

adopting these SIAPS, Takeoff Minimums and ODPs 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.

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 October 12, 2012.

Ray Towles,

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 establishing, amending, suspending, or revoking Standard Instrument Approach Procedures and/or Takeoff Minimums and/or Obstacle Departure Procedures effective at 0902 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:

* * * *Effective 15 November 2012*

Cold Bay, AK, Cold Bay, RNAV (GPS) RWY 15, Amdt 2

Cold Bay, AK, Cold Bay, RNAV (GPS) RWY 33, Amdt 2

Fayetteville, AR, Drake Field, Takeoff Minimums and Obstacle DP, Amdt 6

Hayward, CA, Hayward Executive, LOC/DME RWY 28L, Amdt 3

Hayward, CA, Hayward Executive, RNAV (GPS) RWY 28L, Amdt 1

Hayward, CA, Hayward Executive, RNAV (GPS) Z RWY 28L, Orig. CANCELED

Hayward, CA, Hayward Executive, VOR/DME–A, Amdt 3

Placerville, CA, Placerville, RNAV (GPS) RWY 5, Amdt 2

Placerville, CA, Placerville, Takeoff Minimums and Obstacle DP, Amdt 3

Denver, CO, Centennial, ILS OR LOC RWY 35R, Amdt 9

Denver, CO, Denver Intl, ILS OR LOC RWY 34L, ILS RWY 34L (CAT II), ILS RWY 34L (CAT III), ILS RWY 34L (SA CAT I), Amdt 2

Denver, CO, Denver Intl, ILS OR LOC RWY 34R, ILS RWY 34R (CAT II), ILS RWY 34R (CAT III), ILS RWY 34 (SA CAT I), Amdt 3

Denver, CO, Denver Intl, RNAV (GPS) Y RWY 34L, Amdt 2

Denver, CO, Denver Intl, RNAV (GPS) Y RWY 34R, Amdt 2

Orlando, FL, Executive, ILS OR LOC RWY 7, Amdt 23

Orlando, FL, Executive, LOC RWY 25, Amdt 1

Orlando, FL, Executive, RNAV (GPS) RWY 7, Amdt 1

Orlando, FL, Executive, RNAV (GPS) RWY 25, Amdt 2

Orlando, FL, Executive, Takeoff Minimums and Obstacle DP, Amdt 4

Orlando, FL, Executive, VOR/DME RWY 7, Amdt 1B, CANCELED

Orlando, FL, Executive, VOR/DME RWY 25, Amdt 2C, CANCELED

Atlanta, GA, Dekalb-Peachtree, ILS OR LOC RWY 20L, Amdt 7F

Atlanta, GA, Dekalb-Peachtree, VOR/DME RWY 20L, Amdt 1H

Atlanta, GA, Dekalb-Peachtree, VOR/DME–D, Orig-A

Lafayette, LA, Lafayette Rgnl, RADAR–1, Amdt 10

Lafayette, LA, Lafayette Rgnl, RNAV (GPS) RWY 4R, Amdt 1

Lafayette, LA, Lafayette Rgnl, RNAV (GPS) RWY 22L, Orig-B

Lafayette, LA, Lafayette Rgnl, Takeoff Minimums and Obstacle DP, Amdt 2

Patterson, LA, Harry P Williams Memorial, RNAV (GPS) RWY 6, Orig-A

Patterson, LA, Harry P Williams Memorial, RNAV (GPS) RWY 24, Amdt 1A

Brainerd, MN, Brainerd Lakes Rgnl, Takeoff Minimums and Obstacle DP, Amdt 6

St Louis, MO, Lambert-St Louis Intl, ILS OR LOC RWY 12R, Amdt 22

Columbus/W Point/Starkville, MS, Golden Triangle Rgnl, ILS OR LOC RWY 18, Amdt 8

Columbus/W Point/Starkville, MS, Golden Triangle Rgnl, ILS OR LOC RWY 36, Orig

Columbus/W Point/Starkville, MS, Golden Triangle Rgnl, LOC RWY 36, Orig-A

CANCELED

Columbus/W Point/Starkville, MS, Golden Triangle Rgnl, RNAV (GPS) RWY 18, Amdt 1

Columbus/W Point/Starkville, MS, Golden Triangle Rgnl, RNAV (GPS) RWY 36, Amdt 1

Claremont, NH, Claremont Muni, GPS RWY 29, Amdt 1, CANCELED

Claremont, NH, Claremont Muni, RNAV (GPS) RWY 29, Orig

Albuquerque, NM, Albuquerque Intl Sunport, RNAV (RNP) Z RWY 3, Orig-A

Albuquerque, NM, Albuquerque Intl Sunport, RNAV (RNP) Z RWY 8, Orig-A

New York, NY, West 30th St. and Various Heliports, COPTER RNAV (GPS) 210, Orig

Chickasha, OK, Chickasha Muni, RNAV (GPS) RWY 17, Amdt 1

Chickasha, OK, Chickasha Muni, RNAV (GPS) RWY 35, Amdt 1

Portland, OR, Portland Intl, RNAV (RNP) Z RWY 10L, Orig-A

Portland, OR, Portland Intl, RNAV (RNP) Z RWY 10R, Orig-A

Washington, PA, Washington County, ILS OR LOC RWY 27, Amdt 1

Washington, PA, Washington County, RNAV (GPS) RWY 9, Amdt 1

Washington, PA, Washington County, RNAV (GPS) RWY 27, Amdt 1

San Antonio, TX, San Antonio Intl, ILS OR LOC RWY 4, Amdt 22

San Antonio, TX, San Antonio Intl, RNAV (GPS) Y RWY 4, Amdt 3

San Antonio, TX, San Antonio Intl, RNAV (GPS) Y RWY 22, Amdt 2

San Antonio, TX, San Antonio Intl, RNAV (RNP) Z RWY 4, Orig-A

San Antonio, TX, San Antonio Intl, RNAV (RNP) Z RWY 22, Amdt 1

* * * *Effective 13 December 2012*

Monongahela, PA, Rostraver, RNAV (GPS) RWY 8, Amdt 1

[FR Doc. 2012–26838 Filed 11–5–12; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 30867; Amdt. No. 3502]

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 November 6, 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 November 6, 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 October 12, 2012.

Ray Towles,

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.

§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, 97.35 [Amended]

■ 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
15-Nov-12	AK	St Paul Island	St Paul Island	2/0145	09/25/12	LOC/DME BC RWY 18, Amdt 4A

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
15-Nov-12	WI	Portage	Portage Muni	2/0300	09/25/12	VOR/DME RNAV OR GPS RWY 17, Amdt 4
15-Nov-12	AR	Fort Smith	Fort Smith Rgnl	2/0387	09/26/12	RADAR-1, Amdt 8B
15-Nov-12	MI	Saginaw	MBS Intl	2/0437	09/25/12	VOR RWY 14, Amdt 13B
15-Nov-12	AL	Muscle Shoals	Northwest Alabama Rgnl.	2/0580	09/25/12	VOR/DME RWY 11, Amdt 6
15-Nov-12	AL	Muscle Shoals	Northwest Alabama Rgnl.	2/0586	09/25/12	RNAV (GPS) RWY 18, Orig
15-Nov-12	AL	Muscle Shoals	Northwest Alabama Rgnl.	2/0587	09/25/12	RNAV (GPS) RWY 36, Orig-A
15-Nov-12	KS	Pittsburg	Atkinson Muni	2/0645	09/25/12	VOR/DME RWY 4, Amdt 3B
15-Nov-12	MI	Mackinac Island	Mackinac Island	2/1097	09/25/12	RNAV (GPS) RWY 26, Orig
15-Nov-12	MO	Branson	M. Graham Clark Downtown.	2/1101	09/26/12	RNAV (GPS) RWY 12, Orig
15-Nov-12	MO	Branson	M. Graham Clark Downtown.	2/1103	09/26/12	RNAV (GPS) RWY 30, Orig
15-Nov-12	VT	Burlington	Burlington Intl	2/1123	10/03/12	RNAV (GPS) Y RWY 15, Orig-A
15-Nov-12	NY	New York	John F Kennedy Intl	2/1321	09/25/12	VOR OR GPS RWY 13L/13R, Amdt 18B
15-Nov-12	CA	Fullerton	Fullerton Muni	2/1328	09/25/12	RNAV (GPS) RWY 24, Orig
15-Nov-12	MO	Fredericktown	A. Paul Vance Fredericktown Rgnl.	2/1909	09/25/12	RNAV (GPS) RWY 1, Orig-B
15-Nov-12	MO	Fredericktown	A. Paul Vance Fredericktown Rgnl.	2/1910	09/25/12	RNAV (GPS) RWY 19, Orig-B
15-Nov-12	IL	Morris	Morris Muni-James R. Washburn Field.	2/2119	09/25/12	VOR-A, Orig-B
15-Nov-12	OK	Muskogee	Davis Field	2/2507	09/25/12	RNAV (GPS) RWY 31, Amdt 1A
15-Nov-12	OK	Muskogee	Davis Field	2/2508	09/25/12	RNAV (GPS) RWY 4, Amdt 1
15-Nov-12	OK	Muskogee	Davis Field	2/2509	09/25/12	RNAV (GPS) RWY 13, Orig
15-Nov-12	OK	Muskogee	Davis Field	2/2510	09/25/12	RNAV (GPS) RWY 22, Orig
15-Nov-12	WI	Milwaukee	General Mitchell Intl	2/3463	09/25/12	RNAV (GPS) RWY 1L, Amdt 1
15-Nov-12	NY	Ticonderoga	Ticonderoga Muni	2/3747	09/25/12	RNAV (GPS) RWY 2, Amdt 1
15-Nov-12	NY	Ticonderoga	Ticonderoga Muni	2/3749	09/25/12	RNAV (GPS) RWY 20, Amdt 1
15-Nov-12	VT	Burlington	Burlington Intl	2/4029	10/03/12	VOR RWY 1, Amdt 11E
15-Nov-12	VT	Burlington	Burlington Intl	2/4031	10/03/12	ILS OR LOC/DME RWY 33, Amdt 1
15-Nov-12	VT	Burlington	Burlington Intl	2/4032	10/03/12	ILS OR LOC/DME RWY 15, Amdt 23C
15-Nov-12	VT	Burlington	Burlington Intl	2/4033	10/03/12	RNAV (GPS) RWY 1, Orig-A
15-Nov-12	VT	Burlington	Burlington Intl	2/4039	10/03/12	RNAV (GPS) Y RWY 33, Orig
15-Nov-12	VT	Burlington	Burlington Intl	2/4045	10/03/12	RNAV (GPS) Z RWY 15, Orig-C
15-Nov-12	VT	Burlington	Burlington Intl	2/4047	10/03/12	RNAV (GPS) Z RWY 33, Orig
15-Nov-12	NH	Manchester	Manchester	2/4212	09/25/12	VOR/DME RWY 17, Orig-D
15-Nov-12	AZ	Payson	Payson	2/5187	09/25/12	TAKEOFF MINIMUMS AND (OB- STACLE) DP, Amdt 1
15-Nov-12	SC	Greenville	Greenville Downtown	2/5731	09/26/12	NDB RWY 1, Amdt 22
15-Nov-12	SC	Greenville	Greenville Downtown	2/5732	09/26/12	RNAV (GPS) RWY 10, Orig
15-Nov-12	SC	Greenville	Greenville Downtown	2/5733	09/26/12	RNAV (GPS) RWY 19, Orig
15-Nov-12	NJ	Newark	Newark Liberty Intl	2/5734	10/03/12	RNAV (RNP) Z RWY 4R, Orig-B
15-Nov-12	NJ	Newark	Newark Liberty Intl	2/5735	10/03/12	RNAV (GPS) RWY 4L, Amdt 2
15-Nov-12	SC	Greenville	Greenville Downtown	2/5736	09/26/12	ILS OR LOC RWY 1, Amdt 29
15-Nov-12	SC	Greenville	Greenville Downtown	2/5737	09/26/12	RNAV (GPS) RWY 1, Orig
15-Nov-12	NJ	Newark	Newark Liberty Intl	2/5738	10/03/12	RNAV (GPS) RWY 22R, Amdt 1B
15-Nov-12	NJ	Newark	Newark Liberty Intl	2/5740	10/03/12	RNAV (RNP) Y RWY 22L, Orig-F
15-Nov-12	NJ	Newark	Newark Liberty Intl	2/5742	10/03/12	RNAV (RNP) Y RWY 29, Amdt 1
15-Nov-12	NJ	Newark	Newark Liberty Intl	2/5745	10/03/12	RNAV (GPS) Z RWY 22L, Amdt 1D
15-Nov-12	NJ	Newark	Newark Liberty Intl	2/5747	10/03/12	RNAV (RNP) Z RWY 29, Orig-C
15-Nov-12	NJ	Newark	Newark Liberty Intl	2/5748	10/03/12	RNAV (GPS) RWY 11, Orig-C
15-Nov-12	TX	Tyler	Tyler Pounds Rgnl	2/6150	09/26/12	RNAV (GPS) RWY 22, Amdt 2
15-Nov-12	MO	St Louis	Lambert-St Louis Intl	2/6872	09/26/12	RNAV (GPS) RWY 6, Amdt 1
15-Nov-12	AR	Marianna	Marianna/Lee County- Steve Edwards Field.	2/7417	09/06/12	RNAV (GPS) RWY 36, Orig
15-Nov-12	AR	Marianna	Marianna/Lee County- Steve Edwards Field.	2/7419	09/06/12	RNAV (GPS) RWY 18, Orig
15-Nov-12	OH	Chillicothe	Ross County	2/7420	09/06/12	VOR RWY 23, Amdt 3C
15-Nov-12	NM	Hobbs	Lea County Rgnl	2/7421	09/06/12	TAKEOFF MINIMUMS AND (OB- STACLE) DP, Orig
15-Nov-12	NE	Gordon	Gordon Muni	2/7422	09/25/12	RNAV (GPS) RWY 4, Amdt 1
15-Nov-12	FL	Sebastian	Sebastian Muni	2/7940	09/26/12	RNAV (GPS) RWY 22, Orig
15-Nov-12	WV	Martinsburg	Eastern WV Rgnl/ Shepherd Fld.	2/8018	09/26/12	RNAV (GPS) RWY 26, Orig

AIRAC date	State	City	Airport	FDC No.	FDC date	Subject
15-Nov-12	WV	Martinsburg	Eastern WV Rgnl/ Shepherd Fld.	2/8019	09/26/12	ILS OR LOC RWY 26, Amdt 8
15-Nov-12	WV	Martinsburg	Eastern WV Rgnl/ Shepherd Fld.	2/8020	09/26/12	VOR-A, Amdt 9A
15-Nov-12	WV	Martinsburg	Eastern WV Rgnl/ Shepherd Fld.	2/8021	09/26/12	RNAV (GPS) RWY 8, Orig
15-Nov-12	IL	Moline	Quad City Intl	2/8601	09/25/12	TAKEOFF MINIMUMS AND (OB- STACLE) DP, Amdt 1
15-Nov-12	IL	Morris	Morris Muni-James R. Washburn Field.	2/9013	09/25/12	RNAV (GPS) RWY 36, Amdt-1

[FR Doc. 2012-26825 Filed 11-5-12; 8:45 am]

BILLING CODE 4910-13-P

FEDERAL MEDIATION AND CONCILIATION SERVICE

29 CFR Part 1401

RIN 3076-AA06

Freedom of Information Act Regulations

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Final rule.

SUMMARY: This final rule amends the Federal Mediation and Conciliation Service (FMCS) rules relating to the Freedom of Information Act (FOIA). The final rule revisions include a new response time for FOIA requests, procedures for requesting expedited processing, the availability of certain public information on FMCS's web site, and express inclusion of electronic records and automated searches along with paper records and manual searches. In addition, FMCS's final rule updates its fee schedule. FMCS is also updating the names and addresses of the various offices within the agency responsible for FOIA related activities.

DATES: This final rule is effective December 6, 2012.

FOR FURTHER INFORMATION CONTACT: Jeannette Walters-Marquez, Attorney-Advisor, Office of the General Counsel, Federal Mediation and Conciliation Service, 2100 K Street NW., Washington, DC 20427. Telephone: (202) 606-5488.

SUPPLEMENTARY INFORMATION: FMCS amends its regulations at 29 CFR Part 1401, Subpart B under FOIA, 5 U.S.C. 552. The primary focus of these amendments is to effectuate for this Agency various provisions under the 1996 Electronic FOIA Amendments, Public Law No. 104-231. Significant new provisions implementing the amendments are found at § 1401.21(c) (electronic reading room), (d) (pamphlets distribution), (e) (records

disposition), § 1401.22 (deletion marking), § 1401.34(a), (b), (c), (d) (timing of responses), § 1401.34 (d) (volume estimation), § 1401.36(a) (definitions), (b) (fee schedules, lack of fees, fee waivers).

Revisions to the FMCS fee schedule can be found at § 1401.36(b)(1)(i), (ii), (iv), and (b)(3)(v). The duplication charge remains the same at twenty cents per page, while document search and review charges will increase to \$4.00 per each quarter hour or portion thereof for clerical time and \$10.00 per each quarter hour or portion thereof for professional time. The amount at or below which the Service will not charge a fee will decrease from \$50.00 to \$14.00.

Sections 1401.24 and 1401.37 are being removed because they are neither required by law nor necessary to interpret the law.

Background

On August 3, 2007, FMCS published a Notice of Proposed Rulemaking (NPRM) proposing changes to its rule relating to FOIA procedures and updating its fee schedule. FMCS did not receive any comments relating to the NPRM.

FMCS is adopting the final rule with two significant changes from that which was proposed. The final rule withdraws its proposed revision to § 1401.35 which would have transferred some of the FOIA responsibilities from the FMCS Deputy Director to the Chief of Staff. It was determined that the current structure in which the FMCS Deputy Director is the FOIA Appeals Officer is appropriate for the Agency. The final rule also revises the language in § 1401.36(b)(4) of the proposed rule to reflect that waiver appeals should be filed with the FMCS Deputy Director instead of the Chief of Staff, as proposed by the NPRM.

List of Subjects in 29 CFR Part 1401

Administrative practice and procedure, Freedom of information.

For the reasons stated in the preamble, FMCS amends 29 CFR Part 1401 as follows:

PART 1401—PUBLIC INFORMATION

■ 1. The authority citation for Part 1401 continues to read as follows:

Authority: § 202, 61 Stat. 136, as amended; 5 U.S.C. 552.

■ 2. Revise § 1401.20 to read as follows:

§ 1401.20 Purpose and scope.

This subpart contains the regulations of the Federal Mediation and Conciliation Service providing for public access to information under the Freedom of Information Act, 5 U.S.C. 552. It is the policy of the FMCS to disseminate information on matters of interest to the public and to disclose upon request information contained in Agency records insofar as such disclosure is compatible with the discharge of its responsibilities and the principle of confidentiality and neutrality of dispute resolution by third party neutrals.

■ 3. Amend § 1401.21 by revising paragraphs (c), (d), and (e) to read as follows:

§ 1401.21 Information policy.

* * * * *

(c) FMCS maintains a public reading room that contains the records required by the FOIA to be made readily available for public inspection and copying. FMCS shall maintain and make available for public inspection and copying a current subject-matter index of its reading room records. Each index shall be updated regularly, at least quarterly, with respect to newly included records. FMCS shall also make reading room records created on or after November 1, 1996, available electronically through FMCS's World Wide Web Site (which can be found at <http://www.fmcs.gov>)

(d) Records or documents prepared by FMCS for routine public distribution, e.g., pamphlets and brochures, will be furnished upon request to Office of the Director of Public Affairs, Federal