Amdt. No. 3470]

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

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

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2. The FAA Regional Office of the region in which the affected airport is located;
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4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: <http://www.archives.gov/federal-register/code-of-federal-regulations/ibr-locations.html>.

*Availability—*All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit <http://www.nfdc.faa.gov> to register. Additionally, individual SIAP and Takeoff Minimums and ODP 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.

FOR FURTHER INFORMATION CONTACT:

Richard A. Dunham III, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Divisions, 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 rule amends Title 14 of the Code of Federal Regulations, Part 97 (14 CFR part 97), by establishing, amending, suspending, or revoking SIAPs, Takeoff Minimums and/or ODPS. The complete regulators 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 are FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, and 8260-15B when required by an entry on 8260-15A.

The large number of SIAPs, Takeoff Minimums and ODPs, in addition to their complex nature and the need for a special format make publication in the **Federal Register** expensive and