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 September 19, 1997.

Louis C. Cusimano,

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 and 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 Nov 6, 1997*

Bay Minette, AL, Bay Minette Muni, VOR or GPS RWY 8, Amdt 6 CANCELLED
Bay Minette, AL, Bay Minette Muni, VOR RWY 8, Amdt 6
Birmingham, AL, Birmingham Intl, NDB or GPS RWY 23, Amdt 16 CANCELLED
Birmingham, AL, Birmingham Intl, NDB RWY 23, Amdt 16
Talladega, AL, Talladega Muni, VOR/DME or GPS RWY 3, Amdt 4 CANCELLED
Talladega, AL, Talladega Muni, VOR/DME RWY 3, Amdt 4
Silver Bay, MN, Silver Bay Muni, NDB or GPS RWY 25, Orig CANCELLED
Silver Bay, MN, Silver Bay Muni, NDB RWY 25, Orig
Billings, MT, Billings Logan Intl, VOR/DME RNAV or GPS RWY 28R, Amdt 2 CANCELLED
Billings, MT, Billings Logan Intl, VOR/DME RNAV RWY 28R, Amdt 2
Billings, MT, Billings Logan Intl, NDB or GPS RWY 10L, Amdt 19 CANCELLED
Billings, MT, Billings Logan Intl, NDB RWY 10L, Amdt 19
Clinton, NC, Sampson County, NDB or GPS RWY 6, Amdt 5 CANCELLED
Clinton, NC, Sampson County, NDB RWY 6, Amdt 5
Conway, SC, Conway-Horrt County, NDB or GPS RWY 4, Amdt 1 CANCELLED
Conway, SC, Conway-Horrt County, NDB RWY 4, Amdt 1

[FR Doc. 97–26122 Filed 10–1–97; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF JUSTICE

Parole Commission

28 CFR Part 2

Paroling, Recommitting, and Supervising Federal Prisoners; Disclosure of Parole Commission Regional Office File

AGENCY: Parole Commission, Justice.

ACTION: Final rule.

SUMMARY: U.S. Parole Commission is amending its regulations on disclosure of Parole Commission files to provide for expedited processing of requests and a multi-track system to comply with the ''Electronic Freedom of Information Act Amendments of 1996.''

DATES: Effective October 1, 1997.

FOR FURTHER INFORMATION CONTACT: Pamela A. Posch, Office of General Counsel, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Maryland 20815, telephone (301) 492–5959.

SUPPLEMENTARY INFORMATION: On July 28, 1997, the Parole Commission published proposed rule changes in the **Federal Register** to implement a new law known as the ''Electronic Freedom of Information Act Amendments of 1996'' (E–FOIA). 62 FR 40316. These proposed rule changes provided for a multi-track system whereby requests for tape recordings, or for two documents or less, would be processed ahead of requests seeking numerous documents from the parole file. Further, the proposed rule provided for expedited processing of Freedom of Information Act (FOIA) requests if the requester demonstrates ''compelling need'' as defined in the regulation. Specifically, the Commission proposed adopting two categories in which compelling need could be demonstrated.

The Parole Commission received public comment from one organization, the Reporters Committee for the Freedom of the Press. The Reporters Committee recommended two changes to the Commission's proposed regulations. First, they urged that the Commission adopt a third category where compelling need could be demonstrated. That category was for cases involving ''a matter of widespread and exceptional media interest in which there exist possible questions about the government's integrity which affect public confidence.'' This third category was included in the Department of Justice's proposed regulations. Second, the Reporters Committee noted that the Parole Commission failed to include in its regulations provisions for improving the electronic availability of records. The Reporters Committee noted that it did not find in the Justice Department's proposals any indication that Justice Department rules would apply to the Commission, and similarly the Commission's proposals did not indicate that implementation of other sections of the E–FOIA would be covered by the Justice Department regulations.

In response to the Reporters Committee request that the Commission adopt the language contained in the Department's proposed regulations for expedited treatment when government integrity is questioned, the Commission finds that this is unnecessary. The Department of Justice may wish to adopt such a specific category because of its prosecutorial functions in cases involving ''possible questions about the government's integrity'', but the Parole Commission considers that a media request that is driven by concern over ''possible questions'' of government integrity would already be covered by the second category which includes expedited processing for requesters demonstrating ''urgency to inform the public concerning actual or alleged federal government activity.''

In response to the Reporters Committee's request that the Commission include the electronic availability of records in its regulations, the Commission is adding a sentence so that it is clear to the public and to requesters that the Department of Justice's regulations apply to all FOIA-processing issues not covered by the Commission's own regulations and procedures. Although the Parole Commission is not promulgating its own regulation in regard to the public reading room, the Commission maintains a public reading room and records available in the public reading room will be available electronically to FOIA requesters.

Also, the Department of Justice has revised its fee schedule in regard to FOIA requests and the Parole Commission is revising its regulations to comply with the fee revisions.

Finally, the Parole Commission has removed references to ''Regional Office'' since the Commission no longer operates regional offices.

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this proposed rule is not a significant rule within the meaning of Executive Order 12866, and the proposed rule has, accordingly, not been reviewed by the Office of Management and Budget. The proposed rule, if adopted, will not have a significant economic impact upon a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

Unfunded Mandates Reform Act of 1995

This rule will not result in the expenditure by States, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more in any one year, and it will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

Small Business Regulatory Enforcement Fairness Act of 1996

This rule is not a major rule as defined by § 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of $100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

The Proposed Amendment

Accordingly, the U.S. Parole Commission adopts the following amendment to 28 CFR part 2.

PART 2—PAROLE, RELEASE, SUPERVISION AND RECOMMITMENT OF PRISONERS, YOUTH OFFENDERS, AND JUVENILE DELINQUENTS

1. The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

2. Section 2.56 is amended by removing the words ''regional office'' from the title of the section; and by amending paragraph (a) by removing ''prisoner's regional office file'' and replacing with ''subject's Parole Commission file''.

3. Section 2.56 is further amended by adding a new paragraph (b)(1); by adding and reserving paragraph (b)(2); by amending paragraph (f) to replace ''$8.00'' with ''$14.00''; by adding a new sentence to the end of paragraph (g); and by adding a new paragraph (i). These amendments read as follows:

§ 2.56 Disclosure of Parole Commission file.

* * * * *

(b) Scope of disclosure. * * *

(1) Requests that are only for a copy of the tape recording of a hearing will be processed ahead of requests seeking multiple documents from the Parole Commission file (priority processing). A requester may limit the scope of the request to a tape recording only (or to a tape recording and/or up to two documents) and thereby qualify for priority processing. For example, a request for the tape recording and the examiner's summary of a hearing qualifies for priority processing.

(2) [Reserved]

* * * * *

(g) Relation to other provisions. * * * Provisions of the Freedom of Information Act not specifically addressed by these regulations (including the reading room) are covered by 28 CFR, part 16, subpart A.

* * * * *

(i) Expedited processing of Requests. (1) The Commission will provide expedited processing of a request when a requester has demonstrated a compelling need as defined in this section and has presented a statement certified by such person to be true and correct to the best of such person's knowledge and belief. A requester may demonstrate ''compelling need'' by establishing one of the following:

(i) That failure to obtain the requested records on an expedited basis could reasonably be expected to pose an imminent threat to the life or physical safety of an individual; or

(ii) With respect to a request made by a person primarily engaged in

disseminating information, urgency to inform the public concerning actual or alleged federal government activity.

(2) A determination as to whether to provide expedited processing shall be made within ten days after the date of the request. However, the fact of lawful imprisonment in a correctional facility or revocation of parole shall not be deemed to pose an imminent threat to the life or physical safety of an individual. The Commission shall process as soon as practicable any request for records to which it has granted expedited processing. An administrative appeal of a denial of expedited processing may be made to the Chairman of the Commission within thirty days from the date of notice denying expedited processing.

Dated: September 24, 1997.

Michael J. Gaines,

Chairman, U.S. Parole Commission.

[FR Doc. 97–26057 Filed 10–1–97; 8:45 am]

BILLING CODE 4410–01–P

LIBRARY OF CONGRESS

Copyright Office

37 CFR Part 202

[Docket No. 96–6A]

''Best Edition'' of Published Copyrighted Works for the Collections of the Library of Congress

AGENCY: Copyright Office, Library of Congress.

ACTION: Final rule.

SUMMARY: This rule amends the Library of Congress's Best Edition Statement concerning motion pictures deposited under Title 17, section 407, mandatory deposit, and section 408, registration deposit. The Statement sets out the criteria to be applied in determining the best edition for each of several types of motion picture materials which are listed in descending order of format preference in an Appendix to Copyright Office Regulations. The amendment removes the previously listed ''most widely distributed gauge'' as a selection factor of the ''best edition'' and adds new video formats to the prioritized list of deposit material preferences based on current industry practices with respect to motion picture media and formats.

EFFECTIVE DATE: November 3, 1997.

FOR FURTHER INFORMATION CONTACT: Marilyn J. Kretsinger, Assistant General Counsel, Telephone: (202) 707–8380. Telefax: (202) 707–8366.

SUPPLEMENTARY INFORMATION: On November 15, 1996, the Copyright Office published in the **Federal Register**, a notice of proposed rulemaking on the revision of the best edition selection criteria for published motion pictures. (61 FR 54897). The Best Edition Statement criteria are published in 37 CFR 202.19, 202.20 and Appendix B to Part 202—''Best Edition of Published Copyrighted Works for the Collections of the Library of Congress.'' The criteria for ''Motion Pictures'' are set forth in 37 CFR 202, APP. B III.

Two comments to the proposed amendment were received. Both commenters expressed concern that, because of the proposed changes in the ranking preferences in the video formats, the Copyright Office would no longer accept ¾″ videocassette copies for registration of published television productions but would request the higher quality Betacam or D–2 formats instead. The Office will generally continue its policy of accepting ¾″ videocassettes for registration of television programs and series. Where, however, certain television programs are published in copies of a higher quality format, the Library of Congress reserves the right to request the better archival format for its collections. However, the Library will continue to be flexible in its requests and in working through the Copyright Office in granting special relief under 37 CFR 202.19 and 202.20 from the deposit requirements when compliance with the requirements would be unduly burdensome on the applicant.

The amended regulation eliminates the ''gauge in which most widely distributed'' as a criterion for the deposit format for either motion picture or video formats. The major objective in eliminating this criterion as a ranking preference for film prints is to discourage the deposit of ½″ videocassettes where a better published format exists. As stated in the Notice of Proposed Rulemaking, the ½″ gauge does not represent an acceptable archival quality medium for the Library's purposes.

The amended regulation changes the second category in the Best Edition Statement under III Motion Pictures from videotape to video format in order to reflect more accurately that the preferential list contains a format other than videotapes. The regulation also adds a second high quality format, ''Betacam SP,'' to the prioritized list.

List of Subjects in 37 CFR Part 202

Claims, Copyright.

Final Regulations

In consideration of the foregoing, the Copyright Office amends part 202 of 37 CFR in the manner set forth below:

Appendix B to Part 202—''Best Edition'' of Published Copyrighted Works for the Collections of the Library of Congress

1. The authority citation for part 202 continues to read as follows:

Authority: 17 U.S.C. 702.

2. In part 202, App. B, ''III. Motion Pictures'' is revised to read as follows:

* * * * *

III. Motion Pictures

Film medium is considered a better quality than any other medium. The formats under ''film'' and ''video formats'' are listed in descending order of preference:

A. Film
1. Preprint material with special arrangement.
2. 35mm positive prints.
3. 16mm positive prints.

B. Video Formats
1. One-inch open reel tape
2. Betacam SP
3. D–2
4. Betacam
5. Videodisc
6. Three-quarter inch cassette
7. One-half inch VHS cassette

* * * * *

Dated: September 25, 1997.

Nanette Petruzzelli,

Acting General Counsel.

Approved by:

James H. Billington,

The Librarian of Congress.

[FR Doc. 97–26061 Filed 10–1–97; 8:45 am]

BILLING CODE 1410–30–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[LA–8–1–7346; FRL–5899–4]

Approval and Promulgation of State Implementation Plans (SIP); Louisiana; Control of Volatile Organic Compound (VOC) Emissions; Reasonable Available Control Technology (RACT) Catch-Ups; Major Source Definition Corrections

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: This document contains a correction to the EPA's approval action of Louisiana's RACT Catch-up SIP