

Issued in Washington DC on June 11, 1999.
L. Nicholas Lacey,
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. 40103, 40113, 40120, 44701; 49 U.S.C. 106(g); 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, 97.35 [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 data	State	City	Airport	FDC No.	SIAP
06/01/99	GA	Pine Mountain	Callaway Gardens-Harris County	9/3721	NDB or GPS RWY 9, AMDT 8...
06/02/99	IN	Connersville	Mettel Field	9/3748	ILS RWY 18, Orig...
06/02/99	IN	Connersville	Mettel Field	9/3749	VOR or GPS-A, Orig...
06/02/99	IN	Connersville	Mettel Field	9/3751	NDB or GPS RWY 18, Orig...
06/02/99	KS	Belleville	Belleville Muni	9/3765	VOR/DME-A, AMDT 3...
06/02/99	OR	Portland	Portland-Hillsboro	9/3771	VOR/DME or GPS-A Orig-A...
06/03/99	UT	Provo	Provo Muni	9/3811	ILS RWY 13, Orig...
06/04/99	MA	Worcester	Worcester Regional	9/3831	VOR/DME RWY 33 Orig-A...
06/04/99	ME	Wiscasset	Wiscasset	9/3841	NDB RWY 25 AMDT 5...
06/04/99	NY	New York	La Guardia	9/3843	ILS RWY 13 Orig-A...
06/04/99	VA	Brookneal	Campbell County	9/3833	VOR/DME or GPS-A Orig...
06/04/99	VA	Moneta	Smith Mountain Lake	9/3832	VOR/DME or GPS RWY 23 Orig...
06/04/99	VA	Tangier	Tangier Island	9/3834	VOR/DME or GPS RWY 2 Orig-A...
06/04/99	WV	Martinsburg	Eastern West Virginia Regional/Shepherd Field.	9/3830	LOC/DME BC RWY 8 AMDT 5...
06/07/99	AZ	St Johns	St Johns Industrial Airpark	9/3931	VOR/DME or GPS-A AMDT 1...
06/07/99	CO	Colorado Springs	City of Colorado Springs Muni	9/3925	ILS/DME RWY 17L, Orig-A...
06/07/99	CO	Grand Junction	Walker Field	9/3926	ILS/DME RWY 11, AMDT 14...
06/07/99	MD	Cumberland	Greater Cumberland Regional	9/3903	LOC-A AMDT 3B...
06/07/99	MD	Cumberland	Greater Cumberland Regional	9/3910	LOC/DME RWY 23 AMDT 5B...
06/07/99	MI	Howell	Livingston County	9/3922	NDB RWY 13, AMDT 1...
06/07/99	MI	Howell	Livingston County	9/3923	GPS RWY 13, Orig...
06/07/99	UT	Ogden	Ogden-Hinckley	9/3915	VOR/DME RNAV or GPS RWY 3, Orig...
06/07/99	UT	Ogden	Ogden-Hinckley	9/3916	VOR RWY 7, AMDT 5...
06/07/99	UT	Ogden	Ogden-Hinckley	9/3918	GPS RWY 7, Orig...
06/07/99	UT	Ogden	Ogden-Hinckley	9/3919	ILS RWY 3, AMDT 3A...
06/08/99	NY	White Plains	Westchester County	9/3939	COPTER ILS/DME 162 Orig...

[FR Doc. 99-15590 Filed 6-22-99; 8:45 am]
 BILLING CODE 4910-13-M

DEPARTMENT OF DEFENSE

Department of the Air Force

32 CFR Part 881

Determination of Active Military Service and Discharge for Civilian or Contractual Groups

AGENCY: Department of the Air Force, DoD.

ACTION: Final rule.

SUMMARY: The Department of the Air Force is revising 32 CFR part 881, *Determination of Active Military Service and Discharge for Civilian or Contractual Groups* of the Code of Federal Regulations to reflect current

policies. Part 881 establishes procedures for processing discharge applications of civilians or contractors claiming prior active military service with the U.S. Air Force or a predecessor organization.

EFFECTIVE DATES: June 21, 1999.

ADDRESSES: Mr. John C. Wooten, HQ AFPC/DPPRS, 550 C Street West, Suite 11, Randolph, TX 78150-4713, 210-565-3769.

FOR FURTHER INFORMATION CONTACT: Mr. John C. Wooten, HQ AFPC/DPPRS, 210-565-3769.

List of Subjects in 32 CFR Part 881

Military, Personnel, Veterans.

For the reasons set forth in the preamble, the Department of the Air Force is revising 32 CFR Part 881 as follows:

PART 881—DETERMINATION OF ACTIVE MILITARY SERVICE AND DISCHARGE FOR CIVILIAN OR CONTRACTUAL GROUPS

Sec.

- 881.1 Applying for discharge.
- 881.2 Screening the application.
- 881.3 Individual service review board.
- 881.4 Processing the application.
- 881.5 If an application is approved.
- 881.6 If an application is denied.
- 881.7 Discharge upgrade.
- 881.8 Disposition of documents.
- 881.9 Form prescribed.

Authority: 38 U.S.C. 106.

§ 881.1 Applying for discharge.

(a) Who may apply.
 (1) You may apply for discharge if you were a member of a recognized group. A spouse, next of kin, or legal representative may apply on behalf of a deceased or mentally incompetent person. Proof of death or mental

incompetency must accompany such an application.

(b) Where to apply.

(1) Send your application for discharge to the Directorate of Personnel Program Management, Separations Branch, HQ AFPC/DPPRS, 550 C Street West, Suite 11, Randolph AFB, TX 78150-4713.

(c) How to apply.

(1) Fill out DD Form 2168, *Application for Discharge of Member or Survivor of Member of Group Certified to Have Performed Active Duty With the Armed Forces of the U.S.*, or write a letter.

(2) Obtain DD Form 2168 from HQ AFPC/DPPRS, 550 C Street West, Suite 11, Randolph AFB, TX 78150-4713 or the National Personnel Records Center (NPRC), 9700 Page Boulevard, St. Louis, MO 63132.

(3) Make your application as complete as possible; the burden of proof is on you. Provide all available evidence to document your membership in the group and what services you performed.

(d) Documentation may include:

- (1) Flight logbooks.
- (2) Separation or discharge certificates.
- (3) Mission orders.
- (4) Identification cards.
- (5) Contracts.
- (6) Personnel action forms.
- (7) Employment records.
- (8) Education certificates and diplomas.
- (9) Pay vouchers.
- (10) Certificates of awards.
- (11) Casualty information.

(e) The Air Force will not under any circumstances provide or pay for legal representation for you.

§ 881.2 Screening the applications.

(a) HQ AFPC/DPPRS reviews your application and does one of the following:

(1) Sends your application to another military department and sends you a written notice or a copy of the referral letter.

(2) Returns your application without prejudice if the Secretary of the Air Force has not determined whether members of your group are certified for discharge. You may resubmit the application after the Secretary determines that your group is certified.

(3) Refers applications made by a group (or individuals on behalf of a group) to the Secretary of the Air Force, Manpower, Reserve Affairs and Installations, Personnel Council (AFPC), The Pentagon, Washington, DC 20330 for further review. This Part does not cover such applications.

(4) Returns the application to you if it is complete.

(5) Refers all complete applications to the Individual Service Review Board for further consideration.

§ 881.3 Individual Service Review Board.

(a) The Commander, Headquarters Air Force Personnel Center (HQ AFPC/CC) establishes the Individual Service Review Board as necessary.

(b) The Board consists of military members in grade Lieutenant Colonel or higher, and civilian members, grade GS-12 or higher, appointed by the HQ AFPC/CC. Three members constitute a quorum. The senior member acts as Board chairperson. A nonvoting member keeps a record of the Board's actions on an application.

(c) The Directorate of Personnel Program Management, Separations Branch, HQ AFPC/DPPRS, 550 C Street West, Suite 11, Randolph AFB, TX 78150-4713, provides administrative support to the Board.

§ 881.4 Processing the application.

(a) Individual Service Review Board meets in closed session to consider the application, the evidence submitted, and other relevant information.

Applicants or their representatives do not have the right to appear before the Board.

(b) The Board:

- (1) Evaluates the evidence.
- (2) Decides whether the applicant was a member of a recognized group during dates of its qualification.
- (3) Decides whether to approve the application for discharge.
- (4) Determines the period and character of the applicant's service.

§ 881.5 If an application is approved.

(a) If the Board approves an application for discharge and determines that it should be honorable, HQ AFPC/DPPRS issues the applicant a DD Form 256AF, *Honorable Discharge*, and a DD Form 214, *Certificate of Release or Discharge from Active Duty* under AFI 36-3202, *Separation Documents* (formerly AFR 35-6).

(b) Enter a military grade on the DD Form 214 only if the Administrator of Veterans' Affairs requests it.

(c) Enter a pay grade on the DD Form 214 only for individuals who were killed or received service-related injuries or disease during the approved period of service. For proof of grade criteria, see DoD 1000.20, *Determinations of Active Military Service and Discharge Civilian or Contractual Personnel*, section E, paragraph 3g.

(d) If the Board approves an application for discharge but determines that it should be "under honorable

conditions" (general discharge), it forwards the case to the Air Force Personnel Council (AFPC) for final decision. HQ AFPC/DPPRSO, 550 C Street West, Suite 20, Randolph AFB, TX 78150-4722, then issues the appropriate discharge certificate and a DD Form 214 to the applicant.

(e) To appeal the characterization of a discharge, submit DD Form 149, *Application for Correction of Military Record Under the Provisions of Title 10, U.S.C., Section 1552*, to the Secretary of the Air Force through the Air Force Review Boards Office (SAF/MIBR).

(f) If the member dies or is declared missing during the period of equivalent active military duty, the Directorate of Casualty Matters (HQ AFPC/DPW) issues DD Form 1300, *Report of Casualty*, including military pay grade, to the next of kin or a designated representative, according to DODI 1300.18, *Military Personnel Casualty Matters, Policies and Procedures*, and AFI 36-3002, *Casualty Services* (formerly AFR 30-25).

§ 881.6 If an application is denied.

(a) Once the Board has decided your case, HQ AFPC/DPPRS notifies you:

(1) If the Board denied your application for discharge because there is insufficient evidence to show that you belonged to a qualifying group.

(2) If the Board determines that your service cannot be characterized as "under honorable conditions."

(b) You have 60 days from the date of this notice to submit additional evidence or information to HQ AFPC/DPPRS, 550 C Street West, Suite 11, Randolph AFB, TX 78150-4713.

(c) If after 60 days you have submitted new evidence, the Board reviews the case again. If the Board determines that your application now merits approval, it proceeds according to paragraph (e).

(d) If you do not submit additional evidence or if, after review, the Board determines that your application should be denied, it forwards the case to the AFPC for final decision.

(e) HQ AFPC/DPPRS notifies you of the final decision.

(f) If your application is denied, the Board returns it to you without prejudicing any later consideration.

§ 881.7 Discharge upgrade.

If you are approved for a General Discharge, you may apply to the Air Force Discharge Review Board for discharge upgrade under AFI 36-3201, *Air Force Discharge Review Board* (formerly AFR 20-10) or to the Air Force Board for Correction of Military Records under AFI 36-2603, *Air Force Board for Correction of Military Records*

(formerly AFR 31-3). SAF/MIBR provides copies of these instructions and application forms to individuals who received a General Discharge.

§ 881.8 Disposition of documents.

(a) File a copy of the application, supporting evidence, and DD Form 214 in the Master Personnel Records Groups maintained at the National Personnel Records Center, St. Louis, MO 63132, for approved cases. Send copies of DD Form 214 to:

- (1) The applicant.
- (2) The Veterans' Administration.
- (3) HQ AFPC/DPPRS, 550 C Street West, Suite 11, Randolph AFB, TX 78150-4713.

§ 881.9 Form prescribed.

The following form, DD Form 2168, *Application for Discharge of Member or Survivor of Member of a Group Certified To Have Performed Active Duty With the Armed Forces of the U.S.*, is required for processing the stated claims.

Appendix A to Part 881—Glossary of Terms

Active Military Service—See 38 U.S.C. 106.

Civilian or Contractual Group—An organization whose members rendered service to the U.S. Air Force or a predecessor organization during a period of armed conflict. In that capacity the members were considered civilian employees with the Armed Forces or contractors with the U.S. Government, providing direct support to the Armed Forces. An example of such a group is the Women's Air Force Service Pilots, who were Federal civilian employees attached to the U.S. Army Air Force during World War II.

Discharge—Complete severance from the active military service. The discharge includes a reason and characterization of service.

Recognized Group—A group whose service the Secretary of the Air Force has determined was "active duty for the purposes of all laws administered by the Department of Veterans' Affairs," such as VA benefits under 38 U.S.C. 106.

Janet A. Long,

Air Force Federal Register Liaison Officer.
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BILLING CODE 5001-05-P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-99-037]

RIN 2115-AE47

Special Local Regulations: Skull Creek, Hilton Head, SC.

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Temporary Special Local Regulations are being adopted for the Skull Creek July 4th celebration Fireworks Display, Skull Creek, Hilton Head, SC. The event will be held from 9 p.m. to 10 p.m. Eastern Daylight Time (EDT) on July 4, 1999 in Skull Creek, Hilton Head, SC. These regulations are needed to provide for the safety of life on navigable waters during the event.

DATES: These regulations become effective at 8:30 p.m. and terminate at 10:30 p.m. EDT on July 4, 1999

FOR FURTHER INFORMATION CONTACT: Chief D. Jersey at (843) 724-7616.

SUPPLEMENTARY INFORMATION:

Background and Purpose

These regulations are required to provide for the safety of life on navigable waters because of the inherent danger of the fireworks display during the Skull Creek July 4th celebration, Skull Creek, Hilton Head, SC. In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for these regulations and good cause exists for making them effective in less than 30 days from the date of publication, as information concerning the exact time and location of the event were only recently received.

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)(f) of that order. The Office of Management and Budget has exempted it from review 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 proposal to be so minimal that a full regulatory evaluation under paragraph 10e of the regulated policies and procedures of DOT is unnecessary. The regulated area encompasses only a 500 foot radius around the fireworks barge on Skull Creek.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) the Coast Guard must consider whether this rulemaking will have a significant economic impact on a substantial number of small entities. Small entities include small business, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities, as the regulations will only be in effect for approximately 2 hours.

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that this rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this action and has determined under Figure 2-1, paragraph 34(h) of Commandant Instruction M16475.1C, that this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Temporary Regulations: In consideration of the foregoing, the Coast Guard amends part 100 of Title 33, Code of Federal Regulations as follows:

PART 100—[Amended]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, 49 CFR 1.46, and 33 CFR 100.35.

2. Add temporary § 100.35T-07-037 to read as follows:

§ 100.35T-07-037 Skull Creek July 4th Celebration, Skull Creek, Hilton Head, SC.

(a) *Regulated area.* A regulated area is established for waters in Skull Creek, Hilton Head, SC, encompassing an area within a 500 foot radius from position 32°13'95"N, 080°45'1"W. All coordinates references use Datum: NAD 1983.