

**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 October 6, 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 is revised to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120, 44701; 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 [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 Upon Publication

FDC date	State	City	Airport	FDC No.	SIAP
08/25/95	VT	Springfield .....	Springfield/Hartness State .....	FDC 5/4482	LOC/DME RWY 5 ADMT 3...
09/11/95	NE	Minden .....	Pioneer Village Field .....	FDC 5/4938	VOR OR GPS RWY 34, AMDT 1...
09/21/95	NM	Raton .....	Raton Muni/Crews Field .....	FDC 5/5177	NDB OR GPS RWY 2 AMDT 3...
09/21/95	TX	Llano .....	Llano Muni .....	FDC 5/5172	VOR OR GPS-A AMDT 2...
09/22/95	AR	Brinkley .....	Frank Federer Memorial .....	FDC 5/5213	NDB OR GPS-A ORIG...
09/25/95	OH	Wilmington .....	Airborne Airpark .....	FDC 5/5259	VOR/DME OR GPS RWY 22 AMDT 4... THIS CORRECTS NOTAM 5/4953 IN TL95-21
09/27/95	GA	Columbus .....	Columbus Metropolitan .....	FDC 5/5287	RADAR-1, AMDT 8...
09/27/95	GA	Columbus .....	Columbus Metropolitan .....	FDC 5/5288	VOR OR GPS-A, AMDT 22...
09/27/95	IA	Iowa City .....	Iowa City Muni .....	FDC 5/5304	GPS RWY 24, ORIG...
09/28/95	CO	Colorado Springs .....	City of Colorado Springs Muni .....	FDC 5/5313	HI-ILS/DME RWY 17L, ORIG...
09/28/95	CO	Colorado Springs .....	City of Colorado Springs Muni .....	FDC 5/5314	ILS/DME RWY 17L, ORIG...
10/03/95	HI	Rota Island .....	Rota Intl .....	FDC 5/5388	NDB RWY 27 AMDT 3...
10/03/95	HI	Rota Island .....	Rota Intl .....	FDC 5/5391	NDB RWY 9 AMDT 3...
10/03/95	ME	Millinocket .....	Millinocket Muni .....	FDC 5/5379	VOR OR GPS-A AMDT 10...
10/03/95	ME	Millinocket .....	Millinocket Muni .....	FDC 5/5380	LOC RWY 29 ORIG-A...
10/03/95	ME	Millinocket .....	Millinocket Muni .....	FDC 5/5381	NDB OR GPS RWY 29 AMDT 3...
10/04/95	TX	Pleasanton .....	Pleasanton Muni .....	FDC 5/5402	NDB OR GPS-A, AMDT 5...

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**32 CFR Part 67**

[DoD Instruction 1215.aa]

**Educational Requirements for Appointment of Reserve Component Officers to a Grade Above First Lieutenant or Lieutenant (Junior Grade)**

**AGENCY:** Department of Defense.

**ACTION:** Interim final rule.

**SUMMARY:** This rule adds criteria by which a post-secondary educational institution that is not accredited by an

agency recognized by the Secretary of Education can obtain recognition by the Department of Defense as a qualifying educational institution. This is necessary to determine those unaccredited educational institutions whose baccalaureate degrees the Department of Defense will recognize for the purpose of meeting the military officer educational requirement for promotion in the Army Reserve, Naval Reserve, Air Force Reserve, or Marine Corps Reserve, or for federal recognition in the Army National Guard or Air National Guard.

**DATES:** This rule is effective October 1, 1995. Comments must be received by December 22, 1995.

**ADDRESSES:** Forward comments to Office of the Assistant Secretary of Defense for Reserve Affairs, Attn:

DASD(M&P), 1500 Defense Pentagon, Washington, DC 20311-1500.

**FOR FURTHER INFORMATION CONTACT:** T. Bush, 703-695-7429.

**SUPPLEMENTARY INFORMATION:** It has been determined that this amendment is not a significant regulatory action. It has also been determined that this amendment is not subject to the Regulatory Flexibility Act and does not impose any reporting or recordkeeping requirements under the Paperwork Reduction Act of 1995.

**List of Subjects in 32 CFR Part 67**

Education, Military personnel.

Accordingly, title 32 of the Code of Federal Regulations, chapter 1, subchapter C, is amended to add part 67 to read as follows:

**PART 67—EDUCATIONAL REQUIREMENTS FOR APPOINTMENT OF RESERVE COMPONENT OFFICERS TO A GRADE ABOVE FIRST LIEUTENANT OR LIEUTENANT (JUNIOR GRADE)**

- Sec.  
67.1 Purpose.  
67.2 Applicability.  
67.3 Definitions.  
67.4 Policy.  
67.5 Responsibilities.  
67.6 Procedures.

Authority: 10 U.S.C. 12205.

**§ 67.1 Purpose.**

This part implements policy, assigns responsibilities, and prescribes procedures under 10 U.S.C. 12205 for determining educational institutions that award baccalaureate degrees that satisfy the educational requirement for appointment of officers to a grade above First Lieutenant in the Army Reserve, Air Force Reserve, and Marine Corps Reserve, or Lieutenant (Junior Grade) in the Naval Reserve, or for officers to be federally recognized in a grade above First Lieutenant as a member of the Army National Guard or Air National Guard.

**§ 67.2 Applicability.**

This part applies to the Office of the Secretary of Defense, and the Military Departments. The term "Military Department," as used herein, refers to the Departments of the Army, the Navy, and the Air Force. The term "Reserve components" refers to the Army Reserve, Army National Guard of the United States, Air Force Reserve, Air National Guard of the United States, Naval Reserve, and Marine Corps Reserve.

**§ 67.3 Definitions.**

(a) *Accredited educational institution.* An educational institution accredited by an agency recognized by the Secretary of Education.

(b) *Qualifying educational institution.* An educational institution that is accredited, or an unaccredited educational institution that the Secretary of Defense designates pursuant to § 67.5 (a) and (b).

(c) *Unaccredited educational institution.* An educational institution not accredited by an agency recognized by the Secretary of Education.

**§ 67.4 Policy.**

(a) It is Department of Defense policy under 10 U.S.C. 12205 to require Reserve component officers to have been awarded at least a baccalaureate degree from a qualifying educational institution before appointment to a

grade above First Lieutenant in the Army Reserve, Air Force Reserve or Marine Corps Reserve, or Lieutenant (Junior Grade) in the Naval Reserve, or for officers to be federally recognized in a grade above First Lieutenant as a member of the Army National Guard or Air National Guard.

(b) Exempt from this policy is any officer who was:

(1) Appointed to or recognized in a higher grade for service in a health profession for which a baccalaureate degree is not a condition of original appointment or assignment.

(2) Appointed in the Naval Reserve or Marine Corps Reserve as a limited duty officer.

(3) Appointed in the Naval Reserve for service under the Naval Aviation Cadet (NAVCAD) program.

(4) Appointed to or recognized in a higher grade if appointed to, or federally recognized in, the grade of captain or, in the case of the Navy, lieutenant before October 1, 1995.

(5) Recognized in the grade of captain or major in the Alaska Army National Guard, who resides permanently at a location in Alaska that is more than 50 miles from each of the cities of Anchorage, Fairbanks, and Juneau, Alaska, by paved road, and who is serving in a Scout unit or a Scout support unit.

(c) The Department of Defense will designate an unaccredited educational institution as a qualifying educational institution for the purpose of meeting this educational requirement if that institution meets the criteria established in this part.

**§ 67.5 Responsibilities.**

(a) The Assistant Secretary of Defense for Reserve Affairs, under the Under Secretary of Defense for Personnel and Readiness, shall:

(1) Establish procedures in which an unaccredited educational institution can apply for DoD designation as a qualifying educational institution.

(2) Publish in the Federal Register DoD requirements and procedures for an unaccredited educational institution to apply for designation as a qualifying educational institution.

(3) Annually, provide to the Secretaries of the Military Department a list of those unaccredited educational institutions that have been approved by the Department of Defense as a qualifying educational institution. This list shall include the year or years for which unaccredited educational institutions are designated as qualifying educational institutions.

(b) The Secretaries of the Military Departments shall establish procedures

to ensure that after September 30, 1995, those Reserve component officers selected for appointment to a grade above First Lieutenant in the Army Reserve, Air Force Reserve or Marine Corps Reserve, or Lieutenant (Junior Grade) in the Naval Reserve, or for officers to be federally recognized in a grade above First Lieutenant as a member of the Army National Guard or Air National Guard, who are required to hold a baccalaureate degree, were awarded their degree before appointment to the next higher grade. For a degree from an unaccredited educational institution that has been recognized as a qualifying educational institution by the Department of Defense to satisfy this educational requirements of 10 U.S.C. 12205, the degree must not have been awarded more than three years before the date the officer is to be appointed, or federally recognized, in the grade of Captain or above in the Army Reserve, Army National Guard, Air Force Reserve, Air National Guard, or Marine Corps Reserve, or in the grade of Lieutenant or above in the Naval Reserve.

**§ 67.6 Procedures.**

(a) An unaccredited educational institution may obtain designation as a qualifying educational institution for a specific Reserve component officer who graduated from that educational institution by providing certification from registrars at three accredited educational institutions that maintain ROTC programs that their educational institutions would accept at least 90 percent of the credit hours earned by that officer at the unaccredited educational institution, as of the year of graduation.

(b) For an unaccredited educational institution to be designated as a qualifying educational institution for a specific year, that educational institution must provide the Office of the Assistant Secretary of Defense for Reserve Affairs certification from the registrars at three different accredited educational institutions that maintain ROTC programs listing the major field(s) of study in which those educational institutions would accept at least 90 percent of the credit hours earned by a student who was awarded a baccalaureate degree in that major field of study at the unaccredited educational institution.

(c) For an unaccredited educational institution to be considered for designation as a qualifying educational institution, the unaccredited educational institution must submit the required documentation no later than January 1 of the year for which the

unaccredited educational institution seeks to be designated a qualifying educational institution.

(d) The required documentation must be sent to the following address: Office of the Assistant Secretary of Defense for Reserve Affairs, Attn: DASD(M&P), 1500 Defense Pentagon, Washington, DC 20301-1500.

(e) Applications containing the required documentation may also be submitted at any time from unaccredited educational institutions requesting designation as qualifying educational institutions for prior school years.

Dated: October 16, 1995.

L.M. Bynum,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 165

[CGD01-95-156]

RIN 2115-AA97

#### **Security Zone: United Nations 50th Anniversary Celebration, United Nations, East River, NY**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a security zone in the waters of the East River, New York. The zone is needed to protect approximately 150 Heads of State and the Port of New York/New Jersey against terrorism, sabotage or other subversive acts and incidents of a similar nature during the United Nations 50th Anniversary Celebration. Entry into or movement within the zone is prohibited unless authorized by the Coast Guard Captain of the Port of New York.

**EFFECTIVE DATE:** This rule is effective from 7 a.m. on October 22, 1995, until 7 p.m. on October 24, 1995, unless extended or terminated sooner by the Captain of the Port of New York.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant Commander R. Trabocchi, Chief Planning and Readiness Division, Coast Guard Group New York (212) 668-7934.

#### **SUPPLEMENTARY INFORMATION:**

Drafting Information

The drafters of this notice are LCDR R. Trabocchi, Project Manager, Coast

Guard Group New York and CDR J. Stieb, Project Attorney, First Coast Guard District, Legal Office.

#### Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing an NPRM, and for making this regulation effective less than 30 days after Federal Register publication. Due to the date that specific, detailed information was made available to the Coast Guard concerning the activities of the Heads of State at the United Nations, there was insufficient time to draft and publish an NPRM that allows for a reasonable comment period prior to the event. The delay encountered if normal rulemaking procedures were followed would be contrary to national security interests as immediate action is needed to protect the Heads of State and the Port of New York/New Jersey.

#### Background and Purpose

The security zone, requested by the United States Secret Service, is needed to ensure the security of the Heads of State while at the United Nations complex in midtown Manhattan, New York. The United Nations complex, situated along the Manhattan shoreline overlooking the East River, will be used for the United Nations 50th Anniversary Celebration from October 22, 1995 through October 24, 1995. There is a significant national security interest in safeguarding the international relations of the United States, the United Nations complex, and the visiting Heads of State. The security zone will safeguard these interests against terrorism, sabotage or other subversive acts and incidents of a similar nature that could initiate on or near the East River. The security zone will close the East River in a northerly and southerly direction, shore to shore, for approximately 2,350 yards. It provides for an exclusionary area in all waters of the East River north of a line drawn between a point at the foot of East 35th Street, Manhattan, New York, at 40°44'36" N latitude, 073°58'16" W longitude (NAD 1983) and Hunters Point, Long Island City, New York, at 40°44'18" N latitude, 073°57'44" W longitude (NAD 1983); and south of a line drawn shore to shore along the Queensboro Bridge inclusive of all waters east and west of Roosevelt Island, New York, from 7 a.m. until 7 p.m. on October 22, 23, and 24, 1995.

The security zone will be reduced in size to provide protection to the waterfront at the United Nations complex from 7 p.m. until 7 a.m. on October 22 and 23, 1995. This

contracted security zone includes all waters of the East River 100 yards off the east shore of Manhattan, New York, between East 48th Street and East 42nd Street. This area is bounded by the following points: from a point at the foot of East 48th Street at 40°45'06" N latitude, 073°57'53" W longitude (NAD 1983); thence southeasterly 100 yards to a point at 40°45'05" N latitude, 073°57'50" W longitude (NAD 1983); thence southwesterly 100 yards to a point off the foot of East 42nd Street at 40°44'51" N latitude, 073°58'01" W longitude (NAD 1983); thence northwesterly to a point at the foot of East 42nd Street at 40°44'52" N latitude, 073°58'05" W longitude (NAD 1983); thence northeasterly along the Manhattan shoreline to the point of origin. The security zone has been narrowly tailored, in consultation with the United States Secret Service, to impose the latest impact on maritime interests yet provide the level of security deemed necessary to safeguard the international relations of the United States, the United Nations complex, and the Heads of State. All vessels are prohibited from transiting within the security zone unless authorized by the Coast Guard Captain of the Port of New York.

#### Regulatory Evaluation

This regulation is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The security zone closes a portion of the East River in the vicinity of the United Nations complex to vessel traffic from 7 a.m. on October 22, 1995, until 7 p.m. on October 24, 1995, unless extended or terminated sooner by the Captain of the Port New York. The East River is subjected to a moderate volume of commercial vessel traffic. Although this regulation prevents vessel traffic from transiting the East River from 7 a.m. to 7 p.m. on October 22, 23, and 24, the effect of this regulation will not be significant for several reasons: the duration of the security zone is limited; recreational and some commercial traffic may take an alternate route via