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PART I

FEDERAL REGISTER

VOLUME 28 NUMBER 139

Washington, Thursday, July 18, 1963

Contents

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Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of State

Effective upon publication in the FEDERAL REGISTER, subparagraph (6) of paragraph (k) of § 6.302 is revoked and subparagraph (7) is added to paragraph (k) as set out below.

§ 6.302 Department of State.

* * * * *

(k) *Bureau of Far Eastern Affairs.*

* * *

(7) One Special Assistant to the Assistant Secretary.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 63-7527; Filed, July 17, 1963; 8:45 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Peace Corps

Effective upon publication in the FEDERAL REGISTER, paragraphs (m) and (q) of § 6.368 are revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 63-7526; Filed, July 17, 1963; 8:45 a.m.]

PART 36—POSITION CLASSIFICATION

Subpart D—Delegation to Departments of Authority to Determine Coverage Under the Act

A new Subpart D is added to Part 36 as set out below.

Subpart D—Delegation to Departments of Authority to Determine Coverage Under the Act

Sec.
36.401 Delegation of authority.
36.402 Exercise of authority.

AUTHORITY: §§ 36.401 and 36.402 issued under sec. 1101, 63 Stat. 971, as amended; 5 U.S.C. 1072.

§ 36.401 Delegation of authority.

Subject to the provisions of Subpart C of this part and § 36.402, the Commission delegates to departments the authority to determine whether a position is subject to, or is excluded from, the Act under the provisions of sections 202(7) and 202(8) of the Act.

§ 36.402 Exercise of authority.

A department may exercise the authority delegated in § 36.401 only in accordance with guidelines and standards issued by the Commission.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 63-7528; Filed, July 17, 1963; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES AND OTHER OPERATIONS

[C.C.C. Grain Price Support Regulations, 1963-Crop Dry Edible Bean Supplement]

PART 1421—GRAINS AND RELATED COMMODITIES

Subpart—1963-Crop Dry Edible Bean Loan and Purchase Agreement Program

Correction

In F.R. Doc. 63-7379, appearing at page 7215 of the issue for Saturday, July 13, 1963, the following correction is made in the tabular matter under § 1421.2411 (a): For Pinto, Area II, the entry in the column for the rate per 100 pounds, U.S. No. 1, should read "6.28" instead of "6.38".

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 63-EA-37]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

Alteration of Continental Control Area

The purpose of this amendment to § 71.151 [New] of the Federal Aviation Regulations is to delete Restricted Area, R-5202 Gardiner's Island, N.Y., and Restricted Area, R-6601 Camp A. P. Hill, Va., from the list of restricted areas in the continental control area.

Restricted Area, R-5202 Gardiner's Island, N.Y., has been reduced in designated altitude from 75,000 feet MSL to 6,000 feet MSL, and Restricted Area, R-6601 Camp A. P. Hill, Va., has been reduced in designated altitude from 22,000 feet MSL to 5,000 feet MSL. There is, therefore, no longer a requirement for R-5202 and R-6601 to be included in the continental control area.

Action is taken herein to delete these restricted areas from § 71.151.

Since this amendment is editorial in nature, compliance with the notice, public procedure, and effective date provisions of section 4 of the Administrative Procedure Act is unnecessary and it may be effective upon publication.

In consideration of the foregoing, the following action is taken:

In § 71.151 (27 F.R. 220-54, November 10, 1962), "R-5202 Gardiner's Island, N.Y." and "R-6601 Camp A. P. Hill, Va." are deleted.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on July 11, 1963.

LEE E. WARREN,
Acting Director, Air Traffic Service.

[F.R. Doc. 63-7547; Filed, July 17, 1963; 8:50 a.m.]

[Airspace Docket No. 63-EA-31]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

PART 73—SPECIAL USE AIRSPACE [NEW]

Revocation of Restricted Area and Alteration of Controlled Airspace

The purpose of these amendments to §§ 71.165 and 73.66 of the Federal Aviation Regulations is to revoke the Chesapeake Bay, Va., Restricted Area R-6603 and to alter the description of the Norfolk, Va., control area extension.

The Department of the Navy has advised the Federal Aviation Agency that it no longer has a requirement for Restricted Area R-6603. Therefore, the assignment of this airspace as a Restricted Area is no longer warranted, and revocation thereof will be in the public interest. Such action is taken herein.

Further, action is taken herein to delete reference to R-6603 from the description of the Norfolk, Va., control area extension.

Since these amendments impose no additional burden on the public, notice and public procedure hereon are unnecessary and they may be made effective immediately.

In consideration of the foregoing, the following actions are taken:

1. In § 73.66 (28 F.R. 19–43, January 26, 1963), "R–6603, Chesapeake Bay, Va.," is revoked.

2. In the text of § 71.165 (27 F.R. 220–59, November 10, 1962), "R–6603," is deleted.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on July 11, 1963.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 63–7548; Filed, July 17, 1963; 8:50 a.m.]

[Airspace Docket No. 63–WA–38]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

PART 73—SPECIAL USE AIRSPACE [NEW]

Designation of Restricted Areas and Alteration of Controlled Airspace

On June 6, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 5583) stating that the Federal Aviation Agency (FAA) was considering a proposal to designate three joint-use restricted areas and to include these restricted areas in the continental control area and alter certain Federal airways and the Albuquerque, New Mexico, and the Gallup, New Mexico, transition areas. These actions were proposed in order to protect nonparticipating aircraft from the hazards associated with an off-range missile firing project being conducted by the Department of Defense (DOD).

No adverse comments were received concerning the proposal.

Although not mentioned in the notice, DOD has advised the FAA that contracts are being negotiated for the use of the privately owned lands necessary to contain the missile operations. Should use of these lands be denied for these purposes, action will be taken to modify or rescind these airspace actions as appropriate. The FAA will not authorize any missile firings in connection with this project until such time as these contracts are consummated. It should be noted that because of the flight profile of the missile and its components, the lateral dimensions of the restricted areas are necessarily larger than that required on the surface. Further, no hazardous activities except those necessary for the firing of the missile shall be conducted in the proposed restricted areas, and except for the periods of time required to conduct these activities, these areas will be returned to the controlling agencies for air traffic purposes.

The actions taken herein, in no way, permit the using agency and/or his representatives to deviate from the provisions of § 48.22(g) of the Civil Air Regulations.

In the notice of proposed rule making it was proposed to alter the descriptions of VOR Federal airways Nos. 19, 62, 192, 486, 1532, 1536, 1543, 1636, 1645, and 1756, and the Albuquerque, New Mexico, and the Gallup, New Mexico, transition areas. These alterations would not result in a physical change to the airspace boundaries, but would merely add that prior approval from appropriate authority would be required before using those portions of the airspace within the restricted areas. Civil Air Regulations (§ 60.13(b)) and Federal Air Regulations (§ 73.13 (a) and (b)) forbid the flight of any non-participating aircraft within a restricted area unless permission has been obtained from the appropriate authority; either the using agency or controlling agency. Accordingly, the FAA believes that, because of the short period of time these restricted areas would be designated, and in view of the regulations quoted above that govern flight within restricted areas, no useful purpose would be served by altering the affected airways and transition areas to include the phrase "the airspace within (appropriate restricted area number) shall be used only after obtaining prior approval from appropriate authority." Therefore, no action regarding these airways or transition areas is taken herein.

In consideration of the foregoing, and for the reasons stated here and in the notice, the following actions are taken:

1. In § 73.51 *New Mexico* (28 F.R. 19–31, January 26, 1963), the following are added:

R–5113 Socorro, New Mexico.

Boundaries. Beginning at latitude 34°20'–00'' N., longitude 106°37'00'' W.; to latitude 34°10'00'' N., longitude 106°37'00'' W.; to latitude 34°10'00'' N., Longitude 106°47'00'' W.; to latitude 34°17'00'' N., longitude 106°–47'00'' W., to latitude 34°20'00'' N., longitude 106°43'00'' W.; to the point of beginning.

Designated altitudes. Surface to unlimited.

Time of designation. Continuous, September 15, 1963, to November 1, 1963, unless cancelled sooner by NOTAM.

Controlling agency. Federal Aviation Agency, Albuquerque ARTC Center.

Using agency. Commander, Air Force Missile Development Center, Holloman AFB, New Mexico.

R–5114 Fort Wingate, New Mexico.

Boundaries. Beginning at latitude 35°–27'00'' N., longitude 108°35'00'' W.; to latitude 35°11'00'' N., longitude 108°13'00'' W.; to latitude 35°04'40'' N., longitude 108°24'–00'' W.; to latitude 35°24'00'' N., longitude 108°38'00'' W.; to the point of beginning.

Designated altitudes. Surface to unlimited.

Time of designation. Continuous, October 14, 1963, to December 10, 1963, unless cancelled sooner by NOTAM.

Controlling agency. Federal Aviation Agency, Albuquerque ARTC Center.

Using agency. Commander, Air Force Missile Development Center, Holloman AFB, New Mexico.

2. In § 73.64 *Utah* (28 F.R. 19–42, January 26, 1963), the following is added:

R–6410 Blanding, Utah.

Boundaries. Beginning at latitude 37°–33'00'' N., longitude 109°33'00'' W.; to latitude 37°21'00'' N., longitude 109°21'00'' W.; to latitude 37°17'00'' N., longitude 109°29'–00'' W.; to latitude 37°31'00'' N., longitude 109°36'00'' W.; to the point of beginning.

Designated altitudes. Surface to unlimited.

Time of designation. Continuous, September 9, 1963, to November 1, 1963, unless cancelled sooner by NOTAM.

Controlling agency. Federal Aviation Agency, Denver ARTC Center.

Using agency. Commander, Air Force Missile Development Center, Holloman AFB, New Mexico.

3. In § 71.151 (27 F.R. 220–54, November 10, 1962), the following are added:

R–5113, Socorro, N. Mex.
R–5114, Fort Wingate, N. Mex.
R–6410, Blanding, Utah.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

These amendments shall become effective 0001, e.s.t., August 22, 1963.

Issued in Washington, D.C., on July 11, 1963.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 63–7550; Filed, July 17, 1963; 8:50 a.m.]

[Airspace Docket No. 63–WA–37]

PART 73—SPECIAL USE AIRSPACE [NEW]

Revocation of Restricted Area

The purpose of this amendment to § 73.51 of the Federal Aviation Regulations is to revoke the Los Alamos, New Mexico, Restricted Area R–5102.

The using agency of R–5102 has advised this area is no longer required and the area may be revoked. Such action is taken herein.

Since this amendment reduces a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary.

In consideration of the foregoing, the following action is taken:

In § 73.51 New Mexico (28 F.R. 19–31, January 26, 1963), "R–5102 Los Alamos, New Mexico," is revoked.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

Issued in Washington, D.C., on July 11, 1963.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 63–7549; Filed, July 17, 1963; 8:50 a.m.]

[Airspace Docket No. 63–WA–51]

PART 73—SPECIAL USE AIRSPACE [NEW]

Alteration of Restricted Areas

The purpose of this amendment to § 73.24 of the Federal Aviation Regulations is to change the controlling agency of the Fort Chaffee, Ark., Restricted Area R–2401 and R–2402 from the "Federal Aviation Agency, St. Louis, ARTC Center" to the "Federal Aviation Agency, Fort Worth ARTC Center."

The Fort Chaffee restricted areas lie within the control area recently trans-

ferred from the St. Louis ARTC Center to the Fort Worth ARTC Center in an adjustment by the Federal Aviation Agency designed for more efficient use of the nation's airspace. Therefore, action is taken herein to amend the controlling agency of these restricted areas.

Since this amendment imposes no additional burden on the public, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, § 73.24 (28 F.R. 19–7, January 26, 1963), is amended as follows:

In R–2401 Fort Chaffee, Ark., and R–2402 Fort Chaffee, Ark., "Controlling Agency. Federal Aviation Agency, St. Louis ARTC Center." is deleted and "Controlling Agency. Federal Aviation Agency, Fort Worth ARTC Center." is substituted therefor.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on July 11, 1963.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 63–7551; Filed, July 17, 1963; 8:50 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. C–517]

PART 13—PROHIBITED TRADE PRACTICES

Parker-Allen Industries, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods;* § 13.70 *Fictitious or misleading guarantees;* § 13.125 *Limited offers or supply;* § 13.155 *prices;* § 13.175 *Quality of product or service;* § 13.240 *Special or limited offers.* Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Parker-Allen Industries, Inc., et al., Chicago, Ill., Docket C–517, June 28, 1963]

In the Matter of Parker-Allen Industries, Inc., a Corporation, Sidney H. Cohen, Harold Sparks, and Marvin H. Shapiro, Individually and as Officers of Said Corporation

Consent order requiring Chicago distributors of various articles of merchandise to cease supplying their retail dealers with advertising material and other printed matter which represented falsely, among other things, that offers of merchandise must be accepted within a limited time and that supplies were limited; that prices were special and lower than those prevailing locally; that certain tools were of professional quality, certain merchandise was unconditionally guaranteed, file cabinets and wardrobes were made of heavy gauge steel and desks of solid walnut or mahogany.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Parker-Allen Industries, Inc., a corporation, and its officers, and Sidney H. Cohen, Harold Sparks, and Marvin H. Shapiro, individually and as officers of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

A. Representing, directly or indirectly, that:

1. Offers of merchandise must be accepted within a limited time, when there is, in fact, no specific time limitation.

2. The supply or quantity of any merchandise is limited when adequate quantities are available.

3. Any price is a "sale" or special price unless such price constitutes a reduction from the generally prevailing price or prices at which the merchandise is sold at retail in the trade area or areas where the representation is made.

4. Wrenches or tools are of professional quality unless said products are of the quality used by mechanics or other artisans.

5. Any merchandise is guaranteed unless the nature and extent of the guarantee and the manner in which the guarantor will perform thereunder are clearly and conspicuously disclosed.

6. File cabinets or wardrobes made of thin sheet metal are made of heavy gauge steel or are of sturdy steel construction.

7. Certain desks are made of "Walnut" or "Mahogany" unless, in fact, said products are made of genuine, solid walnut or genuine, solid mahogany, as the case may be.

B. Misrepresenting in any manner the composition, quality, quantity, usual price or availability of any product.

C. Furnishing or otherwise placing in the hands of distributors or dealers in said products the means and instrumentalities by and through which they may mislead or deceive the public in the manner or as to the things hereinabove prohibited.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 28, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63–7554; Filed, July 17, 1963; 8:52 a.m.]

[Docket No. C–518]

PART 13—PROHIBITED TRADE PRACTICES

Formulette Co., Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections;* § 13.15–125 *Individual or private business being;* § 13.15–125(o) *Foundation;* § 13.143 *Opportunities;* § 13.150 *Premiums and prize.* Subpart—Furnishing means and instrumentalities of misrepresentation or deception; § 13.1055 *Furnishing means and instrumentalities of misrepresentation.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Formulette Company, In., et al., Long Island City, N.Y., Docket C–518, June 28, 1963]

In the Matter of Formulette Company, Inc., a Corporation, and Murray Lerner, Irving Kaster, Daniel Stoller, and Robert Lerner, Individually and as Officers of Said Corporation

Consent order requiring Long Island City, N.Y., distributors of infants' nursing products to cease representing falsely—in printed materials attached to and enclosed in the product containers, in promotional matter distributed to wholesalers and retailers, and in advertisements in national magazines—by such statements as the "Special Formulette gift certificate inside starts a $500 College or Career Policy", "Formulette packs a college education with its nursing products", "* * * only $1 pays the full premium * * *", that their "gift certificate" would entitle its holder, on payment of a $1 premium, to purchase an endowment insurance policy underwritten by themselves and an insurance company, and that individuals thus insured were "eligible for the annual $1500 Formulette Foundation Scholarships."

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Formulette Company, Inc., a corporation, and its officers, and Murray Lerner, Irving Kaster, Daniel Stoller, and Robert Lerner, individually and as officers of said corporation, and respondents' agents, representatives, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of infants' nursing products, or any other products, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Offering, as an inducement to the purchase of any of respondents products, any gift, gift certificate, premium, or similar bonus, unless such gift, gift certificate, premium, or similar bonus has actual value.

2. Misrepresenting the value of, or the benefits attached to or which may be obtained through the use of, any gift, gift certificate, premium, or similar bonus offered by respondents as an inducement to the purchase of any of their products.

3. Representing that respondents are underwriters of insurance contracts or otherwise engaged in the insurance business.

4. Representing that respondents award scholarships, or that respondents have created, caused to be created, or are affiliated with any entity which awards scholarships.

5. Misrepresenting, in any manner, respondents relationship to any person, organization, institution, or instrumentality.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 28, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-7552; Filed, July 17, 1963; 8:52 a.m.]

[Docket No. C-519]

PART 13—PROHIBITED TRADE PRACTICES

Younker Brothers, Inc., and State Fur Trading Co.

Subpart—Advertising falsely or misleadingly: § 13.155 *Prices;* § 13.155-100 *Usual as reduced, special, etc.* Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely;* § 13.1108-45 *Fur Products Labeling Act.* Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1865 *Manufacture or preparation;* § 13.1865-40 *Fur Products Labeling Act.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Younker Brothers, Inc. (Des Moines, Iowa), et al., Docket C-519, June 28, 1963]

In the Matter of Younker Brothers, Inc., a Corporation and State Fur Trading Company, a Corporation

Consent order requiring Des Moines, Iowa, furriers to cease violating the Fur Products Labeling Act by failing to use the word "natural" on invoices and in advertising to describe fur products that were not artificially colored, and by representing falsely in newspaper advertisements—by use of such terms as "Huge Reductions", "Terriffic Markdowns", etc.—that prices were reduced from usual retail prices.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents Younker Brothers, Inc., a corporation, and its officers, and State Fur Trading Company, a corporation, and its officers and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising or offering for sale in commerce or the transportation or distribution in commerce, of any fur product; or in connection with the sale, advertising, offering for sale, transportation, or distribution of any fur product which is made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

1. Falsely and deceptively invoicing fur products by failing to describe fur products as "natural" when such fur products are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

2. Falsely or deceptively advertising fur products, through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or offering for sale of fur products, and which:

A. Represents directly or by implication that the retail prices of fur products are reduced from respondents' usual or regular prices when in fact such retail prices are not reductions from respondents' usual or regular prices.

B. Fails to describe fur products as "natural" when such fur products are not pointed, bleached, dyed, tip-dyed or otherwise artificially colored.

It is further ordered, That each of the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 28, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-7556; Filed, July 17, 1963; 8:52 a.m.]

[Docket No. C-520]

PART 13—PROHIBITED TRADE PRACTICES

McConnel Airline School, Inc., et al.

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections:* § 13.15-265 *Service;* § 13.115 *Jobs and employment service;* § 13.170 *Qualities or properties of product or service;* § 13.170-35 *Educational, informative, training;* § 13.225 *Services.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, McConnel Airline School, Inc., et al., Minneapolis, Minn., Docket C-520, June 28, 1963]

In the Matter of McConnel Airline School, Inc., a Corporation, and William McKay, and Irene Juderjohn McKay, Individually and as Officers of Said Corporation

Consent order requiring Minneapolis, Minn., sellers of a study course to prepare students for employment as stewardesses, ticket agents, reservation agents and in other positions with airlines, to cease representing falsely by advertisements in national magazines and newspapers that persons completing the course were qualified for employment with 35 airlines, were given preference by all airlines seeking employees, and would be given assistance in securing such employment until successful.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

It is ordered, That respondents McConnell Airline School, Inc., a corporation, and its officers, and William McKay and Irene Juderjohn McKay, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of courses of study and instruction, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

(1) Completion of respondents' course of study and instruction, by itself, qualifies a person for employment with 35 airlines or otherwise representing in any manner that completion of respondents' course, by itself, qualifies a person for employment with any airline.

(2) All airlines seeking employees prefer persons completing respondents' course of study and instructions over persons who have not completed respondents' said course, or misrepresenting in any other manner the preference given by airlines to persons who have completed respondents' course.

(3) Persons who complete respondents' course of study and instruction will receive assistance in securing employment with an airline until they are successful in obtaining such employment, or otherwise misrepresenting in any manner the assistance in securing employment that a person completing respondents' course will receive.

(4) Young women who have passed their seventeenth but not their eighteenth birthday are eligible for employment with the airlines or misrepresenting in any other manner the qualifications for employment with the airlines.

(5) Respondents' sales agents or sales representatives are competent to determine whether or not a person is suitable for employment as an airline stewardess or for any other position.

It is further ordered, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 28, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 63-7553; Filed, July 17, 1963; 8:52 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

SUBCHAPTER T—OPERATION AND MAINTENANCE

PART 221—OPERATION AND MAINTENANCE CHARGES

Flathead Indian Irrigation Project, Montana

On page 5723 of the FEDERAL REGISTER of June 12, 1963, there was published a notice of intention to amend §§ 221.24, 221.26, and 221.28 of Title 25, Code of Federal Regulations, dealing with the irrigable lands of the Flathead Indian Irrigation Project, Montana, that are subject to the jurisdiction of the several irrigation districts. The purpose of the amendments is to establish the lump sum assessment against the Flathead, Mission, and Jocko Valley Districts within the Flathead Indian Irrigation Project for the 1964 season.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendments. No comments, suggestions, or objections have been received, and the proposed amendments are hereby adopted without change as set forth below.

Sections 221.24, 221.26, and 221.28 are amended to read as follows:

§ 221.24 Charges.

Pursuant to a contract executed by the Flathead Irrigation District, Flathead Indian Irrigation Project, Montana, on May 12, 1928, as supplemented and amended by later contracts dated February 27, 1929, March 28, 1934, August 26, 1936, and April 5, 1950, there is hereby fixed for the season of 1964 an assessment of $276,775.90 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Flathead Irrigation District. This assessment involves an area of approximately 79,078.83 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.26 Charges.

Pursuant to a contract executed by the Mission Irrigation District, Flathead Indian Irrigation Project, Montana, on March 7, 1931, approved by the Secretary of the Interior on April 21, 1931, as supplemented and amended by later contracts dated June 2, 1934, June 6, 1936, and May 16, 1951, there is hereby fixed for the season of 1964 an assessment of $50,023.82 for the operation and maintenance of the Irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Mission Irrigation District. This assessment involves an area of approximately 14,756.29 acres, which does not include any land held in trust for Indians and covers all proper general charges and project overhead.

§ 221.28 Charges.

Pursuant to a contract executed by the Jocko Valley Irrigation District, Flathead Indian Irrigation Project, Montana, on November 13, 1934, approved by the Secretary of the Interior on February 26, 1935, as supplemented and amended by later contracts dated August 26, 1936, and April 18, 1950, there is hereby fixed for the season of 1964 an assessment of $19,235.00 for the operation and maintenance of the irrigation system which serves that portion of the project within the confines and under the jurisdiction of the Jocko Valley Irrigation District. This assessment involves an area of approximately 6,869.65 acres, which does not include any lands held in trust for Indians and covers all proper general charges and project overhead.

REINHOLT BRUST,
Acting Area Director.

[F.R. Doc. 63-7559; Filed, July 17, 1963; 8:53 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 603—FABRIC AND LEATHER GLOVE INDUSTRY IN PUERTO RICO

Wage Order

Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), and by means of Administrative Order No. 573 (28 F.R. 3052), the Secretary of Labor appointed and convened Industry Committee No. 63-B. Administrative Order No. 573 referred to Industry Committee No. 63-B the question of the minimum wage rate or rates to be paid under section 6(c) of the Act to employees in the fabric and leather glove industry in Puerto Rico, as defined in that Order, and gave due notice of the hearing of the Committee, as provided in 29 CFR 511.2.

Subsequent to an investigation and a hearing conducted pursuant to the notice, the Committee filed with the Administrator a report containing its findings of fact and recommendations with respect to the matters referred to it.

Accordingly, as authorized and required by section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and General Order No. 45-A of the Secretary of Labor (15 F.R. 3290), the recommendations of Industry Committee No. 63-B are hereinafter published in this revision of 29 CFR Part 603.

Effective August 3, 1963, 29 CFR Part 603 is hereby revised to read as follows:

PART 603—FABRIC AND LEATHER GLOVE INDUSTRY IN PUERTO RICO

Sec.
603.1 Definition.
603.2 Wage Rates.
603.3 Notices.

AUTHORITY: §§ 603.1 to 603.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U.S.C. 208. Interpret or apply secs. 5, 6, 52 Stat. 1062, as amended; 29 U.S.C. 205, 206.

§ 603.1 Definition.

The fabric and leather glove industry in Puerto Rico is defined as: The manufacture of dress, semidress, and work gloves and mittens from woven or knit fabric, leather, or synthetic material, or these materials in combination with any other material: *Provided, however,* That the industry shall not include the manufacture of knit or crocheted gloves and mittens, sport and athletic gloves and mittens, or rubber or molded plastic gloves and mittens.

§ 603.2 Wage rates.

The fabric and leather glove industry in Puerto Rico is divided into seven classifications. Wages at rates not less than those prescribed in this section shall be paid under subsection 6(c) of the Fair Labor Standards Act of 1938 by every employer to each of his employees in each of the classifications in the fabric and leather glove industry in Puerto Rico who in any workweek is engaged in commerce or in the production of goods for commerce or is employed in an enterprise engaged in commerce or in the production of goods for commerce as those terms are defined in section 3 of the Act.

(a) *Previously covered classifications.* The classifications in this paragraph (a) apply to all activities of employees in the fabric and leather glove industry in Puerto Rico to whom section 6 of the Act applies without reference to the Fair Labor Standards Amendments of 1961.

(1) *Hand-sewing on fabric gloves classification.* (i) The minimum wage for this classification is 28 cents an hour.

(ii) This classification is defined as the operations of hand-sewing, hand-embroidering, hand-embellishing, ornamental hand-stitching, hand-drawing of threads, and similar hand operations involving decorative effects on fabric gloves (gloves or mittens manufactured from woven or knitted fabric), except mending, repairing, sewing of labels, tacking, and similar operations on fabric gloves that are wholly or chiefly machine-sewn.

(2) *Hand-sewing on leather gloves classification.* (i) The minimum wage for this classification is 46 cents an hour.

(ii) This classification is defined as the operations of hand-sewing, hand-embroidering, hand-embellishing, ornamental hand-stitching, hand-drawing of threads, and similar hand operations involving decorative effects on leather gloves (gloves or mittens manufactured from leather or from leather in combination with other material), except mending, repairing, sewing of labels, tacking, and similar operations on leather gloves that are wholly or chiefly machine-sewn.

(3) *Other operations on hand-sewn gloves classification.* (i) The minimum wage for this classification is 70 cents an hour.

(ii) This classification is defined as all operations on hand-sewn gloves (gloves or mittens manufactured primarily by a hand-sewing process), except opera-

tions included in the hand-sewing on fabric gloves classification and the hand-sewing on leather gloves classification, as defined herein.

(4) *Machine operations and the cutting, laying-off, pressing, sizing, banding, and packaging of machine-sewn leather gloves classification.* (i) The minimum wage for this classification is 93 cents an hour.

(ii) This classification is defined as machine-sewing, other operations performed by machine, and the cutting, laying-off, pressing, sizing, banding, and packaging of leather gloves which are primarily machine-sewn (gloves or mittens made of leather and/or leather in combination with another material, provided that the full palm or full back be leather).

(5) *Machine operations and the cutting, laying-off, pressing, sizing, banding, and packaging of machine-sewn gloves classification (except leather).* (i) The minimum wage for this classification is 95 cents an hour.

(ii) This classification is defined as machine-sewing, other operations performed by machine, and cutting, laying-off, pressing, sizing, banding, and packaging of primarily machine-sewn gloves, except leather gloves.

(6) *Other operations on machine-sewn gloves classification.* (i) The minimum wage for this classification is 91 cents an hour.

(ii) This classification is defined as all operations on machine-sewn gloves (gloves or mittens manufactured primarily by a machine-sewing process), except operations included in the hand-sewing on fabric gloves classification, the hand-sewing on leather gloves classification, the machine operations and the cutting, laying-off, pressing, sizing, banding, and packaging of machine-sewn leather gloves classification, and the machine operations and the cutting, laying-off, pressing, sizing, banding, and packaging of machine-sewn gloves classification (except leather).

(b) *New coverage classification.* (1) The minimum wage for this classification is 91 cents an hour.

(2) This classification is defined as all activities of employees in the fabric and leather glove industry in Puerto Rico to whom section 6 of the Act applies only by reason of the Fair Labor Standards Amendments of 1961.

§ 603.3 Notices.

Every employer subject to the provisions of § 603.2 shall post in a conspicuous place in each department of his establishment where employees subject to the provisions of § 603.2 are working such notice of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour and Public Contracts Divisions of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D.C., this 12th day of July 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-7583; Filed, July 17, 1963; 8:57 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 17—CONDITIONS APPLICABLE TO PARCELS ADDRESSED TO CERTAIN MILITARY POST OFFICES OVERSEAS

Revised Mailing Conditions

The regulations of the Post Office Department in Part 17, as amended by 28 F.R. 1508, are amended by revising the headings of Part 17 and § 17.2 by striking out "Parcels" and inserting in lieu thereof "Mail"; and by making the following changes in the tabular information in § 17.2.

§ 17.2 Amendment.

1. Insert in proper numerical order, the following Military APO numbers and their accompanying data:

15				[7] X		
27				[7] X		
38				[7] X		
40				[7] X		
77				[7] [14] X		
91				[7] X		
95				[7] X		
96				[7] X		
97				[7] X		
137				[7] X		
143				[7] X		
157				[7] X		
158				[7] X		
339						[3] X
662				[7] X		
686		X		[1] X		[3] X
817						[3] X
2034		X	X	[7] X		[3] X
3034		X	X	[7] X		[3] X

2. Amend Military APO number 9 to read:

9 [8]				[7] [13] X		[3] X

3. Under the column headed "Customs Declaration on Form 2966 or 2976 Required" and opposite Military APO numbers "12, 13, 26, 28, 29, 34, 35, 36, 39, 46, 57, 66, 69, 79, 80, 82, 107, 108, 109, 111, 112, 114, 123, 130, 132, 139, 154, 162, 164, 245, 252, 277, 279, 281, 305, 320, 321, 326, 330, 332, 333, 403, 407, 409, 411, 633, 666, 670, 680, 684, 696, 699, 742, 743, 751, 757, 800, 807, and 872" insert footnote "3".

4. Opposite Military APO number 319 and under the column headed "Other Prohibited Items" strike out footnote "12" and insert in lieu thereof footnote "11".

5. Delete footnote "13" from Military APO numbers 825 and 834.

6. Amend footnotes 13 and 14 to read as follows:

[13] Meats, including preserved meats, whether hermetically sealed or not, are prohibited.

[14] Parcels addressed to Dependent Mail Section may NOT be prepaid at first class rates and may contain ONLY books and periodicals.

NOTE: The corresponding Postal Manual section is 127.2.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 63-7568; Filed, July 17, 1963; 8:45 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 8—Veterans Administration

PART 8-3—PROCUREMENT BY NEGOTIATION

Subpart 8-3.6—Small Purchases

PART 8-16—PROCUREMENT FORMS

Subpart 8-16.3—Purchase and Delivery Order Forms

Chapter 8 of Title 41 is amended as set forth below:

A new § 8-3.605-2 is added to read as follows:

§ 8-3.605-2 VA Forms 3-2138 and 3-2139.

VA Form 3-2138 (Purchase Order-Invoice) and VA Form 3-2139 (Purchase Order-Invoice, Continuation Sheet) provide in one interleaved set of forms, a purchase or delivery order, vendor's invoice, and receiving report. These forms will be used in lieu of and in the same manner as Standard Forms 147 and 148.

A new § 8-16.301-2 is added to read as follows:

§ 8-16.301-2 Purchase Order-Invoice (VA Forms 3-2138 and 3-2139).

VA Form 3-2138 (Purchase Order-Invoice) and VA Form 3-2139 (Purchase Order-Invoice, Continuation Sheet) are prescribed for use in § 8-3.605-2 of this chapter.

(72 Stat. 1114, sec. 205(c), 63 Stat. 390; 38 U.S.C. 210, 40 U.S.C. 486(c))

These regulations are effective immediately.

Approved: July 10, 1963

By direction of the Administrator.

[SEAL] A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 63-7574; Filed, July 17, 1963; 8:56 a.m.]

Title 50—WILDLIFE AND FISHERIES

Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior

SUBCHAPTER C—THE NATIONAL WILDLIFE REFUGE SYSTEM

PART 32—HUNTING

National Elk Refuge, Wyoming

On page 5207 of the FEDERAL REGISTER of May 24, 1963, there was published a

notice of a proposed amendment to § 32.31 of Title 50, Code of Federal Regulations. The purpose of this amendment is to provide public hunting of elk on the National Elk Refuge, Wyoming, as legislatively permitted.

Interested persons were given 30 days in which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received. The proposed amendment is hereby adopted without change.

This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

(R.S. 161, as amended, sec. 2, 33 Stat. 614, as amended, sec. 5, 43 Stat. 651, sec. 5, 45 Stat. 449, sec. 10, 45 Stat. 1224, sec. 4, 48 Stat. 402, as amended, sec. 4, 48 Stat. 451, as amended, sec. 2, 48 Stat. 1270; 5 U.S.C. 22; 16 U.S.C. 685,725,690d, 715i, 664, 718d; 43 U.S.C. 315a)

STEWART L. UDALL,
Secretary of the Interior.

JULY 12, 1963.

1. Section 32.31 is amended by the addition of the following area as one where the hunting of big game is authorized.

§ 32.31 List of open areas; big game.

* * * * *

WYOMING

National Elk Refuge.

[F.R. Doc. 63-7558; Filed, July 17, 1963; 8:53 a.m.]

PART 33—SPORT FISHING

Sabine National Wildlife Refuge, Louisiana

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

LOUISIANA

SABINE NATIONAL WILDLIFE REFUGE

The special regulation permitting sport fishing on the Sabine National Wildlife Refuge, Louisiana, in 33.5, published March 16, 1963 in the FEDERAL REGISTER, Volume 28, No. 53, Page 2585, is amended to limit sport fishing and the use of boats to certain portions of the refuge as follows:

Sport fishing on the Sabine National Wildlife Refuge, Louisiana is permitted only on the areas designated by signs as open to fishing. Waters open to fishing are included within an area comprising 23,000 acres or 16% of the total area of the refuge. This open area comprises a portion of the interior canal in Pool 1B, the roadside canal adjacent to State Highway 27 and that portion of the refuge east of State Highway 27, and is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 809 Peachtree-Seventh Building, Atlanta 23, Georgia. Sport fishing is subject to the following conditions:

(e) Other provisions:

(2) Delete

(4) All boats left on the refuge prior to effective date of the amended special regulation must be removed by July 29 or be subject to removal by the refuge manager.

The provisions of this amended special regulation are effective to October 16, 1963.

JOHN D. FINDLAY,
Acting Regional Director, Bureau of Sport Fisheries and Wildlife.

[F.R. Doc. 63-7557; Filed, July 17, 1963; 8:52 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Ch. IX]

[AO–342]

POTATOES

Notice of Recommended Decision and Opportunity To File Written Exceptions With Respect to Proposed National Marketing Agreement and Order

Pursuant to rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk, United States Department of Agriculture, of this recommended decision with respect to a proposed National Marketing Agreement and Order for Potatoes, hereinafter referred to as "national marketing order," to be effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674), hereinafter called the act.

Interested parties may file exceptions to this recommended decision with the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., not later than the close of business on August 15, 1963. Exceptions should be filed in quadruplicate.

Preliminary statement. A public hearing was held to consider a proposed national marketing agreement and order for potatoes pursuant to notice thereof which was published in the FEDERAL REGISTER of February 20, 1962, March 7, 1962, and October 12, 1962 (27 F.R. 1556; 2178; 10048). The notice set forth the proposed marketing agreement and order which were sponsored by the National Potato Advisory Committee appointed pursuant to request of the National Potato Council. The hearing, pursuant to the above notice, commenced in New York City March 12 and continued through March 17, 1962. It was continued at Toledo, Ohio, March 19–20; at Minneapolis, Minnesota, March 22–24; at Pocatello, Idaho, March 27–31; at Bakersfield, California, April 5–7; at Amarillo, Texas, April 12–14; at Atlanta, Georgia, April 17–21; and at Denver, Colorado, December 4–6, 1962. The record for the several sessions of the hearing is made up of 6,217 pages of recorded evidence, 102 exhibits, and appended briefs of interested parties.

Material issues. Material issues presented on the record of the hearing are set forth below.

(1) The need for a national potato marketing order as a means of effectuating the declared policy of the act.

(2) Terms and provisions of the national marketing order published in the notice of hearing, or any appropriate modifications thereof, which are necessary and incidental to attain the declared objectives of the act.

Findings and conclusions. On hearing record evidence, the following facts are found:

Extensive hearing sessions were held at numerous locations throughout the United States beginning at New York City, then continuing at Toledo, Ohio, Minneapolis, Minn., Pocatello, Idaho, Bakersfield, Calif., Amarillo, Tex., Atlanta, Ga., and at Denver, Colo., where the hearing adjourned. Numerous witnesses testified for the record. The record shows a broad coverage of the proposals in the notice of hearing. However, there is substantial variation in the views of the witnesses who testified. These views ranged from zealous support to ardent opposition with various modifications among the different witnesses. The conflicting evidence shows a wide and deep divergence of opinion among substantial numbers of leaders within the potato industry on the proposed program.

The record of the hearing does not disclose a sufficient balance of evidence such as to demonstrate a present necessity for a marketing order of the general nature proposed to effectuate the declared policy of the act. In addition, the record indicates a lack of such industry demand and support at this time for a national marketing order as will assure the support and cooperation required to make the operation of a program of this type and scope feasible and practical. It is concluded, therefore, that a national marketing order as proposed in this proceeding should not be recommended at this time. Hence, there is no need for findings or conclusions on issues which relate to particular terms or provisions of the proposed regulatory program.

Rulings on briefs of interested parties. At the conclusion of the hearing, the Presiding Officer fixed February 15, 1963, later extended to March 22, 1963, and again extended to April 22, 1963, as the latest day on which briefs from interested parties with respect to the testimony presented in evidence at the hearing, and the findings and conclusions to be drawn therefrom, must be filed with the Hearing Clerk, U.S. Department of Agriculture.

Briefs were filed within the alloted time by the following:

John C. Broome, Aurora, N.C.
Borden Food Co., New York City.
American Farm Bureau Federation, Chicago, Ill.
Melville Ehrlich, Attorney, on behalf of Potato Processors of Idaho Association, Potato Chip Institute International, Instant Potato Products Association.
Nyal Rydalch, St. Anthony, Idaho (with 16 additional Idaho potato growers joining).
Houghton County Agricultural Society, Houghton Co., Mich.
Herbert H. Thompson, Prattsburg, N.Y.
Doyle Burns, Monte Vista, Colo.
Frank McGee, Monte Vista, Colo.
Idaho Potato Growers, Idaho Falls, Idaho.
W. B. Camp, Jr., Bakersfield, Calif.
W. B. Whiteley, Oakley, Idaho.
Harvey V. Tallackson, Grafton, N. Dak.
A. Golden Andrus, Ashton, Idaho.
E. Perrin Edmunds, Fort Fairfield, Maine.
Jack B. Bishop, Wayland, N.Y.
Roy Hirai, Nyssa, Oreg.
Merle Anderson, Climax, Minn.

Every point referred to in briefs was carefully considered along with record evidence in establishing findings and reaching conclusions herein set forth. To the extent that the findings and conclusions proposed in the briefs are inconsistent with findings and conclusions contained herein, requests to make such findings or to reach such conclusions are denied on the basis of facts found and set forth in connection with conclusions in this recommended decision.

Dated: July 15, 1963.

JOHN P. DUNCAN, Jr.,
Assistant Secretary.

[F.R. Doc. 63–7579; Filed, July 17, 1963; 8:57 a.m.]

Agricultural Research Service

[9 CFR Part 78]

INTERSTATE MOVEMENT OF ANIMALS BECAUSE OF BRUCELLOSIS

Notice of Proposed Rule Making

In accordance with section 4 of the Administrative Procedure Act (5 U.S.C. 1003), notice is hereby given that, pursuant to the provisions of sections 4, 5, and 13 of the Act of May 29, 1884, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, section 3 of the Act of March 3, 1905, as amended, and section 3 of the Act of July 2, 1962 (21 U.S.C. 111–113, 114a–1, 120, 121, 125, 134b), it is proposed to amend the provisions of Part 78, Title 9, Code of Federal Regulations, as follows:

1. The title of said part would be amended to read: Part 78—Brucellosis.

2. Paragraph (a) of § 78.1 would be amended to read:

(a) *Brucellosis.* The infectious and communicable disease of animals commonly known as Bang's disease, abortion disease, contagious abortion, and brucellosis.

3. Paragraph (c) of § 78.3 would be amended to read:

(c) The person issuing a certificate required for the interstate movement of cattle under paragraph (d) or (e) of § 78.12, or of bison under § 78.20 shall forward a copy thereof to the proper livestock sanitary official of the State of destination of the cattle or bison.

4. Section 78.4 would be amended to read:

§ 78.4 General restriction.

Domestic animals (other than bison) affected with brucellosis may not be moved interstate except in compliance with the regulations in this subpart. Bison may not be moved interstate except as provided in Subpart E of this part.

5. Paragraph (b) of § 78.15 would be amended to read:

(b) Notices containing lists of slaughtering establishments specifically approved for the purposes of § 78.5; paragraphs (b) and (c) of § 78.12; and §§ 78.18 and 78.19 are published in the FEDERAL REGISTER. Information with respect to these slaughtering establishments may also be obtained from the Division and from the Federal Inspectors and State Inspectors.

6. A new Subpart E would be added, reading as follows:

Subpart E—Restrictions on Movement of Bison Because of Brucellosis

Sec.
78.17 General restriction.
78.18 Movement of brucellosis reactor bison.
78.19 Movement of bison for immediate slaughter.
78.20 Movement of bison for purposes other than slaughter.
78.21 Movement of bison from public zoo to public zoo.
78.22 Handling of bison in transit.
78.23 Other movements.

§ 78.17 General restriction.

Bison may not be moved interstate except in compliance with the regulations in this subpart.

§ 78.18 Movement of brucellosis reactor bison.

Bison which have reacted to a test recognized by the Secretary of Agriculture for brucellosis may be moved interstate under this subpart, in accordance with the requirements of §§ 78.5(a), 78.5(b), and §§ 78.7 through 78.9, for immediate slaughter directly to a slaughtering establishment operating under the provisions of the Meat Inspection Act of March 4, 1907 (34 Stat. 1260; 21 U.S.C. 71 et seq.), or a slaughtering establishment specifically approved under § 78.16 (b) for the purposes of § 78.5.

§ 78.19 Movement of bison for immediate slaughter.

Bison not known to be affected with brucellosis may be moved interstate under this subpart for immediate slaughter directly to a slaughtering establishment operating under the provisions of the Meat Inspection Act of March 4, 1907 (34 Stat. 1260; 21 U.S.C. 71 et seq.), or a slaughtering establishment specifically approved under § 78.16(b).

§ 78.20 Movement of bison for purposes other than slaughter.

(a) Bison steers and spayed heifers may be moved interstate without restriction under this subpart.

(b) Bison of the following classes, from herds not known to be affected with brucellosis, may be moved interstate under this subpart if accompanied by a certificate issued by a State or Federal inspector or an accredited veterinarian showing the brucellosis status of the herd of origin (brucellosis-free or unknown); whether or not the animals have been officially vaccinated against brucellosis; the eartag number, brand or other positive identification of each animal; the name and address of the consignor and that of the consignee of the animals; and the destination of the animals:

(1) Bison which have been subjected to a blood agglutination brucellosis test or other brucellosis test recognized by the Secretary of Agriculture, under the supervision of a Federal or State veterinary official or an accredited veterinarian, within 30 days prior to the date of movement interstate, and found negative. If reactors to the test are found among animals so tested, the exposed animals may be moved interstate only under the provisions of § 78.19.

(2) Officially vaccinated bison under 30 months of age which are not parturient (springers) or post-parturient.

(3) Bison from a herd which has been declared free of brucellosis by the cooperating State and Federal livestock sanitary officials of the State in which the herd is located.

(4) Bison calves under 4 months of age.

§ 78.21 Movement of bison from public zoo to public zoo.

Bison originating in a zoo owned by the public moving to another such zoo and handled in accordance with § 78.22 may be moved interstate without further restriction under this subpart.

§ 78.22 Handling of bison in transit.

Bison moving under §§ 78.19, 78.20 or 78.21 of this subpart shall be moved interstate only in clean vehicles, and, if unloaded in the course of such movement, shall be handled only in clean pens at stockyards, or feed, water, and rest stations.

§ 78.23 Other movements.

The Director of the Division may provide for the movement, not otherwise provided for in this subpart, of bison not known to have reacted to a test for brucellosis, under such conditions as he may prescribe to prevent the spread of brucellosis. The Director of the Division will promptly notify the appropriate livestock sanitary officials of the States involved of any such action.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may do so by filing them with the Director, Animal Disease Eradication Division, Agricultural Research Service, United States Department of Agriculture, Washington 25, D.C., within 30 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 12th day of July 1963.

B. T. SHAW,
Administrator,
Agricultural Research Service.

[F.R. Doc. 63-7580; Filed, July 17, 1963; 8:57 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-EA-38]

CONTROL AREA EXTENSION AND TRANSITION AREAS

Proposed Revocation and Designation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Federal Aviation Agency, having completed a comprehensive review of the terminal airspace structure requirements in the Akron/Canton/New Philadelphia, Ohio, area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, has under consideration the following airspace actions:

1. Designate the Akron transition area as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Akron Municipal Airport (latitude 41°02'15" N., longitude 81°28'05" W.); within 2 miles each side of the Akron radio beacon 062° True bearing, extending from the Akron Municipal Airport 7-mile radius area to 8 miles northeast of the radio beacon; within 2 miles each side of the Akron VORTAC 255° True radial, extending from the Akron Municipal Airport 7-mile radius area to the VORTAC; within a 7-mile radius of the Akron-Canton Airport (latitude 40°55'05" N., longitude 81°26'30" W.), and within 5 miles west and 8 miles east of the Akron-Canton ILS localizer south course, extending from the Akron-Canton outer marker to 12 miles south of the outer marker; and that airspace extending upward from 1,200 feet above the surface within the area bounded by a line beginning at latitude 40°53'00" N., longitude 81°43'00" W.; to latitude 41°08'00" N., longitude 81°36'00" W.; to latitude 41°11'30" N., longitude 81°39'20" W.; thence counterclockwise along the arc of an 18-mile radius circle centered on the Cleveland-Hopkins Airport, Cleveland, Ohio (latitude 41°24'30" N., longitude 81°51'00" W.) to latitude 41°21'00" N., longitude 81°31'00" W.; to latitude 41°24'20" N., longitude 81°23'00" W.; thence counterclockwise along the arc of a 19-mile radius circle centered on the Lost Nations Airport, Willoughby, Ohio (latitude 41°41'00" N., longitude 81°23'25" W.) to latitude 41°28'00" N., longitude 81°10'00" W.; to latitude 41°05'00" N., longitude 80°50'00" W.; to latitude 40°56'00" N., longitude 80°52'00" W.; to latitude 40°56'40" N., longitude 80°36'00" W.; thence counterclockwise along the arc of a 37-mile radius circle centered on the Imperial, Pa., VORTAC to the Imperial VORTAC 249° True radial; thence via the 249° True radial to 60 miles southwest of the VORTAC; thence via a direct line to the Newcomerstown, Ohio, VOR; direct to the Tiverton, Ohio, VOR; to latitude 40°54'00" N., longitude 82°04'00" W.; thence counterclockwise along the arc of

a 37-mile radius circle centered on the Cleveland-Hopkins Airport to the point of beginning.

2. Designate the New Philadelphia transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of the New Philadelphia Airport (latitude 40°28'15" N., longitude 81°25'10" W.).

3. Revoke the Akron control area extension which is presently designated as that airspace south of Akron bounded on the north by the Cleveland control area extension, on the east by the Pittsburgh, Pa., control area extension, on the south by Victor 210 and on the west by Victor 59.

The proposed designation of transition areas in the Akron, Canton and New Philadelphia area would raise the floor of controlled airspace beyond 6 and 7-mile radius circular areas, with extensions, around the principal airports associated with these cities, from 700 to 1,200 feet above the surface. The portions of controlled airspace released by the proposed actions would become available for other aeronautical purposes. The portions of controlled airspace retained would provide protection for aircraft executing prescribed holding, arrival, departure and radar vectoring procedures within this area.

Few revisions, if any, to prescribed instrument approach procedures would be required. Slight adjustment of minimum en route altitudes on approximately ten short airway segments is anticipated, but without loss of cardinal altitudes. No change in the designation of the Akron control zone would be required. The floors of the airways which traverse the transition areas proposed herein and the floor of the portions of the Pittsburgh, Pa., Youngstown, Cleveland and Cincinnati, Ohio, control area extensions which coincide with the proposed transition areas would automatically assume a floor coincident with the floors of the transition areas. Revocation of these control area extensions will be processed at a later date as a part of the CAR Amendments 60–21/60–29 implementation programs proposed for the respective areas.

Specific details of any changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Eastern Region, Federal Building, New York International Airport, Jamaica, N.Y.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7534; Filed, July 17, 1963; 8:47 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–EA–19]

CONTROL ZONES AND TRANSITION AREAS

Proposed Alteration and Designation

In consonance with ICAO International Standards and Recommended Practices, notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations. This proposal relates to navigable airspace both within and outside the United States.

Applicability of International Standards and Recommended Practices, by the Air Traffic Service, FAA, in areas outside domestic airspace of the U.S. is governed by Article 12 and Annex 11 to the Convention on International Civil Aviation (ICAO), which pertains to the establishment of air navigation facilities and services necessary to promoting safe, orderly and expeditious flow of civil air traffic. Its purpose is to insure that civil flying on international air routes is carried out under uniform conditions designed to improve the safety and efficiency of air operations.

The International Standards and Recommended Practices in Annex 11 apply to those parts of the airspace under the jurisdiction of a contracting state, derived from ICAO, wherein air traffic services are provided and also whenever a contracting state accepts the responsibility of providing air traffic services over high seas or in airspace of undetermined sovereignty. A contracting state accepting such responsibility may apply the International Standards and Recommended Practices to civil aircraft in a manner consistent with that adopted for airspace under its domestic jurisdiction.

In accordance with Article 3 of the Convention on International Civil Aviation, Chicago, 1944, state aircraft are exempt from the provisions of Annex 11 and its Standards and Recommended Practices. As a contracting state the U.S. agreed by Article 3(d) that its state aircraft will be operating in international airspace with due regard for the safety of civil aircraft.

The portion of the action proposed herein, which relates to the designation of navigable airspace outside the United States, involves only an editorial change in category of existing designated controlled airspace and does not affect the dimensions thereof. Accordingly, consultation with the Secretary of State and the Secretary of Defense in accordance with the provisions of Executive Order 10854 would not be necessary.

The following controlled airspace is presently designated in the greater Norfolk, Va., terminal area:

1. The Oceana, Va., control zone is designated within a 5-mile radius of NAS Oceana, and within 3.5 miles either side of a 218° True bearing from NAS Oceana, extending from the 5-mile radius zone to 10 miles southwest of the airport, excluding the portion within R–6606.

2. The Norfolk, Va. (Norfolk Municipal) control zone is designated within a 5-mile radius of Norfolk Municipal Airport, including the airspace bounded by a line 2 miles northwest and parallel to the Norfolk VORTAC 221° True radial and a line 2 miles southeast and parallel to the Norfolk ILS southwest course, extending from the 5-mile radius zone to a point 6 miles southwest of the OM.

3. The Norfolk, Va. (NAS Norfolk) control zone is designated within a 5-mile radius of NAS Norfolk and within 2.5 miles either side of the Navy Norfolk radio range west course, extending from the 5-mile radius zone to 2.5 miles west of the Eclipse fan marker, excluding the portion within the Norfolk Municipal Airport control zone.

4. The Hampton Roads, Va., control zone is designated within a 5-mile radius of Langley AFB, Hampton Roads, Va., and within 2 miles either side of the Langley AFB Runway 25 extended centerline, extending from the 5-mile radius zone to 6 miles southwest of the Morrison radio beacon.

5. The Newport News, Va., control zone is designated within a 5-mile radius of Patrick Henry Airport, Newport News, Va.; within 2 miles either side of the Patrick Henry Airport ILS localizer southwest course, extending from the 5-mile radius zone to 10 miles southwest of the OM and within a 5-mile radius of the Felker AAF, Newport News, Va., excluding the portion within the Hampton Roads, Va. (Langley AFB), control zone.

6. That portion of Control 1181 designated within tangent lines drawn from the circumference of a 5-mile radius circle centered on the Weeksville, N.C., radio beacon to a 10-mile radius circle centered on the intersection of the 133° True bearing from the Weeksville radio beacon and the west boundary of the New York Oceanic Control Area.

7. That portion of the Edenton, N.C., control area extension bounded on the west by V–229, on the north by the Nor-

folk, Va., control area extension, and on the northeast by Control 1181.

8. That portion of the Norfolk control area extension within a 55-mile radius of latitude 36°57'44" N., longitude 76°24'44" W., excluding the portion below 2,000 feet MSL which lies beyond the shoreline, and the portions which coincide with R–4006, R–5309, R–6603, R–6606, R–6609 and W–386.

9. That portion of the Washington, D.C., control area extension southeast of Washington, D.C., within an 85-mile radius of the Washington VOR, extending clockwise from the Washington VOR 165° to the 245° True radials, and within a 70-mile radius of the Washington VOR, extending clockwise from the Washington VOR 355° to the 165° True radial.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the greater Norfolk area, including studies attendant to the implementation of the provisions of CAR Amendments 60–21/60–29, has under consideration the following airspace actions:

1. Redesignate the Oceana control zone to comprise that airspace within a 5-mile radius of NAS Oceana, Va. (latitude 36°49'30" N., longitude 76°01'50" W.), within 2 miles each side of the Navy Fentress VOR 033° True radial, extending from the 5-mile radius zone to the VOR, within 2 miles each side of the 034° True bearing from the Navy Fentress radio beacon, extending from the 5-mile radius zone to the radio beacon, within 2 miles each side of the NAS Oceana TACAN 225° True radial, extending from the 5-mile radius zone to 8 miles southwest of the TACAN, and within a 3-mile radius of ALF Fentress (latitude 36°41'45" N., longitude 76°08'05" W.), excluding the portion which would coincide with R–6606.

2. Redesignate the Norfolk (Norfolk Municipal) control zone to comprise that airspace within a 5-mile radius of Norfolk Municipal Airport (latitude 36°53'45" N., longitude 76°12'15" W.) and within 2 miles each side of Navy Norfolk radio range east course, extending from the radio range to 4.5 miles east of the radio range, excluding the portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Norfolk (NAS Norfolk) control zone as proposed for redesignation herein.

3. Redesignate the Norfolk (NAS Norfolk) control zone to comprise that airspace within a 5-mile radius of NAS Norfolk (latitude 36°56'15" N., longitude 76°17'15" W.) and within 2 miles each side of the NAS Norfolk radio range west course, extending from the 5-mile radius zone to 8 miles west of the radio range, excluding the portion subtended by a chord drawn between the points of intersection of the 5-mile radius zone with the Norfolk (Norfolk Municipal) control zone as proposed for redesignation herein, and excluding the portion within a 1-mile radius of Walker AAF, Hampton, Va. (latitude 37°00'55" N., longitude 76°18'10" W.).

4. Redesignate the Hampton Roads, Va., control zone to comprise that airspace within a 5-mile radius of Langley AFB, Hampton Roads, Va. (latitude 37°05'05" N., longitude 76°21'25" W.), within 2.5 miles northwest and 2 miles southeast of the 066° True bearing from the Morrison radio beacon, extending from the 5-mile radius zone to radio beacon, within 2 miles each side of the Langley AFB TACAN 078° True radial, extending from the 5-mile radius zone to 6 miles east of the TACAN, excluding that portion within a 1-mile radius of Walker AAF, Hampton, Va. (latitude 37°00'55" N., longitude 76°18'10" W.).

5. Redesignate the Newport News control zone to comprise that airspace within a 5-mile radius of Patrick Henry Airport, Newport News, Va. (latitude 37°07'47" N., longitude 76°29'46" W.), and within 2 miles each side of the Patrick Henry Airport ILS localizer southwest course, extending from the 5-mile radius zone to 7 miles southwest of the OM, excluding the portion within the Hampton Roads, Va., control zone.

6. Designate the Hampton, Va., control zone to comprise that airspace within a 3-mile radius of Felker AAF, Hampton, Va. (latitude 37°07'55" N., longitude 76°36'30" W.), within 2 miles each side of the 320° True bearing from the Felker AAF radio beacon (latitude 37°08'28" N., longitude 76°37'07" W.), extending from the 3-mile radius zone to 5 miles northwest of the radio beacon, and within 2 miles each side of the Felker AAF Runway 13 extended centerline, extending from the 3-mile radius zone to 4 miles northwest of the northwest end of the runway, excluding the portion within the Newport News, Va., control zone.

7. Designate a transition area at Norfolk, Va., to comprise that airspace extending upward from 700 feet above the surface bounded by a line beginning at:

Latitude 37°10'35" N., longitude 76°17'35" W., to latitude 36°49'45" N., longitude 75°-52'05" W., to latitude 36°29'25" N., longitude 76°09'40" W., to latitude 36°35'40" N., longitude 76°18'40" W., to latitude 36°54'00" N., longitude 76°27'30" W., to latitude 36°54'00" N., longitude 76°36'15" W., to latitude 37°-10'30" N., longitude 76°46'00" W., to latitude 37°14'40" N., longitude 76°39'50" W.,

thence to the point of beginning; and that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 36°38'15" N., longitude 77°19'15" W., to latitude 37°55'30" N., longitude 76°46'00" W., to latitude 37°38'30" N., longitude 75°31'30" W., thence south along the west boundary of W–108 and W–386 to latitude 36°19'00" N., longitude 75°-44'45" W., to latitude 36°03'15" N., longitude 76°02'15" W., to latitude 36°-13'25" N., longitude 76°47'30" W., thence clockwise along the arc of a 55-mile radius circle centered at latitude 36°57'44" N., longitude 76°24'44" W. to the point of beginning, excluding the portions within R–4006, R–5309, R–6606, R–6609, W–386, and the portion below 2,000 feet MSL outside the United States. The portion which coincides with R–6610 would be available for general aeronautical purposes if prior approval is obtained from the appropriate authority.

8. Designate a transition area at Franklin, Va., to comprise that airspace extending upward from 700 feet above the surface within a 5-mile radius of Franklin Municipal Airport (latitude 36°41'50" N., longitude 76°54'15" W.), within 2 miles each side of the Franklin VOR 101° True radial, extending from the 5-mile radius area to the VOR, and within 2 miles each side of the 083° True bearing from the Franklin Municipal Airport, extending from the 5-mile radius area to 6 miles east of the airport.

The actions proposed herein to alter the control zones located within the greater Norfolk terminal area would:

1. Reduce the lateral extent of the control zone presently designated at Oceana, Va., in the area surrounding ALF Fentress.

2. Add a small control zone extension to the north boundary of the existing Norfolk (Norfolk Municipal) control zone for the protection of aircraft executing the prescribed NAS Norfolk instrument approach procedure based on the east course of the Navy Norfolk radio range. Additionally, the northwest boundary of the Norfolk Municipal control zone would be repositioned to adjoin the NAS Norfolk control zone midway between the Norfolk Municipal and NAS Norfolk Airports.

3. Expand the Norfolk, Va. (NAS Norfolk) control zone to encompass the portion of the Norfolk (Municipal Airport) control zone released by the action proposed in Item 2 above. The length of the existing control zone extension based on the Norfolk radio range west course would be reduced. An additional small area reduction would be provided by excluding the portion within a 1-mile radius of the Walker AFB.

4. Reduce the over-all lateral extent of the control zone presently designated at Hampton Roads, Va., by reducing the length of the extension based on the Langley AFB Runway 25 extended centerline. A short extension would be added east of the existing zone boundary for the protection of aircraft executing the prescribed Langley AFB TACAN instrument approach procedure. An additional small area reduction would be obtained by excluding the portion within a 1-mile radius of the Walker AFB.

5. Reduce the lateral extent of the control zone presently designated at Newport News, Va., which surrounds the Patrick Henry Airport and Felker AAF by reducing the length of the extension based on the ILS localizer southwest course, and designating the portion of the control zone which provides protection for aircraft operating at Felker AAF, the Hampton, Va., control zone, reconfigure the area with a smaller radius, and designate two extensions northwest for the protection of prescribed Felker AAF instrument approach procedures.

The proposed designation of transition areas in the greater Norfolk terminal area would raise the floor of controlled airspace beyond a consolidated, irregularly configured area with boundaries from 5 to 12 miles from NAS Oceana, Norfolk Municipal, NAS Norfolk, Langley AFB, Patrick Henry and Felker AAF Airports, and beyond the immediate vicinity of the Franklin Municipal Airport from 700 to 1,200 feet above the surface. The portion of Control 1181, the portions

of the Edenton, N.C., Norfolk, Va., and Washington, D.C., control area extensions, and the floors of the airways that traverse the transition areas proposed herein would automatically assume floors coincident with the floors which would be estabilshed for the transition areas.

The portions of controlled airspace released by the actions proposed would become available for other aeronautical purposes. The portions of controlled airspace proposed for retention, would provide protection for aircraft executing prescribed instrument holding, arrival, departure and radar vectoring procedures within the greater Norfolk terminal area.

The revocation of the Edenton, N.C., Norfolk, Va., and Washington, D.C., control area extensions, will be processed at a later date as a part of the CAR Amendments 60-21/60-29 implementation programs proposed for the terminal areas which adjoin the Norfolk terminal area.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected. Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Eastern Region, Federal Aviation Agency, New York International Airport, Federal Building, Jamaica, N.Y.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Eastern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under sections 307(a), and 1110, 72 Stat. 749 and 800; 49 U.S.C. 1348 and 1510, and Executive Order 10854, 24 F.R. 9565.

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7535; Filed, July 17, 1963; 8:47 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-SO-18]

CONTROL ZONE, TRANSITION AREAS, AND CONTROL AREA EXTENSION

Proposed Alteration, Designation, and Revocation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is designated within the Knoxville, Tenn., terminal area:

1. The Knoxville control zone is designated as that airspace within a 5-mile radius of the McGhee-Tyson Airport; within 2 miles each side of the Knoxville ILS localizer southwest course, extending from the 5-mile radius zone to the outer marker; and within 2 miles each side of the Knoxville ILS northeast course, extending from the 5-mile radius zone to the intersection of the ILS northeast course and the Knoxville VORTAC 135° True radial.

2. The Knoxville control area extension is designated as that airspace within a 40-mile radius of the Knoxville radio beacon beginning south of Knoxville on the centerline of V-97, extending counterclockwise to the centerline of V-16 east of Knoxville, thence east to and including the airspace within a 50-mile radius of the Knoxville VORTAC beginning east of Knoxville on the centerline of V-16 and extending counterclockwise to latitude 36°06'30'' N., longitude 84°-45'00'' W., thence bounded on the northwest by a line extending from latitude 36°06'30'' N., longitude 84°45'00'' W., to latitude 36°00'00'' N., longitude 84°-56'45'' W., on the west by V-51, on the south by V-54, and on the east by the centerline of V-97, thence to point of beginning; and the airspace northeast of Knoxville, extending from the 50-mile radius area bounded on the southeast by V-16 north alternate, on the northeast by V-53, and on the northwest by V-115.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Knoxville area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, has under consideration the following airspace actions:

1. Redesignate the Knoxville control zone as that airspace within a 5-mile radius of the McGhee-Tyson Airport (latitude 35°48'40'' N., longitude 83°59'-35'' W.); within 2 miles each side of the Knoxville ILS localizer southwest course, extending from the 5-mile radius zone to 6 miles southwest of the airport; within 2 miles each side of the Knoxville VORTAC 220° True radial, extending from the 5-mile radius zone to the VORTAC; and within 2 miles each side of the 045° True bearing from the Knoxville radio beacon, extending from the 5-mile radius zone to 6 miles northeast of the radio beacon.

The proposed alteration of the Knoxville control zone would reduce the southwest extension, yet sufficient controlled airspace would be retained for the protection of aircraft executing prescribed ILS approach procedures at the McGhee-Tyson Airport. The east and northeast control zone extensions would provide protection for aircraft executing prescribed VOR and ADF instrument approach procedures.

2. Revoke the Knoxville control area extension and designate the Knoxville transition area. The proposed transition area would be designated as that airspace extending upward from 700 feet above the surface within a 21-mile radius of the McGhee-Tyson Airport; within the area northwest of Knoxville, extending from the 21-mile radius area bounded on the southwest by a line 5 miles south of and parallel to the Knoxville VORTAC 290° True radial, on the northwest by the arc of a 27-mile radius circle centered at the McGhee-Tyson Airport, and on the northeast by the southwest boundary of V-97 west alternate; and that airspace extending upward from 1,200 feet above the surface within the area northeast of Knoxville bounded on the northwest by V-97 east alternate, on the northeast by a line beginning at latitude 36°35'50'' N., longitude 83°36'00'' W.; to latitude 36°33'10'' N., longitude 83°28'00'' W.; to latitude 36°36'10'' N., longitude 83°25'25'' W.; to latitude 36°29'00'' N., longitude 83°-11'15'' W., and on the southeast by V-16 north alternate; within the area southeast of Knoxville within 5 miles each side of the Knoxville VORTAC 130° True radial, extending from the arc of a 21-mile radius circle centered at the McGhee-Tyson Airport to 35 miles southeast of the VORTAC; within the area southwest of Knoxville bounded on the northwest by V-16 south alternate, on the northeast by the arc of a 21-mile radius circle centered on the McGhee-Tyson Airport, on the southeast by V-97, and on the southwest by V-51 east alternate; within the area northwest of Knoxville bounded on the northeast by V-97 west alternate, on the southeast by the arc of a 21-mile radius circle centered on the McGhee-Tyson Airport, on the south by V-16, on the southwest by the arc of a 10-mile radius circle centered on the Rockwood Municipal Airport, Rockwood, Tenn. (latitude 35°-55'15'' N., longitude 84°41'25'' W.), on the west and northwest by a line extending from latitude 36°01'25'' N., longitude 84°49'00'' W.; to latitude 36°-14'00'' N., longitude 84°41'40'' W.; to latitude 36°09'40'' N., longitude 84°27'-50'' W.; to latitude 36°17'25'' N., longitude 84°23'55'' W.; and that airspace extending upward from 7,500 feet MSL within the area southeast of Knoxville bounded on the north by the arc of a 21-mile radius circle centered at the McGhee-Tyson Airport, on the east by a line 5 miles east of and parallel to V-267 east alternate, on the south by

latitude 35°26'15" N., and on the west by V–267 east alternate; and within the airspace south of Knoxville bounded on the east by V–267, on the south by latitude 35°12'00" N., and on the west by V–97.

The portion of the proposed Knoxville transition area, with a floor of 700 feet above the surface, would provide protection for aircraft executing prescribed holding, approach, departure and radar procedures at the McGhee-Tyson Airport. These operations are conducted above mountainous terrain that surrounds the airport. The portion of the proposed transition area with a 1,200-foot floor would provide protection for aircraft executing those portions of the prescribed holding, arrival and departure procedures conducted beyond the limits of the 700-foot floor portion. The portion proposed with a floor of 7,500 feet MSL would provide protection for aircraft executing the high altitude portion of these procedures at the McGhee-Tyson Airport.

3. Designate the Crossville, Tenn., transition area as that airspace extending upward from 700 feet above the surface within a 6-mile radius of the Crossville Memorial Airport (latitude 35°57'-05" N., longitude 85°05'05" W.); within 2 miles each side of the Crossville VORTAC 334° True radial, extending from the 6-mile radius area to the VORTAC; and within 8 miles northeast and 5 miles southwest of the Crossville VORTAC 154° True radial, extending from the VORTAC to 12 miles southeast. The proposed Crossville transition area would provide protection for aircraft executing prescribed instrument approach and departure procedures that are conducted above mountainous terrain near Crossville Memorial Airport.

4. Designate the Rockwood, Tenn., transition area as that airspace extending upward from 700 feet above the surface within a 10-mile radius of the Rockwood Municipal Airport (latitude 35°55'15" N., longitude 84°41'25" W.) and within 8 miles southwest and 5 miles northeast of the 120° True bearing from latitude 35°55'17" N., longitude 84°41'-27" W., extending from the 10-mile radius area to 12 miles southeast of latitude 35°55'17" N., longitude 84°41'27" W. The proposed Rockwood transition area would provide protection for aircraft executing prescribed holding, approach and departure procedures at the Rockwood Municipal Airport. A 10-mile radius area would be required for these procedures because of the mountainous terrain at this location.

5. The Morristown, Tenn., transition area would be designated as that airspace extending upward from 700 feet above the surface within a 7-mile radius of the Moore-Murrell Field (latitude 36°10'55" N., longitude 83°22'20" W.), and within 8 miles south and 5 miles north of the 240° True bearing from latitude 36°11'-00" N., longitude 83°22'00" W., extending from latitude 36°11'00" N., longitude 83°22'00" W., to 12 miles southwest.

The proposed Morristown transition area would provide protection for aircraft executing prescribed instrument approach and departure procedures at Moore-Murrell Field.

The floors of the airways that would traverse the proposed transition areas would automatically coincide with the floors of the transition areas.

The actions proposed herein would raise the floor of controlled airspace, beyond the areas proposed with a floor of 700 feet above the surface, from 700 to 1,200 feet and 7,500 feet MSL and, as a result, would make such airspace available for other uses, yet sufficient controlled airspace would be retained to provide adequate protection to aircraft executing prescribed holding, arrival and departure procedures within the Knoxville terminal area. Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexity would not be increased nor would aircraft performance or present landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Southern Region, P.O. Box 20636, Atlanta 20, Ga.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 20636, Atlanta 20, Georgia. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7536; Filed, July 17, 1963; 8:47 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–SW–3]

CONTROL ZONE, CONTROL AREA EXTENSION AND TRANSITION AREA

Proposed Alteration, Revocation, and Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is presently designated in the Clovis, N. Mex., terminal area:

1. The Clovis control zone is designated within a 5-mile radius of Cannon AFB, Clovis, N. Mex., and within 2 miles either side of the 231° True bearing from the AFB, extending from the 5-mile radius zone to the Cannon AFB radio beacon.

2. The Clovis control area extension is designated within a 30-mile radius of Cannon AFB, Clovis, N. Mex., including the airspace west of Cannon AFB bounded on the south by latitude 34°10'00" N., on the west by longitude 103°55'00" W., on the north by latitude 34°39'00" N., and on the east by the Cannon 30-mile radius area. The portion of this control area extension within R–5104 and R–5105 shall be used only after obtaining prior approval from the appropriate authority.

3. The Texico, Tex., transition area is designated as that airspace extending upward from 1,200 feet above the surface within 10 miles north and 7 miles south of the Texico, N. Mex., VOR 093° and 273° True radials, extending from 20 miles east to 9 miles west of the VOR.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Clovis area, including studies attendant to the implementation of the provisions of CAR Amendments 60–21/60–29, has under consideration the following airspace actions:

1. Alter the Clovis control zone by redesignating it to comprise that airspace within a 6-mile radius of Cannon AFB, Clovis N. Mex. (latitude 34°23'01" N., longitude 103°18'58" W.); within 2 miles each side of the Cannon AFB TACAN 219° True radial, extending from the 6-mile radius zone to 9 miles southwest of the TACAN; within 2 miles each side of the Cannon AFB VOR 227° True radial, extending from the 6-mile radius zone to 12 miles southwest of the VOR; within 2 miles each side of the Cannon TACAN 232° True radial, extending from the 6-mile radius zone to 9 miles southwest of the TACAN, and within 2 miles each side of the Cannon VOR 242° True radial, extending from the 6-mile radius zone to 8 miles southwest of the VOR.

2. Revoke the Clovis control area extension and the Texico, Tex., transition area, and designate the Clovis transition area as that airspace extending upward from 700 feet above the surface within a 14-mile radius of Cannon AFB, Clovis,

N. Mex. (latitude 34°23'01" N., longitude 103°18'58" W.); within 2 miles each side of the 217° True bearing from the Cannon AFB radio beacon, extending from the 14-mile radius area to 12 miles southwest of the radio beacon, and within 2 miles each side of the 225° True bearing from the Cannon radio beacon, extending from the 14-mile radius area to 8 miles southwest of the radio beacon; and that airspace extending upward from 1,200 feet above the surface within a 30-mile radius of Cannon AFB, extending clockwise from the Cannon VOR 051° True radial to the Cannon VOR 190° True radial; within a 37-mile radius of Cannon AFB, extending clockwise from the Cannon VOR 190° True radial to the Cannon VOR 226° True radial thence via a line to latitude 34°01'10" N., longitude 104°04'00" W., thence to latitude 34°09'55" N., longitude 104°03'40" W., thence to latitude 34°10'00" N., longitude 103°55'00" W., thence to latitude 34°42'15" N., longitude 103°55'00" W., thence to the point of beginning; that airspace east of Clovis within 10 miles north and 7 miles south of the Texico, N. Mex., VOR 093° and 273° True radials, extending from the 30-mile radius area to 25 miles east of the VOR; within 5 miles either side of the Cannon VOR 084° True radial, extending from the 30-mile radius area to 51 miles east of the VOR; and that airspace extending upward from 8,000 feet MSL northwest of Clovis bounded by a line beginning at latitude 34°32'30" N., longitude 103°55'00" W., thence to latitude 34°28'30" N., longitude 104°05'15" W., thence to latitude 34°38'00" N., longitude 104°10'30" W., thence to latitude 34°46'40" N., longitude 104°05'25" W., thence to latitude 34°42'15" N., longitude 103°55'00" W., thence to the point of beginning. The portions of this transition area within R–5104 and R–5105 shall be used only after obtaining prior approval from the appropriate authority. The floor of the airways that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

The actions proposed herein would, in part, enlarge the basic radius size of the Clovis control zone from 5 to 6 miles and designate additional control zone extensions southwest of the Cannon AFB. The expansion of the basic radius zone would eliminate the requirement for the designation of eight short control zone extensions to provide protection for aircraft executing prescribed instrument departure procedures at Cannon AFB. The addition of control zone extensions southwest of Cannon AFB would provide protection for aircraft executing prescribed instrument approach and departure procedures at Cannon AFB. The portion of the proposed Clovis transition area with a floor of 700 feet above the surface would provide protection for aircraft executing prescribed instrument approach, departure and radar procedures while operating below 1,500 feet above the surface within the Clovis terminal area. The portion of the transition area with a floor of 1,200 feet above the surface would provide protection for aircraft executing the higher altitude portions of the prescribed instrument approach, departure, holding, radar and jet penetration procedures within the Clovis terminal area.

The additional controlled airspace, with a floor of 8,000 feet MSL northwest of Clovis, would provide protection for aircraft executing prescribed departure procedures to the intermediate and high altitude route structures. In addition, the actions proposed herein would raise the floor of controlled airspace beyond a 14-mile radius of the Cannon AFB from 700 to 1,200 feet and, as a result, would make such airspace available for other users, yet sufficient controlled airspace would be retained to provide adequate protection to aircraft executing prescribed holding, arrival, departure and radar vector procedures within the Clovis terminal area. Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexity would not be increased nor would aircraft performance or present landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Southwest Region, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7537; Filed, July 17, 1963; 8:47 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–SW–16]

CONTROL ZONES AND TRANSITION AREA

Proposed Alteration and Designation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is designated within the Oklahoma City, Okla., terminal area:

1. The Oklahoma City (Will Rogers Field) control zone is designated as that airspace within a 5-mile radius of Will Rogers Field; within 2 miles each side of the Oklahoma City ILS localizer north course, extending from the 5-mile radius zone to the Tulakes, Okla., radio beacon; within 2 miles each side of the Oklahoma City ILS localizer south course, extending from the 5-mile radius zone to the outer marker; within 2 miles southwest and 3 miles northeast of the Oklahoma City VORTAC 107° True radial, extending from the 5-mile radius zone to the VORTAC; within a 5-mile radius of Wiley Post Airport; and within 2 miles each side of the Oklahoma City VORTAC 050° True radial, extending from the 5-mile radius area to the VORTAC.

2. The Oklahoma City (Tinker AFB) control zone is designated as that airspace within a 5-mile radius of Tinker AFB; the airspace from 2 miles west of the Tinker AFB VOR 360° True radial to 2 miles east of the Tinker AFB TACAN 006° True radial, extending from the 5-mile radius zone to 13 miles north of the VOR; and from 2 miles west of the Tinker AFB VOR 180° True radial to 2 miles east of the Tinker AFB TACAN 175° True radial, extending from the 5-mile radius zone to 12 miles south of the VOR.

3. The Oklahoma City control area extension is designated as that airspace within a 25-mile radius of latitude 35°24'08" N., longitude 97°38'36" W.; that airspace north of Oklahoma City bounded on the southwest by V–17, on the north by V–140, and on the east by V–77; and that airspace northeast of Oklahoma City bounded on the west by V–77, on the northeast by V–74 south alternate, and on the south by V–14 north alternate.

4. The Altus, Okla., control area extension is designated as that airspace bounded on the northeast by V–17, on the southeast by V–77, on the south by V–102, on the west by V–14 from Lubbock, Tex., to Childress, Tex., and V–114 from Childress to Amarillo, Tex., and on the northwest by V–12, excluding the portion within Restricted Area R–5601.

5. The Fort Worth, Tex., control area extension is designated, in part, as that airspace bounded on the north by the Oklahoma City control area extension 25-mile radius area, on the west by V–77, and on the east by V–163.

6. The Tulsa, Okla., control area extension is designated, in part, as that airspace southwest of Tulsa bounded on the northwest by V–14, on the southeast by V–15, and on the southwest by V–163.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Oklahoma City area, including studies attendant to the implementation of the provisions of CAR Amendments 60–21/60–29, has under consideration the following airspace actions:

1. Redesignate the Will Rogers Field control zone as that airspace within a 5-mile radius of the Will Rogers Municipal Airport (latitude 35°23'45'' N., longitude 97°36'30'' W.); within a 5-mile radius of Wiley Post Airport (latitude 35°32'05'' N., longitude 97°38'40'' W.); within 2 miles each side of the Oklahoma City ILS localizer north course, extending from the Will Rogers Field 5-mile radius zone to the Tulakes, Okla., radio beacon; within 2 miles southwest and 3 miles northeast of the Oklahoma City VORTAC 107° True radial, extending from the Will Rogers Field 5-mile radius zone to the VORTAC; within 2 miles each side of the Oklahoma City ILS localizer south course, extending from the Will Rogers Field 5-mile radius zone to the outer marker; and within 2 miles each side of the Oklahoma City VORTAC 050° True radial, extending from the Wiley Post Airport 5-mile radius zone to the VORTAC, excluding the portion which would coincide with the Wiley Post Airport control zone.

The proposed alteration of the Will Rogers Field control zone would establish a separate control zone for the protection of aircraft executing prescribed instrument approach and departure procedures at Will Rogers Field. However, during the period when the Wiley Post Airport control zone (proposed for designation herein) is not effective, the Will Rogers Airport control zone would include the Wiley Post control zone with communications and weather services being provided by the facilities at Will Rogers Field.

2. Designate the Wiley Post Airport control zone effective from 0600 to 2200 hours, local time, daily, within a 5-mile radius of the Wiley Post Airport (latitude 35°32'05'' N., longitude 97°38'40'' W.); and within 2 miles each side of the Oklahoma City VORTAC 050° True radial, extending from the 5-mile radius zone to the VORTAC, excluding the portion south of a line extending through latitude 35°26'33'' N., longitude 97°46'21'' W., and latitude 35°28'00'' N., longitude 97°36'05'' W. This would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Wiley Post Airport. Communications and weather service would be provided by personnel of the Wiley Post FAA control tower.

3. Redesignate the Tinker AFB control zone as that airspace within a 5-mile radius of the Tinker AFB (latitude 35°24'50'' N., longitude 97°23'35'' W.); within 2 miles each side of the Tinker AFB VOR 360° True radial, extending from the 5-mile radius zone to 12 miles north of the VOR; and within 2 miles each side of the Tinker AFB TACAN 006° and 175° True radials, extending from the 5-mile radius zone to 8.5 miles north and south of the TACAN.

The proposed alteration of the Tinker AFB control zone would reduce the north and south extensions, yet sufficient controlled airspace would be retained for the protection of aircraft executing prescribed instrument approach and departure procedures at Tinker AFB.

4. Designate the Oklahoma City transition area as that airspace extending upward from 700 feet above the surface within the area bounded by a line beginning at latitude 35°15'30'' N., longitude 97°19'00'' W.; to latitude 35°23'00'' N., longitude 97°14'30'' W.; to latitude 35°40'30'' N., longitude 97°14'30'' W.; to latitude 35°40'30'' N., longitude 97°28'30'' W.; to latitude 35°39'00'' N., longitude 97°40'00'' W.; to latitude 35°33'00'' N., longitude 97°50'00'' W.; to latitude 35°34'30'' N., longitude 97°58'00'' W.; to latitude 35°22'30'' N., longitude 98°02'00'' W.; to latitude 35°18'00'' N., longitude 97°42'00'' W.; to latitude 35°08'00'' N., longitude 97°42'00'' W.; to latitude 35°08'00'' N., longitude 97°28'00'' W.; to latitude 35°15'30'' N., longitude 97°28'00'' W.; to point of beginning; and that airspace extending upward from 1,200 feet above the surface within a 57-mile radius of latitude 35°25'50'' N., longitude 97°35'10'' W.; within 6 miles southeast and 9 miles northwest of the Oklahoma City VORTAC 242° True radial, extending from the 57-mile radius area to 52 miles southwest of the VORTAC; within 6 miles south and 9 miles north of the Oklahoma City VORTAC 282° True radial, extending from the 57-mile radius area to 62 miles west of the VORTAC; and within 8 miles west and 5 miles east of the 360° and 180° True bearings from Searcy Field, Stillwater, Okla. (latitude 36°09'30'' N., longitude 97°05'00'' W.), extending from 13 miles north to 7 miles south of the airport, excluding the portion north of a line extending from latitude 35°54'00'' N., longitude 98°25'00'' W.; to latitude 35°48'00'' N., longitude 98°18'00'' W.; to latitude 36°03'00'' N., longitude 97°23'30'' W.; to latitude 36°13'25'' N., longitude 97°18'20'' W.

The proposed Oklahoma City transition area would raise the floor of controlled airspace, beyond the proposed 700-foot area, from 700 to 1,200 feet above the surface over a large area and, as a result would make such airspace available for other uses, yet sufficient controlled airspace would be retained to provide adequate protection for aircraft executing prescribed holding, arrival, departure and radar vectoring procedures within the Oklahoma City terminal area.

The portions of the Oklahoma City, Tulsa, Altus and Fort Worth control area extensions and the floors of the airways that would traverse the proposed transition area would automatically coincide with the floors of the transition area. The revocation of the Oklahoma City control area extension and the other control area extensions, which coincide with the transition area proposed for designation herein, will be accomplished at a later date as a part of the CAR Amendments 60–21/60–29 program proposed for the terminal areas which adjoin the Oklahoma City terminal area.

Certain minor revisions to prescribed instrument procedures would be effected in conjunction with the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or present landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Southwest Region, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7538; Filed, July 17, 1963; 8:49 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–SW–28]

CONTROL AREA EXTENSION AND TRANSITION AREA

Proposed Revocation and Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of a

transition area at Deming, N. Mex. The proposed transition area would be designated as that airspace extending upward from 700 feet above the surface within 2 miles each side of the Deming VOR 264° True radial, extending from the VOR to 2.5 miles west of the VOR, and within 2 miles each side of the Deming VOR 270° True radial, extending from 5.5 miles west of the Deming Municipal Airport (latitude 32°15'25" N., longitude 107°43'00" W.) to 8.5 miles west of the airport; that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at latitude 31°47'00" N., longitude 106°53'35" W., thence west along the United States/Mexican border to longitude 107°13'00" W., thence north along longitude 107°13'00" W., to latitude 31°59'00" N., thence west along latitude 31°59'00" N., to longitude 107°54'00" W., thence north along longitude 107°54'00" W., to latitude 32°19'15" N., longitude 107°54'00" W., thence to latitude 32°24'20" N., longitude 107°36'00" W., thence to latitude 32°30'20" N., longitude 107°32'58" W., thence via the arc of a 16-mile circle centered on the Deming VOR to the north boundary of Victor 94, thence east along the northern boundary of Victor 94 to the west boundary of Victor 19, thence north along the west boundary of Victor 19 to latitude 32°36'25" N., longitude 107°03'55" W., thence to latitude 32°30'45" N., longitude 106°42'00" W., thence south along the western boundary of R–5107A and R–5107B to the arc of a 30-mile radius circle centered on the El Paso, Tex., International Airport (latitude 31°48'35" N., longitude 106°22'55" W.), thence counterclockwise along the 30-mile radius arc to the point of beginning; and that airspace extending upward from 8,500 feet MSL bounded on the west and north by a line from latitude 32°30'20" N., longitude 107°32'58" W., via latitude 32°45'50" N., longitude 107°25'05" W., to latitude 32°41'50" N., longitude 107°06'20" W., on the east by Victor 19, and on the south and southwest by Victor 94 and the arc of a 16-mile radius circle centered on the Deming VOR.

The floors of the airways which traverse the transition area proposed herein would automatically assume the floors of the transition area.

The Columbus, N. Mex., control area extension, which coincides, in part, with the proposed Deming transition area, would be revoked concurrently with the action proposed herein.

The portion of the proposed Deming transition area with a floor of 700 feet above the surface would provide protection for aircraft executing prescribed instrument approach and departure procedures at the Deming Municipal Airport. The portion of the transition area with a floor of 1,200 feet above the surface would provide protection for aircraft executing prescribed holding, arrival and departure procedures within the Deming terminal area, and would provide for continuity of radar vectoring services provided for aircraft arriving and departing the El Paso, Tex., terminal area. The portion of the transition area with a floor of 8,500 feet MSL would provide protection for aircraft executing the higher portions of instrument approach procedures to the Deming Municipal Airport.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected. Specific details of the changes to procedures and minimum flight rule altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Southwest Region, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7539; Filed, July 17, 1963; 8:49 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 62–WE–156]

CONTROL ZONE, CONTROL AREA EXTENSION, AND TRANSITION AREA

Proposed Alteration, Revocation, and Designation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is presently designated in the Ephrata/Larson AFB, Wash., terminal area:

1. The Larson AFB, Moses Lake, Wash., control zone is designated within a 5-mile radius of Larson AFB, Moses Lake, Wash., and within 2 miles west of and 1.5 miles east of the 161° True bearing from the Larson AFB extending from the 5-mile radius zone to the Larson outer marker.

2. The Ephrata control zone is designated within a 5-mile radius of Ephrata Municipal Airport, and within 2 miles each side of the Ephrata VOR 222° True radial, extending from the 5-mile radius zone to the VOR.

3. The Moses Lake control area extension is designated as that airspace south of V–2, within a 30-mile radius of Larson AFB, Wash., and within 10 miles either side of a line extending from latitude 47°06'56" N., longitude 119°16'32" W., to the Walla Walla, Wash., radio range, excluding the portion within R–6715.

4. The Ephrata control area extension is designated as that airspace north of V–2 within a 25-mile radius of the Ephrata VOR.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements, in the Ephrata/Larson AFB area, including studies attendant to the implementation of the provisions of CAR Amendments 60–21/60–29, has under consideration the following airspace actions:

1. Alter the Larson AFB control zone by redesignating it to comprise that airspace within a 5-mile radius of Larson AFB (latitude 47°12'35" N., longitude 119°18'50" W.); within 2 miles each side of the Ephrata VOR 157° True radial, extending from the 5-mile radius zone to 4 miles southeast of the VOR, and within 2 miles east and 2.5 miles west of the 341° True bearing from the Larson radio beacon, extending from the 5-mile radius zone to the radio beacon, excluding the portion within the Ephrata, Wash., control zone.

2. Revoke the Ephrata and Moses Lake control area extensions and designate the Moses Lake transition area is that airspace extending upward from 700 feet above the surface within a 16-mile radius of Larson AFB, Moses Lake, Wash. (latitude 47°12'35" N., longitude 119°18'50" W.), and within a 13-mile radius of the Ephrata, Wash., VOR; and that airspace extending upward from 1,200 feet above the surface within a 39-mile radius of Larson AFB; within 5 miles southwest and 9 miles northeast of the Larson VOR 141° True radial, extending from the 39-mile radius area to V–112; within 5 miles each side of the Ephrata VOR 336° True radial, extending from the 39-mile radius area to 44 miles northwest of the VOR; and southwest of Moses Lake, extending from the 39-mile radius area, bounded on the south by latitude 46°55'00" N., on the west by longitude 120°15'00" W., and on the north by latitude 47°00'00" N., excluding the portions within R–6715 and the Ellensburg, Wash., transition area. The floors of the airways which traverse the transition area proposed herein

would automatically coincide with the floors of the transition area.

The actions proposed herein would, in part, increase the size of the Larson AFB Control Zone by the addition of a control zone extension northwest to provide protection for aircraft executing prescribed instrument approach and departure procedures at Larson AFB. No change in the configuration of the Ephrata control zone would be required. The portion of the proposed Moses Lake transition area with a floor of 700 feet above the surface would provide protection for aircraft executing the portions of the prescribed instrument approach, departure and radar vectoring procedures conducted beyond the limits of the Larson AFB and Ephrata control zones and below the floor of the proposed 1,200-foot floor area. The floor of controlled airspace beyond the 700-foot floor radius area would be raised from 700 to 1,200 feet above the surface. The controlled airspace released would become available for other aeronautical purposes. The portions of controlled airspace retained, together with the additional portions proposed for designation herein, would provide protection for aircraft executing prescribed holding, approach, missed approach, radar and departure procedures within the Ephrata and Larson AFB terminal area.

The portion of the Spokane, Wash., control area extension within the lateral limits of the proposed transition area would automatically assume a floor coincident with that of the transition area. Revocation of the Spokane control area extension will be processed at a later date as a part of the Spokane terminal area CAR Amendment 60-21/60-29 implementation study.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Western Region, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7540; Filed, July 17, 1963; 8:49 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-WE-7]

CONTROL ZONE AND TRANSITION AREA

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is presently designated in the Laramie, Wyo., terminal area:

1. The Laramie control zone is designated within a 5-mile radius of General Brees Field, Laramie, Wyo.; within 2 miles either side of the Laramie radio range northwest course extending from the 5-mile radius zone to 10 miles northwest of the radio range, and within 2 miles either side of the Laramie VOR 332° True radial, extending from the 5-miles radius zone to 10 miles northwest of the VOR.

2. The Laramie transition area is designated as that airspace extending upward from 1,200 feet above the surface within 7 miles either side of the Laramie VOR 332° and 152° True radials, extending from 20 miles northwest to 9 miles southeast of the VOR, and the airspace northeast of Laramine bounded on the northeast by V-138, and on the south and west by V-118, excluding the airspace within Federal airways.

To complete the implementation of CAR Amendments 60-21/60-29 in the Laramie terminal area, the Federal Aviation Agency has under consideration the following airspace actions:

1. Alter the Laramie control zone by redesignating it as that airspace within a 5-mile radius of General Brees Field, Laramie, Wyo. (latitude 41°18'50'' N., longitude 105°40'25'' W.); within 2 miles each side of the Laramie VOR 332° True radial, extending from the 5-mile radius zone to 8 miles northwest of the VOR, and within 2 miles each side of the 332° True bearing from the Laramie radio beacon (radio range to be converted to radio beacon on or about July 25, 1963), extending from the 5-mile radius zone to 8 miles northwest of the radio beacon.

2. Alter the Laramie transition area by redesignating it as that airspace extending upward from 1,200 feet above the surface within 6 miles west and 10 miles east of the Laramie VOR 332° and 152° True radials, extending from 12 miles northwest to 8 miles southeast of the VOR.

The floors of the airways that traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

The action proposed herein would, in part, increase the size of the Laramie control zone by enlarging the lateral extent of the control zone extension northwest of Laramie to provide protection for aircraft executing prescribed VOR and ADF instrument approach and departure procedures at General Brees Field. The proposed alteration of the Laramie transition area would reduce the overall size of the presently designated transition area. The portions released by this action would no longer be required for air traffic control purposes. The portion retained would provide protection for aircraft executing prescribed instrument holding, arrival and departure procedures within the Laramie terminal area. Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes in procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Western Region, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The pro-

posal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7541; Filed, July 17, 1963; 8:49 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–WE–22]

CONTROL ZONE, CONTROL AREA EXTENSION AND TRANSITION AREA

Proposed Alteration, Revocation, and Designation

Notice is hereby given that the Federal Aviation Agency (FAA) is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The following controlled airspace is presently designated in the Medford, Oreg., terminal area:

1. The Medford control zone is designated within a 5-mile radius of Medford Municipal Airport.

2. The Medford control area extension is designated as that airspace within 5 miles either side of the Medford radio range west course, extending from the radio range to 20 miles west; within 5 miles either side of the Medford VORTAC 270° True radial, extending from the VORTAC to V–27, and within 15 miles east and 8 miles west of the Medford VORTAC 335° and 155° True radials, extending from 14 miles south to 20 miles north of the VORTAC.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Medford area, including studies attendant to the implementation of the provisions of CAR Amendments 60–21/60–29, has under consideration the following airspace actions:

1. Alter the Medford control zone by redesignating it to comprise that airspace within a 5-mile radius of Medford Municipal Airport (latitude 42°22′15″ N., longitude 122°52′20″ W.); within 2 miles each side of the Medford ILS localizer north course, extending from the 5-mile radius zone to 6 miles north of the OM, and within 2 miles each side of the Medford radio range north course, extending from the 5-mile radius zone to 5.5 miles north of the radio range.

2. Revoke the Medford control area extension and designate the Medford transition area as that airspace extending upward from 700 feet above the surface within 2 miles each side of the Medford ILS localizer north course, extending from 6 miles north to 9 miles north of the OM, and within 3 miles east and 2 miles west of the Medford VORTAC 352° True radial, extending from the VORTAC to 8 miles north of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within an 18-mile radius of the Medford VORTAC, extending clockwise from a line 6 miles north of and parallel to the Medford VORTAC 270° True radial to a line 5 miles southeast of and parallel to the Medford VORTAC 235° True radial; within a 23-mile radius of the Medford VORTAC, extending clockwise from a line 5 miles southeast of and parallel to the Medford VORTAC 235° True radial to a line 6 miles north of and parallel to the Medford VORTAC 270° True radial; within 6 miles north and 7 miles south of the Medford VORTAC 270° True radial, extending from the 23-mile radius area to V–27; that airspace east of Medford, extending from the 18-mile radius area bounded on the north by latitude 42°28′00″ N., on the east by the arc of a 40-mile radius circle centered on the Klamath Falls, Oreg., VORTAC, on the south by V–122, and on the southwest by V–23; that airspace north of Medford within 6 miles east and 10 miles west of the Medford VORTAC 352° True radial, extending from the 18-mile radius area to 55 miles north of the VORTAC; and that airspace south of Medford extending from the 18-mile radius area bounded on the east by V–23, and on the southwest by V–23–W, excluding the portion within the Roseburg, Oreg., transition area. The floors of the airways which traverse the transition area proposed herein would automatically coincide with the floors of the transition area.

The actions proposed herein would, in part, increase the size of the Medford control zone by the addition of control zone extensions north to provide protection for aircraft executing prescribed instrument approach and departure procedures at Medford Municipal Airport. The portion of the Medford transition area with a floor of 700 feet above the surface would provide protection for aircraft executing the portions of prescribed instrument approach, departure and radar vectoring procedures conducted beyond the limits of the Medford control zone and below the floor of the proposed 1,200-foot area. The floor of controlled airspace beyond the irregularly-configured 700-foot area would be raised from 700 to 1,200 feet. The controlled airspace released would become available for other aeronautical purposes. The portions of controlled airspace retained, together with the additional portions proposed for designation herein, would provide protection for aircraft executing prescribed holding, approach, radar, and departure procedures within the Medford terminal area.

Certain minor revisions to prescribed instrument procedures would accompany the actions proposed herein, but operational complexities would not be increased nor would aircraft performance characteristics or established landing minimums be adversely affected.

Specific details of the changes to procedures and minimum instrument flight rules altitudes that would be required may be examined by contacting the Chief, Airspace Utilization Branch, Air Traffic Division, Western Region, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles 9, Calif. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7542; Filed, July 17, 1963; 8:49 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63–PC–12]

FEDERAL AIRWAY, ASSOCIATED CONTROL AREAS AND REPORTING POINTS

Proposed Revocation

Notice is hereby given that the Federal Aviation Agency is considering amendments to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

Red Federal airway No. 87 is designated from Honolulu, Hawaii, to Hilo, Hawaii. The Federal Aviation Agency is considering revoking Red 87 and its associated control areas. It is the policy of this Agency to revoke L/MF airways wherever adequate VOR airways are available, and it appears that the route

from Honolulu to Hilo is adequately served by VOR Federal airway No. 2. Therefore, it appears that the retention of this airway is unjustified as an assignment of airspace. Accordingly, the Federal Aviation Agency proposes to revoke Red 87 and its associated control areas from Honolulu to Hilo. In addition, it is proposed to revoke the Honolulu radio range, the Maui, Hawaii, radio range, the Hilo, Hawaii, radio range and the Baker (LF) Intersection, as reporting points.

The Agency, by non-rule making procedures, has proposed to decommission the Honolulu radio range concurrently with the revocation of Red 87. The Maui and Hilo radio ranges would remain in commission, on an interim basis, to fulfill an air carrier and general aviation requirement.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Pacific Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 4009, Honolulu 12, Hawaii. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7543; Filed, July 17, 1963; 8:49 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-WA-24]

POSITIVE CONTROL AREA

Proposed Designation

Notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

Positive control areas are designated areas, within the continental control area, wherein positive separation to both en route and diversified local aircraft operations is provided in accordance with the provisions of Special Civil Air Regulation No. SR-424C.

The FAA now has under consideration the inclusion of airspace from flight level 240 to and including flight level 600 within the area of jurisdiction of the Miami air route traffic control center. In addition to the area designated in the Federal Aviation Regulations, it is planned to depict on aeronautical charts a small area outside the Continental Control Area as described herein. Positive control service will be provided in the area so depicted. Federal Aviation Regulations regarding positive control areas will apply only within the areas designated therein. Compliance is voluntary in the portion depicted but not designated.

If this action is taken, the area described below would be designated as positive control area from flight level 240 to and including flight level 600:

Beginning at latitude 29°00'00" N., longitude 80°48'00" W.; thence via a line which would delineate United States territorial waters around the Florida peninsula to latitude 29°14'30" N., longitude 83°07'30" W.; thence to latitude 29°29'00" N., longitude 82°39'00" W.; thence to latitude 29°22'00" N., longitude 82°25'30" W.; thence to latitude 29°22'00" N., longitude 82°02'20" W.; thence to latitude 29°08'25" N., longitude 81°48'20" W.; thence counterclockwise along a five nautical mile radius arc centered at latitude 29°06'52" N., longitude 81°42'55" W.; to latitude 29°02'20" N., longitude 81°41'30" W.; thence to latitude 28°57'45" N., longitude 81°37'15" W.; thence to the point of beginning, excluding that portion of the area which would coincide with Warning Areas W-174, W-173.

The following describes the area to be depicted on aeronautical charts and within which positive control service will be available from flight level 240 to and including flight level 600:

Beginning at latitude 29°00'00" N., longitude 80°48'00" W.; thence via a line which would delineate United States territorial waters around the Florida peninsula to latitude 24°51'30" N., longitude 80°37'00" W.; thence to latitude 24°39'00" N., longitude 81°03'00" W.; thence to latitude 24°25'00" N., longitude 81°55'00" W.; thence to latitude 24°25'00" N., longitude 82°06'00" W.; thence to latitude 24°37'00" N., longitude 82°06'00" W.; thence to latitude 24°41'30" N., longitude 81°44'00" W.; thence to latitude 25°09'00" N., longitude 81°11'00" W.; thence via a line three nautical miles from the mainland to latitude 29°14'30" N., longitude 83°07'30" W.; thence to latitude 29°-29'00" N., longitude 82°39'00" W.; thence to latitude 29°22'00" N., longitude 82°25'30" W.; thence to latitude 29°22'00" N., longitude 82°02'20" W.; thence to latitude 29°-08'25" N., longitude 81°48'20" W.; thence counterclockwise along a five nautical mile arc centered at latitude 29°06'52" N., longitude 81°42'55" W.; to latitude 29°02'20" N., longitude 81°41'30" W.; thence to latitude 28°57'45" N., longitude 81°37'15" W.; to the point of beginning. Also 16 miles each side of Jet Route No. 43 from the Key West, Florida, VOR to the Tallahassee, Florida, VORTAC excluding that portion of the area which would coincide with Warning Areas W-173, W-174, W-168, W-470.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A-103, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-7545; Filed, July 17, 1963; 8:50 a.m.]

[14 CFR Parts 71 [New], 73 [New]]

[Airspace Docket No. 62-SO-24]

FEDERAL AIRWAY, CONTROL AREA EXTENSION, AND RESTRICTED AREAS

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering amendments to Parts 71 and 73 [New] of the Federal Aviation Regulations, the substance of which is stated below.

As a result of an airspace review team evaluation and conference held with representatives of the using agency, the Federal Aviation Agency is proposing to reduce the designated altitudes of the Fort Gordon, Ga., Restricted Area R-3003 from "surface to 5,500 feet MSL" to "surface to 4,000 feet MSL" and to increase the time of designation from "0700 to 1900 EST, Monday through Saturday" to "continuous"; to reduce the designated altitudes of the Fort Gordon, Ga., Restricted Area R-3004 from "surface to 24,000 feet MSL" to "surface to 8,000 feet MSL"; and to revoke the northeast portion of R-3004. In addition, it is proposed to include these restricted areas in the Augusta, Ga., control area extension for air traffic control purposes and joint use with the Jacksonville ARTC Center as the controlling agency.

Concurrently, it is proposed to realign the segment of intermediate altitude VOR Federal airway No. 1511 between Alma, Ga., and Augusta, Ga. This airway segment would be redesignated from

the Alma VOR as a 16-mile wide airway direct to the Augusta VOR. This alteration would shorten the route mileage between Alma and Augusta.

The Fort Gordon, Ga., Restricted Areas R–3003 and R–3004 would be redesignated, as follows:

R–3003 Fort Gordon, Ga.

Boundaries. Beginning at latitude 33°-23'35" N., longitude 82°08'30" W.; to latitude 33°22'15" N., longitude 82°08'18" W.; to latitude 33°21'35" N., longitude 82°09'10" W.; to latitude 33°22'15" N., longitude 82°17'00" W.; to latitude 33°25'00" N., longitude 82°12'00" W.; to point of beginning.

Designated altitude. Surface to 4,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Jacksonville ARTC Center.

Using agency. Commander, Fort Gordon, Ga.

R–3004 Fort Gordon, Ga.

Boundaries. Beginning at latitude 33°-21'53" N., longitude 82°12'15" W.; to latitude 33°19'43" N., longitude 82°12'15" W.; to latitude 33°16'20" N., longitude 82°18'00" W.; to latitude 33°17'29" N., longitude 82°23'00" W.; to latitude 33°21'15" N., longitude 82°18'47" W.; to latitude 33°22'15" N., longitude 82°17'00" W.; to point of beginning.

Designated altitude. Surface to 8,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Jacksonville ARTC Center.

Using agency. Commander, Fort Gordon, Ga.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southern Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 20636, Atlanta 20, Georgia. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7544; Filed, July 17, 1963; 8:49 a.m.]

[14 CFR Part 73 [New]]

[Airspace Docket No. 62–PC–15]

RESTRICTED AREA

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency is considering an amendment to § 73.31 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Federal Aviation Agency has under consideration a proposal submitted by the Department of the Army to alter the Schofield-Makua, Oahu, Hawaii, Restricted Area R–3109 and the Dillingham, Hawaii, Restricted Area R–3102. The Army states that R–3109, in its present configuration, will not permit the flexibility required for the 25th Infantry Division to operate under the Reorganize Objective Army Division (ROAD) concept. The alterations proposed herein would permit combat assault courses to be established, allow helicopter landed artillery operations and provide mobility in the use of the Little John rocket and Davy Crockett weapons systems.

Concurrently with the proposed alteration to R–3109, the Army has proposed an alteration to the boundaries of the Dillingham, Hawaii, Restricted Area R–3102. This proposed alteration would redesignate as part of R–3102, that portion of R–3109 lying north of the Dillingham Airport. These alterations would facilitate ingress and egress for general aviation aircraft operating at the Dillingham Airport. Further the Army has indicated a need for a slight adjustment of the east boundary of R–3102. This adjustment would include less than 5 square miles of airspace not heretofore designated as special use airspace and would not affect current aeronautical operations.

Therefore the following actions are proposed:

1. R–3109 would be designated as follows:

R–3109 Schofield-Makua, Oahu, Hawaii.

Boundaries. Beginning at latitude 21°30'-29" N., longitude 158°04'09" W.; to latitude 21°29'25" N., longitude 158°05'00" W.; to latitude 21°27'28" N., longitude 158°05'55" W.; to latitude 21°29'11" N., longitude 158°-07'35" W.; to latitude 21°31'00" N., longitude 158°14'00" W.; to latitude 21°32'30" N., longitude 158°14'30" W.; to latitude 21°33'-30" N., longitude 158°15'30" W.; to latitude 21°34'51" N., longitude 158°17'30" W.; to latitude 21°35'00" N., longitude 158°15'24" W.; to latitude 21°32'14" N., longitude 158°-05'12" W.; to point of beginning.

Designated altitudes. The area southeast of a line between latitude 21°28'35" N., longitude 158°07'00" W., and latitude 21°-29'25" N., longitude 158°05'00" W., surface to 8,000 feet MSL. The area northwest of this line, surface to 29,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Federal Aviation Agency, Honolulu Flight Service Station.

Using agency. Commanding General, U.S. Army Hawaii, Schofield Barracks, Hawaii.

2. R–3102 would be designated as follows:

R–3102 Dillingham, Hawaii.

Boundaries. Beginning at latitude 21°35'-02" N., longitude 158°11'02" W.; to latitude 21°35'00" N., longitude 158°15'24" W.; to latitude 21°34'51" N., longitude 158°17'30" W.; to latitude 21°35'23" N., longitude 158°-19'40" W.; thence three (3) nautical miles from the shoreline to latitude 21°37'42" N., longitude 158°09'24" W.; to point of beginning.

Designated altitudes. Surface to 29,000 feet MSL.

Time of designation. 0700 to 1700 Hawaiian standard time. Monday through Friday.

Controlling agency. Federal Aviation Agency, Honolulu Flight Service Station.

Using agency. Commanding General, U.S. Army Hawaii, Schofield Barracks, Hawaii.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Pacific Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 4009, Honolulu 12, Hawaii. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 49 U.S.C. 1348).

Issued in Washington, D.C., on July 11, 1963.

H. B. HELSTROM,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63–7546; Filed, July 17, 1963; 8:50 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 1845]

CERTAIN NAVION AIRCRAFT

Proposed Airworthiness Directive

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive superseding Amendment 296, 26 F.R. 5121, AD 61–12–4, as amended by Amendment 381, 26 F.R. 12560, and Amendment 450, 27 F.R. 5654, AD 62–14–4, which require inspection of the main and nose gear retract links on Navion and Twin Navion aircraft. Service experience indicates that the unsafe condition in the main and nose gear retraction links which prompted the issuance of AD's 61–12–4 and 62–14–4 cannot in all cases be detected by the inspection as required in those AD's. Therefore it is proposed to supersede

AD's 61–12–4 and 62–14–4 with a new directive requiring replacement of the parts with new redesigned parts.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, Room A–103, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before August 19, 1963, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of Sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

NAVION. Applies to all Navion Serial Numbers NAV–4–2 and up, and all Twin Navion aircraft, Temco D16, Temco D16A, Dauby, Riley, and Camair 480.

Compliance required within the next 50 hours' time in service after the effective date of this directive.

Service experience indicates that the unsafe condition in the main and nose gear retraction links which prompted the issuance of ADs 61–12–4 and 62–14–4 cannot in all cases be detected by the inspection as required in those ADs. Therefore, the following must be accomplished:

(a) Replace the main gear retraction links with revised assembly Navion P/N 143–33165–20, Temco P/N 57001–9 or FAA approved equivalent having the longer lap welded center section that completely covers the turned down part of the end fitting.

(b) Replace the nose gear retraction link with revised assembly Navion P/N 145–34106–20, Camair P/N 1–6031 or FAA approved equivalent having the longer lap welded center section that completely covers the turned down part of the end fitting.

This supersedes Amendment 296, 26 F.R. 5121, AD 61–12–4, as amended by Amendment 381, 26 F.R. 12560, and Amendment 450, 27 F.R. 5654, AD 62–14–4.

Issued in Washington, D.C., on July 11, 1963.

W. LLOYD LANE,
Acting Director,
Flight Standards Service.

[F.R. Doc. 63–7533; Filed, July 17, 1963; 8:47 a.m.]

FEDERAL TRADE COMMISSION

[16 CFR Part 302]

FLAMMABLE FABRICS

Infant Blankets; Extension of Time for Submission of Views

Counsel for Beacon Manufacturing Co., Cone Mills, Inc., selling agent for Houston Textile Company, and Pepperell Manufacturing Co., Inc., have filed on July 2, 1963, an application, pursuant to § 1.164 of the Commission's rules, for an order making available to applicants and their counsel certain questionnaires and answers relating to the question of whether or not infants' receiving blankets are considered articles of wearing apparel, or, in the alternative, for an order directing that such questionnaires and answers be made public. These questionnaires and answers were discussed in the oral views of Eugene H. Strayhorn, Chief of the Division of Enforcement of the Commission's Bureau of Textiles and Furs, submitted in the course of the public proceeding on June 12, 1963. Applicants have also filed a petition, pursuant to § 2.4 of the Commission's rules, for an order extending the time for interested persons to submit written data and views with respect to the proposed amendment of Rule 6 of the rules and regulations under the Flammable Fabrics Act from July 12, 1963, to a date ninety (90) days from the date of the Commission's order upon the above application.

This is a rule-making proceeding conducted pursuant to section 4(b) of the Administrative Procedure Act. All interested persons, including the applicants herein, have been afforded adequate opportunity to participate in the proceeding through submission of written and oral data, views, or arguments. In formulating any rules, the Commission will give full consideration to all relevant matter presented. Applicants have failed to show good cause for the release of the requested questionnaires and answers, as required by § 1.164 of the Commisison's rules. Accordingly,

It is ordered, That the application pursuant to § 1.164 of the Commission's rules be, and it hereby is, denied.

It is further ordered, That the time for interested persons to submit written data and views in this rule-making proceeding be, and it hereby is, extended to and including September 16, 1963.

Issued: July 12, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 63–7578; Filed, July 17, 1963; 8:56 a.m.]

Notices

DEPARTMENT OF STATE

[Public Notice 220; Delegation of Authority No. 23–G–1]

PROCUREMENT TRANSACTIONS

Amendment of Delegation of Authority

Paragraph 1b of Delegation of Authority No. 23–G dated July 6, 1962 "Subject: Delegation of Authority for Procurement Transactions" is hereby amended by substituting the following:

b. *The Library:*
The Librarian;
Assistant Librarian;
Chief, Acquisition Branch;
Principal Acquisition Librarian.

Limitations: (1) Transactions for the purchase of newspapers, books, maps, and periodicals; (2) no authority is delegated to make determinations and decisions specified in Public Law 152, as amended, section 305(c) or Paragraphs (11), (12) and (13) of section 302(c); to authorize cost, cost-plus-a-fixed-fee, or any other incentive-type contract; or to make the determinations and decisions specified in section 304(b).

Dated: July 11, 1963.

For the Secretary of State.

W. R. LITTLE,
Acting Assistant Secretary for Administration.

[F.R. Doc. 63–7584; Filed, July 17, 1963; 8:58 a.m.]

POST OFFICE DEPARTMENT

ORGANIZATION AND ADMINISTRATION

Assistant Postmaster General, Bureau of Transportation

The statement of the Department's Organization and Administration, as published in the FEDERAL REGISTER of September 11, 1962, at pages 8982 through 9007, and as amended by 27 F.R. 11558–11559, 27 F.R. 12452–12453, 28 F.R. 914, 28 F.R. 2690 and 28 F.R. 3674, is further amended by revising that part of § 823.5 which precedes § 823.51 to clarify the responsibilities of the Assistant Postmaster General, Bureau of Transportation. As so revised, that part of § 823.5 which precedes § 823.51 reads as follows:

823.5 ASSISTANT POSTMASTER GENERAL, BUREAU OF TRANSPORTATION

a. Provides functional direction for the execution of policies, programs, regulations, and procedures governing the transportation activities of the Postal Establishment, which involve the distribution, routing, and dispatch of outgoing and other transit mails; administers the transportation budget.

b. Prescribes the regulations governing the selection of transportation media and the procurement of transportation from and supervision of service performance by mail carriers; appraises the administration of these regulations by regional offices.

c. Establishes the policies governing the distribution, routing, and dispatch of outgoing and other transit mail in all postal units and designates the installations at which intransit mail distribution will be performed.

d. Determines the establishment and discontinuance of railway post offices, highway post offices, airport mail facilities, transfer offices, and truck terminals and develops the regulations governing the performance of their functions; appraises the performance of these units.

e. Plans, programs, and evaluates the expenditure of all funds appropriated for transportation activities.

f. Establishes and issues standards for the organizational form and staffing of mobile units, airport mail facilities, transfer offices, and truck terminals.

g. Formulates and implements policies and programs for the exchange of mail with other countries and the territories and possessions, and with military installations outside the United States.

h. Represents the Department in dealings with other countries and international postal unions on the exchange of mail.

(R.S. 161, as amended, 5 U.S.C. 22, 39 U.S.C. 309, 501)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 63–7567; Filed, July 17, 1963; 8:55 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Classification No. 86]

ARIZONA

Small Tract Classification

1. Pursuant to authority delegated to me by Bureau Order No. 684, dated August 28, 1961 (26 F.R. 8216), I hereby classify the following described public lands, totaling 2658.01 acres in Pinal and Maricopa Counties, Arizona, as suitable for disposal under the provisions of the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. 682a) as amended:

GILA AND SALT RIVER MERIDIAN

T. 1 N., R. 7 E.,
Sec. 12, NW¼SW¼, N½NE¼SW¼, N½N½SE¼; S½SE¼SE¼.
T. 1 N., R. 8 E.,
Sec. 7, Lots 1 & 2, S½SE¼, SE¼SW¼ S½, Lot 4, NE¼, E½NW¼;
Sec. 8, N½N½, N½SW¼NW¼, N½SE¼, S½S½;
Sec. 9, NW¼NW¼, N½NE¼NW¼, S½SE¼NE¼, S½;
Sec. 10, S½N½, S½;
Sec. 11, E½E½SW¼;
Sec. 14, W½W½NW¼, E½E½NW¼, W½NW¼SW¼, SW¼SW¼;
Sec. 23, W½NW¼;
Sec. 26, W½W½, E½NE¼, NW¼NE¼, E½SW½NE¼, E½SE¼, W½SE¼SW¼;
Sec. 35, W½SW¼NE¼, E½NE¼NE¼, W½SE¼, SE¼SE¼.

2. Classification of the above-described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the mineral leasing laws.

3. The lands classified by this order shall not become subject to disposal under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to bid under public auction procedure.

4. There are no preference right applications as provided for by 43 CFR 257.5.

Dated: July 11, 1963.

FRED J. WEILER,
State Director.

[F.R. Doc. 63–7560; Filed, July 17, 1963; 8:53 a.m.]

CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Lands

JULY 9, 1963.

Notice of an application, Serial No. Sacramento 048180, for withdrawal and reservation of lands was published as F.R. Doc. 57–8313 on page 8069 of the issue for October 10, 1957.

The applicant agency has cancelled its application insofar as it involved the following described lands. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m., on August 14, 1963, relieved of the segregative effect on the aforementioned application.

The Lands terminated are:

MOUNT DIABLO MERIDIAN

STANISLAUS NATIONAL FOREST

Tuolumne County

Roadside zones—200 feet on either side of center line of Big Oak Flat Forest Highway Route No. 39 (State of California Route 120). A strip of land 200 feet on either side of the previously mentioned road through the following legal subdivisions:

T. 1 S., R. 18 E.,
Sec. 25, N½SW¼SW¼, SE¼SW¼;
Sec. 28, SW¼SE¼, S½SE¼SE¼;
Sec. 36, N½NE¼, NE¼NW¼.
T. 1 S., R. 19 E.,
Sec. 28, N½S½;
Sec. 29, E½NW¼SW¼, NE¼SW¼.

The afore-described area aggregates approximately 460 acres of Federal land.

WALTER E. BECK,
Manager, Land Office,
Sacramento.

[F.R. Doc. 63-7561; Filed, July 17, 1963; 8:54 a.m.]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

JULY 12, 1963.

The United States Department of Agriculture has filed an application, Serial Number Sacramento 076228 for the withdrawal of the following described lands, from prospecting, location, entry, and purchase under the mining laws, subject to existing valid claims. The applicant desires the land for a public campground.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Room 4201, U.S. Courthouse and Federal Building, 650 Capitol Avenue, Sacramento 14, California.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN

TRINITY NATIONAL FOREST

Rush Creek Campground

T. 34 N., R. 9 W.,
Sec. 9, SW¼SW¼NE¼SW¼, SW¼NE¼NW¼SW¼, NW¼NW¼SW¼, N½SW¼NW¼SW¼, SE¼NW¼SW¼, E½NE¼SW¼SW¼, SW¼NE¼SE¼SW½, NW¼SE¼SW¼, N½SW¼SE¼SW¼, SE¼SW¼SE¼SW¼, SE¼SE¼SW¼.

The afore-described area aggregates 65 acres.

WALTER E. BECK,
Manager, Land Office,
Sacramento.

[F.R. Doc. 63-7562; Filed, July 17, 1963; 8:54 a.m.]

CALIFORNIA

Notice of Proposed Withdrawal and Reservation of Lands

JULY 12, 1963.

The Department of Defense has filed an application, Serial Number Riverside 03364, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the Taylor Grazing Act, the mining and mineral leasing laws, and disposals of material under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended, subject to valid existing rights.

The applicant desires the land for use by the United States Department of the Navy to provide an access road with the necessary security clearance between the United States Naval Ordnance Test Station, China Lake and the Randsburg Wash Test Range, and to provide a site for power and communication lines.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 8th Street, Box 723, Riverside, California. All submittals should be in triplicate.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MOUNT DIABLO MERIDIAN, CALIFORNIA

T. 27 S., R. 41 E.,
Sec. 2, S½SW¼SW¼, and SW¼SE¼SW¼;
Sec. 3, S½SW¼, SW¼SE¼, and S½SE¼SE¼;
Sec. 4, N½SW¼, N½S½SW¼, S½N½SE¼, and S½SE¼;
Sec. 5, S½SW¼NE¼, S½SE¼NW¼, SW¼NW¼, N½SW¼, N½SE¼, and N½SE¼SE¼;
Sec. 10, NE¼NE¼, N½NW¼NE¼, and N½N½NW¼;
Sec. 11, N½NE¼, N½S½NE¼, N½NW¼, and NE¼SE¼NW¼;
Sec. 12, SW¼NW¼NE¼, S½NE¼, S½N½NW¼, S½NW¼, N½N½SE¼, and SE¼NE¼SE¼.
T. 27 S., R. 42 E.,
Sec. 7, lots 2 and 3, S½S½NE¼, N½SE¼ and N½SE¼SE¼;
Sec. 8, N½SW¼, N½S½SW¼, S½N½SE¼, and S½SE¼;
Sec. 9, SW¼NW¼SW¼, SW¼SW¼, and SW¼SE¼SW¼;
Sec. 16, W½SW¼NE¼, N½NW¼, NE¼SW¼NW¼, SE¼NW¼, N½NE¼SW¼, SE¼NE¼SW¼, NE¼SE¼SW¼, W½SE¼, and W½SE¼SE¼;
Sec. 21, N½NE¼, NE¼SW¼NE¼, SE¼NE¼, and NE¼NE¼SE¼;
Sec. 22, SW¼NW¼NW¼, SW¼NW¼, SW¼SE¼NW¼, N½NW¼SW¼, SE¼NW¼SW¼, NE¼SW¼, N½SE¼SW¼, SE¼SE¼SW¼, NW¼NW¼SE¼, S½NW¼SE¼, and S½SE¼;
Sec. 23, SW¼SW¼SW¼;
Sec. 25, SW¼NW¼SW¼, SW¼SW¼, NW¼SE¼SW¼, and S½SE¼SW¼;
Sec. 26, NW¼SW¼NE¼, S½SW¼NE¼, SW¼SE¼NE¼, S½NE¼NW¼, NW¼NW¼, N½SW¼NW¼, SE¼SW¼NW¼, SE¼NW¼, N½NE¼SW¼, N½SE¼, NE¼SW¼SE¼, N½SE¼SE¼, and SE¼SE¼SE¼;
Sec. 27, NE¼NE¼, and NE¼NW¼NE¼.
T. 27 S., R 43 E.,
Sec. 31, SW¼NW¼NW¼, SW¼NW¼, NW¼SE¼NW¼, S½SE¼NW¼, N½NW¼SW¼, SE¼NW¼SW¼, NE¼SW¼, NE¼SE¼SW¼, W½SE¼, SW¼NE¼SE¼, and SE¼SE¼, unsurveyed;
Sec. 32, S½SW¼SW¼, unsurveyed.
T. 28 S., R. 43 E.,
Sec. 4, NW¼NW¼SW¼, S½N½SW¼, S½SW¼, S½N½SE¼, and S½SE¼, unsurveyed;
Sec. 5, SW¼NW¼NE¼, SW¼NE¼, S½SE¼NE¼, SE¼NE¼NW¼, W½NE¼NW¼, NW¼NW¼, NE¼SW¼NW¼, SE¼NW¼, NE¼NE¼NW¼, NE¼SE¼, N½NW¼SE¼, SE¼NW¼SE¼, and N½SE¼SE¼, unsurveyed;
Sec. 6, N½NE¼NE¼, SE¼NE¼NE¼, and NE¼NW¼NE¼, unsurveyed.

The areas described aggregate approximately 3,755 acres.

JENS C. JENSEN,
Manager, Land Office, Riverside.

[F.R. Doc. 63-7563; Filed, July 17, 1963; 8:55 a.m.]

[BLM 069562; Survey Group 90]

MINNESOTA

Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

JULY 12, 1963.

The Plat of Survey of the islands described below will be officially filed in this office effective 10 a.m. on August 22, 1963.

FIFTH PRINCIPAL MERIDIAN

T. 165 N., R. 32 W.,
Sec. 9, Bridges Island, 7.00 acres;
Sec. 22, Knights Island, 10.18 acres.
T. 166 N., R. 32 W.,
Sec. 17, Babe's Island, 8.05 acres.

The area described contains 25.23 acres.

T. 165 N., R. 32 W., lying within Lake of the Woods and fronting on the International boundary to the east has not been returned as surveyed.

Three islands in T. 166 N., R. 32 W., were returned as surveyed in 1902. The official plat of survey was approved November 28, 1902. Babe's Island is not shown thereon.

The International boundary between the United States and the Dominion of Canada from the mouth of the Rainy River to the northwesternmost point of the Lake of the Woods was established by joint survey during the years 1912 to 1922. During the course of these surveys, a monument was established on each of the islands included in these surveys, in reference to angle points in the International boundary.

The surveys of these islands were initiated as an administrative measure pursuant to notices of their existence by interested parties.

Bridges Island lying in sec. 9, T. 165 N., R. 32 W., is of granite stone formation with some black loam soil over the crest of the island. It reaches approximately 18 feet above the water level of the Lake of the Woods. The timber is scrub white oak, with a few elm, and ranges in size from 4 to 8 inches in diameter. There is some cherry brush on the island. There is a 3 room cabin, 16 x 22 feet, on this island; an old ice house, shed, and a landing dock. These are used as Hilborne's fishing camp.

Knight Island is of black loam formation over granite rock and reaches approximately 7 feet above the water level of Lake of the Woods. The timber species consists of elm, poplar, birch, ash, boxelder and white oak and ranges in size from 4 to 24 inches in diameter.

Bridges and Knight Islands are similar to the surveyed islands in Tps. 166 and 167 N., Rgs. 32 and 33 W., which were surveyed in 1902. These islands are well over 50 percent upland in character.

Babe's Island is of granite rock and black loam formation and it reaches approximately 25 feet above the water level of Lake of the Woods. The timber species is mostly elm, with a few spruce, white pine and cedar; there is a thick growth of underbrush; the timber ranges in size from 4 to 30 inches in diameter.

The island is similar to that of the other islands in Lake of the Woods, except higher than some and is upland in character.

The timber growth on these islands is similar to that of the other islands in the lake. These facts, together with the rock formation of each island, attests to the fact that the islands were in existence in 1858, when Minnesota was admitted into the Union in 1902, the dates of the nearest original surveys, and at all subsequent dates, and therefore they have the status of public land.

The public lands affected by this notice are hereby opened to the operation of the public land laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable laws, rules and regulations.

All inquiries relating to the lands should be directed to the Manager, Land Office, Division of Field Services, Bureau of Land Management, Washington 25, D.C.

DORIS A. KOIVULA,
Manager, Land Office.

[F.R. Doc. 63-7564; Filed, July 17, 1963; 8:55 a.m.]

[Classification Order No. N2-STA-63-2]

NEVADA

Small Tract Classification

1. Pursuant to authority delegated by Bureau Order No. 684 dated August 28, 1961 (26 F.R. 8216) and the State Director June 29, 1962 (F.R. Doc. 62-6376), I hereby classify the following described public lands in Humboldt County, Nevada, as suitable for disposition under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. 682a), as amended.

MOUNT DIABLO MERIDIAN

T. 36 N., R. 38 E.,
Sec. 16, NW¼SW¼NE¼.

Containing 10 acres.

2. Classification of the above described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the mineral leasing laws.

3. The lands classified by this order shall not be subject to application under the Small Tract Act of June 1, 1938 (52 Stat. 609, 43 U.S.C. 682a-e), as amended, until it is so provided by an order to be issued by an authorized officer, opening the lands to sale.

Dated: July 1, 1963.

JOHN N. RUSSIFF,
District Manager.

[F.R. Doc. 63-7565; Filed, July 17, 1963; 8:55 a.m.]

[Classification No. N2-STA-63-3]

NEVADA

Small Tract Classification; Correction

In F.R. Doc. 63-7066, appearing on page 6886 of the issue for Thursday, July 4, 1963, the following change should be made:

The land description should read:

MOUNT DIABLO MERIDIAN

T. 36 N., R. 38 E.,
Sec. 28, NW¼NW¼NW¼, E½NE¼NW¼NW¼, E½SW¼NW¼NW¼, SE¼NW¼NW¼, NW¼NE¼, W½SW¼NW¼NE¼, NE¼SW¼NW¼NE¼, S½NE¼NE¼.

Dated: July 10, 1963.

DONALD I. BAILEY,
Acting Chief, Division of Lands and Minerals Management.

[F.R. Doc. 63-7566; Filed, July 17, 1963; 8:55 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MISSISSIPPI

Designation of Areas for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Mississippi natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSISSIPPI

Copiah.	Hinds.
Covington.	

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 12th day of July 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-7581; Filed, July 17, 1963; 8:57 a.m.]

WYOMING

Designation of Area for Emergency Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in Park County, Wyoming, natural disasters have caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named county after June 30, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 12th day of July 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-7582; Filed, July 17, 1963; 8:57 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-8]

NEW ENGLAND TANK CLEANING CO.

Notice of Issuance of an Amendment to Byproduct, Source and Special Nuclear Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 6 to License No. 20-3541-1 held by New England Tank Cleaning Company, 135 First Street, Cambridge, Massachusetts, which provides for renewal of the license for a period of two years.

The license provides for the receipt, storage and repackaging of 1,000 curies of byproduct material, 50 pounds of source material, and 5 grams of special nuclear material at the licensee's warehouse located in the National Dock Yard, Lewis Street, East Boston, Massachusetts. The license further provides that the waste radioactive material may be disposed of by transfer to an authorized land burial site or by disposal at sea in an area bounded by the parallels of 41°38′ N. and 41°28′ N. and by the meridians of 65°28′ W. and 65°45′ W. at a minimum depth of 1,000 fathoms.

The license amendment provides only for the continuation of activities previously authorized. The Commission has determined pursuant to the provisions of 10 CFR Parts 2, 30, 40 and 70 that the issuance of the amendment is consistent with applicable provisions of law, regulations and orders issued by the Commission.

In accordance with the Commission's rules of practice, Title 10, Code of Federal Regulations, Chapter I, Part 2, a formal hearing will be held on the matter

upon receipt or request therefor from the licensee or an intervener within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

The license has been amended in its entirety to consolidate various amendments. The text of this license appears below, except for "Appendix A" which is available for public inspection in the Commission's Public Document Room.

Dated at Bethesda, Md., July 11, 1963.

For the Atomic Energy Commission.

EBER R. PRICE,
Acting Director, Division of Licensing and Regulation.

[License No. 20-3541-1, Amdt. No. 6]

In accordance with application dated January 28, 1963, and amendments thereto dated March 26, 1963; April 4, 1963; and April 16, 1963 (hereinafter referred to as "the application"), License No. 20-3541-1 is amended in its entirety to read as follows:

Pursuant to the Atomic Energy Act of 1954, as amended; 10 CFR 30, "Licensing of Byproduct Material"; 10 CFR 40, "Licensing of Source Material"; 10 CFR 70, "Special Nuclear Material"; and in reliance upon the statements and representations contained in the application, New England Tank Cleaning Company, 135 First Street, Cambridge, Massachusetts, is hereby authorized to receive, acquire, own, possess, package, and dispose of solid byproduct, source, and special nuclear material at sea or by transfer to authorized sites for land burial.

This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to the provisions of 10 CFR 20, "Standards for Protection Against Radiation", all other applicable rules, regulations, orders of the Atomic Energy Commission now or hereafter in effect, and to the following conditions:

1. The licensee shall not possess more than 1,000 curies of byproduct material; 50 pounds of source material; and 5 grams of special nuclear material at any one time.

2. All activities pertaining to the receipt, handling, repackaging for sea disposal, and disposal of packages containing waste byproduct, source, and special nuclear materials shall be carried out by, or in the physical presence of, Norman C. Rasmussen or Joel B. Bulkley.

3. The licensee shall receive, handle, possess, store, repackage, and dispose of waste byproduct, source, and special nuclear materials in accordance with statements, representations and procedures contained in the application dated January 28, 1963, and amendments thereto dated March 26, 1963; April 4, 1963; April 16, 1963; and references contained therein.

4. A copy of "General Instructions for Personnel Handling Radioactive Substances", "Emergency Procedures", "General Instructions for Vehicular Accidents", "Personal Decontamination Procedures", and "Special Instructions for Final Packaging Operations", as described in the application shall be supplied to each employee of the licensee involved in the receipt, handling, repackaging for sea disposal, and disposal of waste byproduct, source, and special nuclear materials.

5. Waste material received from customers shall be packaged in containers which shall not be opened at any time by the licensee and which will meet the requirements of Condition 6 of this license.

6. The transportation of AEC-licensed material to and from the location designated in Condition 7 shall be subject to the applicable regulations of the Interstate Commerce Commission, United States Coast Guard and other agencies of the United States having appropriate jurisdiction, and where such regulations are not applicable shall be in accordance with the following requirements except as specifically provided by the Atomic Energy Commission:

A. *Outside Shipping Containers*

(1) The containers shall meet the specifications for sea disposal containers as described in the application or by any one of the following specifications described in Appendix A attached hereto:

a. 15A, 15B, 12B, 6A, 6B, 6C, 17C, 17H, 19A or 19B for the containment of radioactivity in amounts not in excess of 2.7 curies; except polonium, 2 curies; or

b. Specification 55 for containment of solid cobalt 60, cesium 137, iridium 192, or gold 198 in amounts not in excess of 300 curies.

(2) There shall be no radioactive contamination on any exterior surface of the container in excess of 500 d/m/100 sq. cm. alpha and 0.1 mrep/hr beta-gamma radiation.

(3) The smallest dimension of the container shall not be less than 4 inches.

(4) The radiation level of any accessible surface of the container shall not exceed 200 mrem/hr.

(5) At one meter from any point on the radioactive source the radiation level shall not exceed 10 mrem/hr.

(6) Containers which contain radioactive material emitting only alpha and/or beta radiation shall contain sufficient shielding to prevent the escape of primary corpuscular radiation to the exterior surface of the container and to reduce the secondary radiation at the surface of the container so that it does not exceed 10 mrem/24 hours at any time during transportation.

B. *Inside containers*

(1) Solid and gaseous radioactive materials shall be packed in suitable inside containers designed to prevent rupture and leakage under conditions incident to transportation.

(2) Liquid radioactive materials must be packed in sealed glass, earthenware, or other suitable containers. The container must be surrounded on all sides by an absorbent material sufficient to absorb the entire liquid contents and be of such nature that its efficiency will not be impaired by chemical reactions with the contents. Where shielding is required the absorbent material must be placed within the shield. If the inside container meets the Specification 2R in Appendix A the absorbent material is not required.

(3) Materials containing radioisotopes of plutonium, americium, polonium, or curium, or the isotope strontium 90, in quantities in excess of 100 microcuries, must be packed in containers which meet Specification 2R in Appendix A.

C. *Shielding*

Inside containers must be completely surrounded with sufficient shielding to meet the requirements of subparagraphs A(4), A(5) and A(6) of this condition. The shield must be so designed that it will not open or break under normal conditions incident to transportation.

D. *Labeling*

Each outside container label required under Section 20.203(f) of 10 CFR 20 shall bear the following information:

(1) Total activity in millicuries, or in the case of source and special nuclear material, the total weight;

(2) principal radioisotopes;

(3) radiation level at the surface of the container and at one meter from the source; and

(4) the name and address of the licensee.

E. Each vehicle in which licensed material is transported shall be marked or placarded on each side and the rear with the lettering at least 3 inches high as follows: "DANGEROUS—RADIOACTIVE MATERIAL".

F. *Accidents*

In the event of an accident involving any vehicle transporting licensed material, immediate steps shall be taken to prevent radiation exposure of persons and to control contamination.

G. *Exemptions.*

Specific approval must be obtained from the Atomic Energy Commission for modification of, or exemption from, the requirements of the license condition. Requests for such approval should be directed to the Chief, Isotopes Branch, Division of Licensing and Regulation, Atomic Energy Commission, and should contain sufficient information to support such a request.

7. The licensee shall store and repackage waste byproduct, source and special nuclear materials only in the licensee's warehouse located in the National Dock Yard, Lewis Street, East Boston, Massachusetts.

8. The licensee shall dispose of waste byproduct, source and special nuclear materials by:

A. Burial at a minimum depth of 1,000 fathoms in the Atlantic Ocean within an area bounded by points designated as 41°38′ N., 41°28′ N., 65°28′ W., and 65°45′ W.

B. Transfer to authorized sites for land burial.

9. The licensee shall notify the Chief, Isotopes Branch, Division of Licensing and Regulation, Atomic Energy Commission, Washington 25, D.C., and the Director, Region I, Division of Compliance, Atomic Energy Commission, 376 Hudson Street, New York 14, N.Y., at least 20 days prior to each sea disposal or series of sea disposals by letter deposited in the United States mail properly stamped and addressed of the proposed date and location for disposal. Information regarding the total number of containers, the total activity of byproduct material in millicuries, the total amount of source material in pounds and the total amount of special nuclear material in grams contained in each sea disposal shipment shall be supplied the Director, Region I, Division of Compliance, one working day prior to the loading of the vessel for each sea disposal trip. Information regarding the quantities of byproduct, source and special nuclear material disposed of, the actual date of disposal and the disposal location in latitude and longitude shall be supplied to the Chief, Isotopes Branch, Division of Licensing and Regulation, within 30 days after the date of disposal.

10. Notwithstanding the record-keeping requirements of 10 CFR Parts 20, 30, 40, and 70, the licensee shall maintain:

A. Records of the following items of information regarding each container of waste received from customers:

(1) Name and address of customer.

(2) Principal radioisotope.

(3) Total amount of byproduct material in millicuries, total amount of source material in pounds, and total amount of special nuclear material in grams.

(4) Radiation level at the surface of the container and at 1 meter.

(5) Level of removable radioactive contamination on the container surface.

(6) Date received.

B. Records of the following items of information regarding each container of waste packaged for sea disposal.

(1) Total amount of byproduct material in millicuries, the amount of source material in pounds and the amount of special nuclear material in grams.

(2) Radiation level at the surface of the container and at 1 meter.

(3) Level of removable radioactive contamination on the container surface.

(4) Principal radioisotope.

(5) Date of packaging.

(6) Weight and volume of final container, if prepared for disposal at sea.

(7) Disposal location and date of disposal.

11. Packaged radioactive waste containing special nuclear material shall be transported only aboard vessels of American registry.

12. Waste byproduct, source and special nuclear material shall be disposed of within 21 months from the date on which the licensee first takes possession of such material.

This amendment is effective as of the date of issuance and shall expire two (2) years from the last day of the month in which this amendment is issued.

Date of issuance: July 11, 1963.

For the Atomic Energy Commission.

EBER R. PRICE,
Acting Director,
Division of Licensing and Regulation.

[F.R. Doc. 63-7532; Filed, July 17, 1963; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13777; Order No. E-19809]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Agreement Adopted by Traffic Conference Relating to Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 15th day of July 1963:

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 of the International Air Transport Association (IATA), and adopted by mail vote. The agreement has been assigned the above-designated C.A.B. Agreement number 17182.

The agreement specifies reduced fares for Bermuda-Baltimore, Bermuda-Philadelphia equal to those now in effect for Bermuda-Washington, with Bermuda-Hartford, Bermuda-Providence equal to those now in effect for Bermuda-Boston.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find Resolution 100 (Mail 316) 051, 061, which is incorporated in the above-described agreement, to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That Agreement C.A.B. 17182 be and hereby is approved.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-7575; Filed, July 17, 1963; 8:57 a.m.]

[Docket 13795 etc.]

AAXICO AIRLINES, INC., ET AL.

Supplemental Air Service

JULY 11, 1963.

Notice is hereby given that the Civil Aeronautics Board has decided to move forward with the processing of the applications listed below which seek certificates of public convenience and necessity authorizing supplemental air transportation under section 401(d)(3) of the Federal Aviation Act of 1958, as amended:

Docket No.	*Applicant*
13795	Aaxico Airlines, Inc.
13796	Do.
13798	Purdue Aeronautics Corp.
13799	Do.
13811	World Airways, Inc.
13812	Do.
13816	Standard Airways, Inc.
13817	Do.
13818	Southern Air Transport, Inc.
13819	Do.
13820	Sourdough Air Transport.
13821	Do.
13827	Vance Roberts.
13828	Do.
13835	Trans International Airlines.
13836	Do.
13853	Saturn Airways, Inc.
13854	Do.
13857	Modern Air Transport, Inc.
13858	Do.
13860	American Flyers Airline Corp.
13861	Do.
13862	Do.
13863	Capitol Airways, Inc.
13864	Do.
13865	Do.
13867	Johnson Flying Service, Inc.
13868	Do.
13874	Conner Air Lines, Inc.
13875	Do.
13881	Overseas National Airways, Inc.
13882	Do.
13886	California Air Charter, Inc.
13887	Do.
13888	Richard D. Neumann.
13889	Do.
13904	World Wide Airlines, Inc.
13905	Do.
13906	U.S. Overseas Airlines, Inc.
13907	Do.
13912	Zantop Air Transport, Inc.
13913	Do.
13915	World Wide Airlines, Inc.
13916	Do.
13921	Transocean Air Lines.
13922	Do.
13929	Imperial Airlines, Inc.
13930	Do.
14044	Edde Airlines, Inc.
14284	Marshfield Airways, Inc.
14372	Coral Airlines.
14382	Do.
14464	East Coast Flying Service, Inc.
14529	World Airways, Inc.
14530	Do.

The proceeding involving these applications has been assigned to Examiner Robert L. Park, and a prehearing conference will be announced and held at a later date.

In order to facilitate and expedite the Board's determination of the scope of the proceeding, the issues therein, and the manner in which the proceeding will be processed, parties are instructed to submit on or before August 5, 1963, written expressions of their views on these questions. Particular attention should be directed to the matter of processing, i.e., whether the applications should be heard in a single consolidated proceeding or in several separate phases. The written submissions shall be in the form of motions, and copies thereof shall be served on the parties and the Examiner and filed with the Docket Section in accordance with the Board's Rules of Practice in Economic Proceedings.

Written answers to the foregoing motions should be submitted and filed on or before August 19, 1963.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 63-7576; Filed, July 17, 1963; 8:57 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-3210 etc.]

SOUTHERN GAS CO. ET AL.

Notice of Applications, Petitions To Amend, and Date of Hearing

JULY 10, 1963.

Southeastern Gas Company, Docket No. G-3210; Humble Oil & Refining Company (Operator), et al., Docket No. G-5145; Skelly Oil Company, Docket No. G-9853; The Superior Oil Company, Docket No. G-9873; Hanley Company, Docket No. G-10096; Northwest Production Corporation (Operator), et al., Docket No. G-10686; Humble Oil & Refining Company, Docket No. G-13574; Humble Oil & Refining Company (Operator), et al., Docket No. G-15714; Shell Oil Company, Docket No. G-15987; F. E. Jameson, et al., Docket No. G-16090; Gulf Oil Corporation, Docket No. G-16139; Gulf Oil Corporation, Docket No. G-16218; Southern Crescent Corporation, Docket No. G-16778; Roy A. Lamb and A. G. Galt d/b/a Pan American Engineering Company, Docket No. G-16835; Roy A. Lamb and A. G. Galt d/b/a Pan American Engineering Company (formerly Herbert C. Wenske & William A. Kessler (Operator), et al.), Docket No. G-16877; Humble Oil & Refining Company, Docket No. G-16973; Shell Oil Company, Docket No. G-17560; Rip C. Underwood, Docket No. G-18585; The Pure Oil Company, Docket No. G-18881; Herman George Kaiser, Docket No. CI60-74; John P. Jennings (Operator),

et al., Docket No. CI60–82; Panhandle Petroleum Limited Partnership (formerly Stekoll Petroleum Limited Partnership), Docket No. CI60–147; The Atlantic Refining Company, Docket No. CI60–300; Gulf Oil Corporation, Docket No. CI60–361; Panhandle Petroleum Limited Partnership (formerly Stekoll Petroleum Limited Partnership), Docket No. CI62–140; Falcon Seaboard Drilling Company, et al., Docket No. CI62–208; J. C. Wynne d/b/a The Bering Company, Docket No. CI62–271; James S. Ray, et al., d/b/a Cousins Gas Company, Docket No. CI62–893; Duquesne Natural Gas Company (Operator), Docket No. CI62–923; Mid-Eastern Gas Company, Inc., Docket No. CI62–1005; Union Drilling, Inc., Docket No. CI62–1029; Bell Oil & Gas Company, Docket No. CI62–1035; Hays & Company, Agent for D. Nealy Development Company, Docket No. CI62–1112 Phillips Petroleum Company (Operator), et al., Docket No. CI63–548; Claire Benz-Stoddard Falkin (Operator), et al., Docket No. CI63–832; Harry L. Blackstock, Jr., (Operator), et al., Docket No. CI63–1166; Apache Corporation (formerly Apache Production Corporation), Docket No. CI63–1172; Socony Mobil Oil Company, Inc. (formerly Goliad Corporation), Docket No. CI63–1210; The California Company, a division of California Oil Company, Docket No. CI63–1224; The California Company, a division of California Oil Company, Docket No. CI63–1225; Gulf Oil Corporation, Docket No. CI63–1264; Shell Oil Company, Docket No. CI63–1267; Panhandle Development Company, Inc. (Operator), et al., Docket No. CI63–1282; John L. Cox, Docket No. CI63–1283; Pruitt Second Oil (Operator), et al., Docket No. CI63–1284; Salem Oil Corporation (Operator), et al., Docket No. CI63–1286; Rosenthal, Cook & Green, et al., Docket No. CI63–1287; J. C. Trahan, Drilling Contractor, Inc., Docket No. CI63–1288; Joseph H. Hager, Docket No. CI63–1289; Barbara Irene McConnell, et al. (formerly Estate of W. O. McConnell), Docket No. CI63–1292; Socony Mobil Oil Company, Inc., Docket No. CI63–1299; Tenneco Oil Co., Docket No. CI63–1302; Flournoy Production Company (Operator), et al., Docket No. CI63–1305; Dorchester Gas Producing Company, Docket No. CI63–1306; Consolidated Oil & Gas, Inc., Docket No. CI63–1310; Columbian Fuel Corporation, Docket No. CI63–1312; Gas Marketing, Inc., Docket No. CP63–60; The Jaybird Corporation, Docket No. CP63–238.

Take notice that each of the above applicants has filed an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas in interstate commerce, or for the amendment of an outstanding certificate authorization, all as more fully described in the respective applications (and any supplements or amendments thereto, as indicated) which are on file with the Commission and open to public inspection.

The applicants herein produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

Docket No. and date filed	Purchaser	Field and location	Price per Mcf	Pressure base
C G–3210 4–22–63	Hope Natural Gas Co	Sherman District, Calhoun County, W. Va.	Depleted	
B G–5145 10–8–62	El Paso Natural Gas Co	Acreage in Midland County Tex	10.096	14.65
B G–9853 4–8–63	Champlin Oil and Refining Co	NW. Witcher Field, Oklahoma County, Okla.	7.0	14.65
C G–9873 4–26–63	Natural Gas Pipeline Co. of America.	McFarland Unit Beaver County, Okla. (Panhandle).	Depleted	
B G–10096 2–8–63	El Paso Natural Gas Co	Spraberry Field, Glasscock County, Tex.	[1] 17.1632	14.65
C G–10686 4–2–63	do	Blanco-Pictured Cliffs Field, La Plata County, Colo.	Assigned	
C G–13574 4–8–63	Arkansas Louisiana Gas Co	Chickasha Field, Grady County, Okla. "Other".	Depleted	
C G–15714 5–28–62 10–26–62 3–18–63	Transwestern Pipeline Co	Mocane Field, Beaver County, Okla	Depleted	
	do	Acreage in Lipscomb County, Tex	Depleted	
B G–15987 10–2–61	El Paso Natural Gas Co	Bisti Field, San Jaun County, N. Mex	13.0	15.025
B G–16090 11–22–60	Transcontinental Gas Pipe Line Corp.	Beauregard Parish, South La	17.5	15.025
C G–16139 3–18–63	Transwestern Pipeline Co	Acreage in Lipscomb County, Okla	Deletes nonproductive acreage.	
C G–16218 4–4–63	do	Acreage in Woodward County, Okla	Depleted	
A G–16778 10–27–58	United Gas Pipe Line Co	North LaRosa Field, Refugio County, Tex.	13.1664	14.65
A G–16835 10–29–58	Southern Crescent Corp	do	9.1664	14.65
A G–16877 11–3–58	do	do	9.1664	14.65
G–16973 [2] 3–2–61	Natural Gas Pipeline Co. of America.	SE. Camrick Field, Beaver County, Okla.	17.0	14.65
B G–17560 4–19–62	Hope Natural Gas Co	Bayou Pideon Field, Iberia Parish, La	[3] 20.625	15.025
A G–18585 5–18–59	Northern Natural Gas Co	Hansford Field, Ochiltree County, Tex	16.5	14.65
C G–18881 2–11–63	Michigan-Wisconsin Pipe Line Co.	Laverne Field, Harper County, Okla	Assigned	
A CI60–74 1–20–60	do	Nichols Field, Kiowa County, Kans	15.0	14.65
C CI60–82 4–15–63	do	Acreage in Edwards County, Kans	Depleted	
CI60–147 2–5–60	Northern Natural Gas Co	Perryton and Hansford Fields, Ochiltree County, Tex.	16.5	14.65
C CI60–300 2–4–63	Tennessee Gas Transmission Co	South Elsa Field, Hidalgo County, Tex	Assigned	
A CI60–361 3–21–60	Panhandle Eastern Pipe Line Co.	Boyer Pool, Meade County, Kans	[4]	
A CI62–140 8–7–61	The Bering Co	Horizon-Cleveland Field, Ochiltree County, Tex.	16.5	14.65
CI62–208 B 4–5–63	Northern Natural Gas Co	Harper Ranch Area, Clark County, Kans.	16.0	14.65
C 4–5–63	do	Acreage in Ochiltree County, Tex	Assigned	
A CI62–271 9–7–61	do	do	16.5	14.65
A CI62–893 2–5–62	United Fuel Gas Co	Malden District, Kanawha County, W. Va.	24.0	15.325
A CI62–923 2–9–62	do	Acreage in Lawrence County, Ky	22.0	15.325
A CI62–1005 2–28–62	Equitable Gas Co	West Union District, Doddridge County, W. Va.	25.0	15.325
A CI62–1029 3–5–62	do	Buckbannon District, Upshur County, W. Va.	25.0	15.325
A CI62–1035 3–6–62	Cabot Corp	Dekalb District, Gilmer County, W. Va	12.0	15.325
CI62–1112 4–17–63	Hope Natural Gas Co	do	[5] 20.0	15.325
B CI63–548 4–8–63	Northern Natural Gas Co	Anadarko Basin Area, Ochiltree County, Tex.	17.0	14.65
A CI63–832 1–11–63	Tennessee Gas Transmission Co.	Beaurline Field, Hidalgo County, Tex	15.0	14.65
A CI63–1166 3–15–63	Arkansas Louisiana Gas Co	Ames Area, Major County, Okla	13.5	14.65
A CI63–1172 3–15–63 [6 7]	Northern Natural Gas Co	Acreage in Hansford County, Tex	16.5	14.65
A CI63–1210 3–25–63 [6 8]	Transcontinental Gas Pipe Line Corp.	Ike West Area, Live Oak County, Tex	7.017964	14.65
A CI63–1224 4–1–63	Texas Gas Transmission Corp	Downsville Field, Union Parish, North La.	16.75	15.025
A CI63–1225 4–1–63	Arkansas Louisiana Gas Co	Hayti Area, Caddo Parish, North La	13.0	15.025
A CI63–1264 4–8–63	Texas Gas Transmission Corp	Downsville Field, Union Parish, North La.	16.75	15.025
A CI63–1267 4–8–63	do	do	16.75	15.025
A CI63–1282 4–12–63	Panhandle Eastern Pipe Line Co.	Acreage in Meade County, Kans	16.0	14.65
A CI63–1283 4–12–63	El Paso Natural Gas Co	Spraberry Trend Area, Reagan County, Tex.	16.0	14.65
A CI63–1284 4–12–63	United Gas Pipe Line Co	Acreage in Goliad County, Tex	12.0	14.65
A CI63–1286 4–15–63	Valley Gas Transmission, Inc	Rio John Field, and West Maetze Field, Goliad County, Tex.	12.25	14.65
A CI63–1287 4–15–63	Transcontinental Gas Pipe Line Corp.	South Tilden Field, McMullen County, Tex.	14.189	14.65
A CI63–1288 4–15–63	Arkansas Louisiana Gas Co	Lick Creek Field, Claiborne Parish, North La.	13.50	15.025
A CI63–1289 4–15–63	United Fuel Gas Co	Henay District, Clay County, W. Va	25.0	15.325
CI63–1292 4–15–63 [9 10]	El Paso Natural Gas Co	San Juan Field, San Juan and Rio Arriba Counties, N. Mex.	10.0	15.025

Filing code: A—Initial Service.
B—Amendment to add acreage.
C—Amendment to delete acreage.

See footnotes at end of table.

Docket No. and date filed	Purchaser	Field and location	Price per Mcf	Pressure base
A CI63-1299 4-15-63	Natural Gas Pipeline Co. of America.	South Lundell Field, Duval County, Tex.	16.0	14.65
A CI63-1302 4-16-63	Oklahoma Natural Gas Gathering Corp.	Ringwood Field, Major County, Okla.	11.0	14.65
A CI63-1305 4-17-63	United Gas Pipe Line Co.	North McFaddin Field Area, Victoria County, Tex.	13.0	14.65
A CI63-1306 4-17-63	Northern Natural Gas Co.	White Deer Field, Gray County, Tex.	12.0	14.65
A CI63-1310 4-18-63	El Paso Natural Gas Co.	Ignacio-Blanco Field, La Plata County, Colo.	13.0	15.025
A CI63-1312 4-19-63	Equitable Gas Co.	Acreage in Clay County, W. Va.	25.0	15.325
A CP63-60 8-27-62	Panhandle Eastern Pipe Line Co.	Fruit Field, Kiowa County, Kans.	15.0	14.65
A CP63-238 2-25-63	Arkansas Louisiana Gas Co.	Waskom Field, Panola and Harrison Counties, Tex.	11.35625	14.65

Filing code: A—Initial Service.
B—Amendment to add acreage.
C—Amendment to delete acreage.

[1] Rate in effect subject to refund in Docket No. RI60-75.
[2] Amendment to reflect change in delivery arrangements.
[3] Supplement No. 4 to FPC Gas Rate Schedule No. 8 affirms its willingness to accept a permanent certificate for the additional acreage at 20.625 cents.
[4] The indicated rate was the subject of the rate settlement agreement accepted and approved by the Commission on April 25, 1963, in Gulf Oil Corporation, et al., Docket Nos. G-9520, et al.
[5] Amendment filed to reflect proper June 7, 1954 rate of 20.0 cents per Mcf under a basic contract dated March 21 1929, in lieu of the 14.0 cents rate erroneously stated in original application.
[6] To change name of applicant as indicated in the caption herein.
[7] Application being treated as an amendment to Docket No. G-17209. Docket No. CI63-1172 will be canceled.
[8] Application being treated as an amendment to Docket No. G-7852. Docket No. CI63-1210 will be canceled.
[9] Application being treated as an amendment to Docket No. G-6888. Docket No. CI63-1292 will be canceled.
[10] Supra.

Each Applicant in this consolidated proceeding has filed a related rate schedule for the proposed service, as indicated in the foregoing tabulation.

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 14, 1963, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications and petitions: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 29, 1963. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made: *Provided, further,* That if a protest, petition to intervene or notice of intervention be timely filed in any of the above dockets, the above hearing date as to that docket will be vacated and a new date for hearing will be fixed as provided in § 1.20(m)(2) of the Commission's rules of practice and procedure.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-7470; Filed, July 17, 1963; 8:45 a.m.]

TARIFF COMMISSION

[AA1921-30; TC Publication 99]

HOT-ROLLED CARBON STEEL WIRE RODS FROM FRANCE

Determination of No Injury or Likelihood Thereof

JULY 15, 1963.

On May 29, 1963, the Tariff Commission received advice from the Treasury Department that "hot-rolled carbon steel wire rods from France, except as to importations from the firm of Societe Metallurgique de Normandie, are being, or are likely to be, sold in the United States at less than fair value as that term is used in the Antidumping Act." Accordingly, the Commission on the same date, instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended, to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation was published in the FEDERAL REGISTER of June 4, 1963 (28 F.R. 5488). No public hearing in connection with the investigation was ordered by the Commission, but interested parties were referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may, within 15 days after the date of publication of the Commission's notice of investigation in the FEDERAL REGISTER, request that a public hearing be held, stating reasons for the request. Interested parties were granted the opportunity to submit written statements pertinent to the subject matter of the investigation.

No request for a hearing was made by any interested party, but written statements were received. These statements were given due consideration by the Commission, together with all other information available to the Commission on this subject, in arriving at a determination in this case.

On the basis of the investigation, the Commission has unanimously determined that an industry in the United States is not being, and is not likely to be injured, or prevented from being established, by reason of the importation of hot-rolled carbon steel wire rods from France, sold at less than fair value, within the meaning of the Antidumping Act, 1921, as amended.

Statement of reasons[1]. The wire rods here considered are semifinished articles made by passing heated billets through a series of reducing rolls. Most wire rods range between 7/32 and 47/64 inch in diameter and are generally marketed in coils. The characteristics of wire and wire products made from such rods depend not only upon the drawing and other operations employed but also upon the kind of steel from which the rods are made.

The bulk of the steel produced in the United States for use in making wire rods is made by the basic open-hearth process, but some is made by other processes. Steel for wire rods is produced by the same processes abroad, but some such steel, particularly in European countries, is made by the Thomas, or basic Bessemer, process. The Thomas process has never been used commercially in the United States.

Thomas wire rods are not as suitable as open-hearth wire rods for conversion into the finer gages of wire or for conversion into wire used for certain pur-

[1] The basis for the Commission's decision in this case is essentially the same as in the case pertaining to imports of hot-rolled carbon steel wire rods from Belgium, the report on which was issued on June 19, 1963. The Commission calls attention, however, to the following differences between the two cases: (1) Aggregate imports of hot-rolled carbon steel wire rods were substantially greater from France than from Belgium; (2) whereas 70 to 80 percent of the imports from France sold at less than fair value consisted of Thomas quality rods, more than 85 percent of imports from Belgium sold at less than fair value were of that type; (3) Treasury's finding of sales below fair value in the Belgian case was based solely on the difference between prices for Belgian rods sold in Belgium and those sold for export to the United States, whereas Treasury's finding in the French case was based principally on the differences between prices for French rods sold for export to third countries and those sold for export to the United States; and (4) the weighted average margin of difference (see footnote 3) was smaller for imports from France than for those from Belgium.

poses. For this reason, as well as for others, prices of Thomas wire rods generally are significantly lower than those of open-hearth rods. It is estimated that in the period 1960–62 Thomas rods accounted for about 17 percent of steel wire rods imported from all countries, for 65 to 75 percent of those imported from France, and for 35 to 45 percent of those imported from Belgium, Luxembourg, West Germany, and France combined.[2]

"Average unit value" price comparisons between imported and domestic wire rods must be interpreted with caution because, inter alia, (1) imports from the aforementioned four countries consist mostly of industrial quality rods, principally of the open-hearth variety but in considerable proportion of Thomas rods; (2) imports from Japan consist solely of open-hearth rods, including industrial and extra-quality grades; and (3) domestic rods consist principally of open-hearth rods having a wide range of qualities.

In assessing the impact on domestic industry of imports of French hot-rolled carbon steel wire rods sold at less than fair value (LTFV), the Commission took into account the following factors:

1. The ratio of the combined LTFV imports from Belgium, Luxembourg, West Germany, and France to total U.S. imports;

2. The ratio of aggregate imports from those four countries to imports from all countries (including imports not sold at less than fair value from such countries);

3. The share of total LTFV imports supplied by France;

4. The "margins of difference"[3] applicable to the LTFV imports from France;

5. The U.S. market prices of the rods imported from France at less than fair value in relation to the corresponding prices of comparable rods imported from Japan and all other suppliers of imported wire rods entered at not less than fair value;

6. The comparative volume of sales of the above-mentioned rods from France, from Japan, and from other foreign countries;

7. The existing and prospective capacity of rod mills in France;

8. Domestic producers' prices of steel wire rods sold in the open market during the past several years;

9. The volume of aggregate sales of domestic steel wire rods during the same period; and

10. The trend in recent years of U.S. production of wire rods, including that used by captive mills.

The Commission recognizes that the large quantities of imported wire rods marketed in the United States at prices substantially below those for domestic rods have disturbed the integrated domestic producers of wire rods, wire, and wire products. Such disturbance cannot properly be taken into account under the Antidumping Act unless attributable in significant part to imports of wire rods sold at less than fair value. LTFV imports, however, have not been a significant factor in the situation. The significant factor has been the large volume of imports of wire rods from countries that have not been found to be selling at less than fair value, particularly those from Japan, which Treasury specifically found were not being sold at less than fair value.

Whether importers of rods from Japan or other countries, including France, initiated price reductions at any particular time or place in the United States is immaterial in view of the dominant proportion of the total imports that were sold at fair value and at prices little, if any, different from those that were sold at less than fair value.

The Commission's finding that injury to the domestic industry could not be assigned to LTFV imports of wire rods from France is applicable whether the domestic industry is conceived of in narrow terms or in broad terms. Therefore the Commission does not feel called upon to delineate the precise scope of the industry. The Commission deems is appropriate, however, to comment on certain concepts advanced by complainants[4] concerning the scope of the domestic industry that they claim is being, or is likely to be, injured by the LTFV imports of rods from France.[5]

The complainants contend that this industry is coextensive with the production of wire rods for sale in the market, i.e., they exclude the portion used by the manufacturers in their own integrated mills. Further, they contend that each of four geographic areas of the United States that they describe (the boundaries of which vary seasonally) constitute a separate "industry" within the meaning of the Antidumping Act.

With regard to "captive" production, the Commission observes that no domestic producer of wire rods is without facilities for using rods in a captive wire mill. Some 70 to 75 percent of the total domestic production of such rods is in fact used in captive mills, with the result that only 25 to 30 percent of the domestic production is sold to "arms-length" customers. Moreover, the determination of the quantity of rods to be produced and the proportion thereof to be used in captive mills, as well as the pricing policies relating to market sales, are almost fully within the managerial discretion of the domestic producers. The Commission consequently finds no merit in the complainants' contention that the output of an article by integrated producers does not embrace the totality of such output but merely the share sold in the market.

With regard to the "regional industry" claim, the Commission recognizes the propensity of users to buy from the lowest priced suppliers. It recognizes also that domestic producers of such articles as wire rods can generally supply nearby users at lower costs than can the more distant domestic producers. Nevertheless, virtually all such domestic producers, in greater or lesser degree, regularly penetrate one another's "natural" markets. Moreover, both the buyers and sellers in each of such markets take vigilant note of the happenings in each of the other of such markets. Accordingly, in the case of wire rods, the Commission finds no merit in the "regional industry" concept.

The foregoing observations on industry concepts advanced by the complainants should not be construed as Commission subscription to those advanced by the importers.

The Commission's determination and statement of reasons are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended.

By the Commission.

[SEAL] DONN N. BENT, *Secretary.*

[F.R. Doc. 63-7531; Filed, July 17, 1963; 8:46 a.m.]

[2] The Treasury Department found sales of hot-rolled carbon steel wire rods at less than fair value not only from France but also from Belgium (notice received Mar. 19, 1963), from Luxembourg (Mar. 21, 1963), and from West Germany (Apr. 2, 1963). The Treasury concluded its investigation of imports of wire rods from Japan on May 6, 1963, after having found no evidence of sales from that source at less than fair value. There are no other wire rod cases pending before the Treasury Department at this time.

[3] A "margin of difference" is the difference between the foreign market value of an article and the price at which that article is sold for export to the United States. The margins found by the Treasury Department to exist in the present case are not public information.

[4] Bethlehem Steel Co., Colorado Fuel and Iron Corp., Detroit Steel Corp., Armco Steel Corp., Jones and Laughlin Steel Corp., Republic Steel Corp. Youngstown Sheet and Tube Co. joined in the complaint on Nov. 14, 1962, and the Pittsburgh Steel Co., on Feb. 8, 1963. These eight concerns accounted for less than half of the domestic production and also less than half of the total shipments (open market sales) of hot-rolled carbon steel wire rods in 1962. At least nine other domestic producers, including the largest single domestic producer, did not join in the complaint.

[5] The concepts concerning scope of industry referred to here were advanced by the complainants in connection with the investigations recently concluded involving wire rods from Belgium, from Luxembourg, and from West Germany. Complainants have not advised the Commission that their concepts regarding the scope of the industry are different for the purposes of this investigation.

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of full-time students (29 CFR Part 519), and Administrative Order No. 561 (27 F.R. 4001), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly

wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below $1.00 an hour in the base period.

REGION II

S. S. Kresge Co., No. 469, 475 Broadway, Bayonne, N.J.; effective 6–10–63 to 3–31–64 (variety store; 20 employees).

S. S. Kresge Co., No. 562, 575 Bloomfield Avenue, Bloomfield, N.J.; effective 6–10–63 to 3–31–64 (variety store; 46 employees).

S. S. Kresge Co., No. 263, 345 Central Avenue, Jersey City, N.J.; effective 6–10–63 to 3–31–64 (variety store; 28 employees).

S. S. Kresge Co., No. 260, 696 Main Avenue, Passaic, N.J.; effective 6–10–63 to 3–31–64 (variety store; 59 employees).

S. S. Kresge Co., No. 75, Blue Star Shopping Center, U.S. Hwy. 22 and Bonnie Burn Road, Plainfield, N.J.; effective 6–10–63 to 3–31–64 (variety store; 68 employees).

S. S. Kresge Co., No. 65, 115 East State Street, Trenton, N.J.; effective 6–10–63 to 3–31–64 (variety store; 77 employees).

McCrory-McLellan Stores Corp., No. 168, 455–459 Kaighn Avenue, Camden, N.J.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

McCrory's Corp., No. 308, 1049 Bloomfield Avenue, Clifton, N.J.; effective 6–10–63 to 3–31–64 (variety store; 51 employees).

McCrory, McLellan, Green Store, No. 1085, 192 Springfield Avenue, Newark, N.J.; effective 6–22–63 to 3–31–64 (variety store; 33 employees).

McCrory Stores Corp., No. 240, 271 Main Street, Orange, N.J.; effective 6–10–63 to 3–31–64 (variety store; 80 employees).

McCrory Stores Corp., No. 301, 1098–1010 Stuyvesant Avenue, Union, N.J.; effective 6–10–63 to 3–31–64 (variety store; 35 employees).

F. W. Woolworth Co., 483 Broadway, Bayonne, N.J.; effective 6–10–63 to 3–31–64 (variety store; 32 employees).

F. W. Woolworth Co., 2515 Federal Street, Camden, N.J.; effective 6–10–63 to 3–31–64 (variety store; 17 employees).

F. W. Woolworth Co., No. 69, 145 Newark Avenue, Jersey City, N.J.; effective 6–10–63 to 3–31–64 (variety store; 26 employees).

F. W. Woolworth Co., No. 774, 320 Jackson Avenue, Jersey City, N.J.; effective 6–10–63 to 3–31–64 (variety store; 38 employees).

F. W. Woolworth Co., No. 1886, 83 Journal Square, Jersey City, N.J.; effective 6–10–63 to 3–31–64 (variety store; 90 employees).

F. W. Woolworth Co., No. 1340, 117 East State Street, Trenton, N.J.; effective 6–10–63 to 3–31–64 (variety store; 82 employees).

F. W. Woolworth Co., 5809 Bergenline Avenue West, New York, N.J.; effective 6–10–63 to 3–31–64 (variety store; 52 employees).

F. W. Woolworth Co., No. 1445, 26–32 South Broad Street, Woodbury, N.J.; effective 6–10–63 to 3–31–64 (variety store; 25 employees).

REGION IV

Abbeville Piggly Wiggly, Inc., 201 Kirkland Street, Abbeville, Ala.; effective 6–21–63 to 3–31–64 (food store; 16 employees).

Elba Piggly Wiggly, Inc., 501 Claxton Street, Elba, Ala.; effective 6–21–63 to 3–31–64 (food store; 16 employees).

Geneva Piggly Wiggly, Inc., Water Street, Geneva, Ala.; effective 6–21–63 to 3–31–64 (food store; 17 employees).

Eufaula Piggly Wiggly, Inc., 138 South Randolph Street, Eufaula, Ala.; effective 6–21–63 to 3–31–64 (food store; 21 employees).

S. S. Kresge Co., Lakeside Shopping Center, 3301 Veterans Highway, Metairie, La.; effective 6–10–63 to 3–31–64 (variety store; 28 employees).

S. H. Kress & Co., 312 West Howard Avenue, Biloxi, Miss.; effective 6–10–63 to 3–31–64 (variety store; 25 employees).

Luverne Piggly Wiggly, Inc., 314 Forrest Avenue, Luverne, Ala.; effective 6–21–63 to 3–31–64 (food store; 12 employees).

G. C. Murphy Co., No. 261, 2913 Memorial Parkway SW., Huntsville, Ala.; effective 6–18–63 to 3–31–64 (variety store; 95 employees).

J. J. Newberry Co., No. 298, Hot Springs, Ark.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

Olive Variety, Inc., d/b/a T.G. & Y. Stores Co., No. 209, 215 Florida Boulevard, Denham Springs, La.; effective 6–10–63 to 3–31–64 (variety store; 12 employees).

Ozark Piggly Wiggly, Inc., 109–11 South Union Street, Ozark, Ala.; effective 6–31–63 to 3–31–64 (food store; 25 employees).

Piggly Wiggly, Greenville, Ala., effective 6–21–63 to 3–31–64 (food store; 20 employees).

Samson Piggly Wiggly, Inc., 129–31 East Main Street, Samson, Ala.; effective 6–21–63 to 3–31–64 (food store; 11 employees).

Troy Piggly Wiggly, Inc., 212 South Three Notch Street, Troy, Ala.; effective 6–21–63 to 3–31–64 (food store; 21 employees).

West Main Piggly Wiggly, Inc., 811 West Main Street, Dothan, Ala.; effective 6–21–63 to 3–31–64 (food store; 10 employees).

F. W. Woolworth Co., No. 814, 126 East Capitol Street, Jackson, Miss.; effective 6–22–63 to 3–31–64 (variety store; 45 employees).

REGION V

Jupiter, No. 4501, 346 East Main Street, Alliance, Ohio; effective 6–13–63 to 3–31–64 (variety store; six employees).

S. S. Kresge Co., 808 Washington Avenue, Bay City, Mich.; effective 6–10–63 to 3–31–64 (variety store; 66 employees).

S. S. Kresge Co., No. 527, 17646 Joy Road, Detroit 28, Mich.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

S. S. Kresge Co., No. 652, 14060 Telegraph Road, Detroit 39, Mich.; effective 6–10–63 to 3–31–64 (variety store; 24 employees).

S. S. Kresge Co., No. 626, 267 West Western, Muskegon 11, Mich.; effective 6–10–63 to 3–31–64 (variety store; 46 employees).

S. S. Kresge Co., No. 687, Southgate Shopping Center, 13751 Eureka Road, Wyandotte, Mich.; effective 6–10–63 to 3–31–64 (variety store; 48 employees).

S. S. Kresge Co., No. 5, 85 North High Street, Columbus 15, Ohio; effective 6–10–63 to 3–31–64 (variety store; 42 employees).

S. S. Kresge Co., No. 564, 100 North Main Street, Fostoria, Ohio; effective 6–11–63 to 3–31–64 (variety store; 33 employees).

S. S. Kresge Co., No. 541, 124 Futnam Street, Marietta 3, Ohio; effective 6–20–63 to 3–31–64 (variety store; 38 employees).

McCrory-McLellan-Green Stores, 125 North Second Avenue, Alpena, Mich.; effective 6–11–63 to 3–31–64 (variety store; 20 employees).

McCrory-McLellan Stores, No. 447, 286 West Nepessing Street, Lapeer, Mich.; effective 6–11–63 to 3–31–64 (variety store; 32 employees).

McCrory-McLellan-Green Stores, No. 1065, 45 South Main Street, Dayton, Ohio; effective 6–11–63 to 3–31–64 (variety store; 36 employees).

McCrory-McLellan-Green, No. 24, 13–19 South Limestone Street, Springfield, Ohio; effective 6–10–63 to 3–31–64 (variety store; 30 employees).

G. C. Murphy Co., No. 444, 31–33–35 West Chicago Street, Coldwater, Mich.; effective 6–14–63 to 3–31–64 (variety store; 24 employees).

G. C. Murphy Co., No. 406, 58–60 North Howell Street, Hillsdale, Mich.; effective 6–14–63 to 3–31–64 (variety store; 29 employees).

G. C. Murphy Co., No. 451, 323–325 Center Street, South Haven, Mich.; effective 6–19–63 to 3–31–64 (variety store; 27 employees).

G. C. Murphy Co., No. 431, 120–122 South Sandusky Avenue, Bucyrus, Ohio; effective 6–19–63 to 3–31–64 (variety store; 14 employees).

G. C. Murphy Co., No. 234, 415 Swifton Center, Cincinnati, Ohio; effective 6–19–63 to 3–31–64 (variety store; 125 employees).

G. C. Murphy Co., No. 110, 101–6 West Main Street, Circleville, Ohio; effective 6–14–63 to 3–31–64 (variety store; 34 employees).

G. C. Murphy Co., No. 265, Lane Shopping Center, West Lane Avenue, Columbus, Ohio; effective 6–19–63 to 3–31–64 (variety store; 64 employees).

G. C. Murphy Co., No. 456, 121–123, West Main Street, Hillsboro, Ohio; effective 6–19–63 to 3–31–64 (variety store; 21 employees).

G. C. Murphy Co., No. 269, Hills & Dales Shopping Center, 1450 West Dorothy Lane, Kettering, Ohio; effective 6–19–63 to 3–31–64 (variety store; 48 employees).

G. C. Murphy Co., No. 446, 15–17 South Broadway, Lebanon, Ohio; effective 6–19–63 to 3–31–64 (variety store; 36 employees).

G. C. Murphy Co., No. 230, 228 West Center Street, Marion, Ohio; effective 6–19–63 to 3–31–64 (variety store; 46 employees).

G. C. Murphy Co., No. 41, 316 North Main Street, Piqua, Ohio; effective 6–14–63 to 3–31–64 (variety store; 31 employees).

G. C. Murphy Co., No. 453, 109–113 West Spring Street, St. Marys, Ohio; effective 6–19–63 to 3–31–64 (variety store; 43 employees).

G. C. Murphy Co., No. 35, 5 South Market Street (Public Square), Troy, Ohio; effective 6–19–63 to 3–31–64 (variety store; 37 employees).

G. C. Murphy Co., No. 20, 101–119 East Court Street, Washington C. H., Ohio; effective 6–19–63 to 3–31–64 (variety store; 46 employees).

G. C. Murphy Co., No. 192, 1302 Rombach Avenue, Wilmington, Ohio; effective 6–19–63 to 3–31–64 (variety store; 29 employees).

G. C. Murphy Co., No. 187, 3345 Mahoning Avenue, Youngstown, Ohio; effective 6–19–63 to 3–31–64 (variety store; 47 employees).

G. C. Murphy Co., No. 222, 2637 South Market Street, Youngstown, Ohio; effective 6–19–63 to 3–31–64 (variety store; 39 employees).

J. J. Newberry Co., 5728 Broadway, Cleveland, Ohio; effective 6–11–63 to 3–31–64 (variety store; six employees).

F. W. Woolworth Co., No. 497, 401 Fifth Street, Bay City, Mich.; effective 6–13–63 to 3–31–64 (variety store; 32 employees).

F. W. Woolworth Co., No. 1089, 133 West Market Street, Benton Harbor, Mich.; effective 6–13–63 to 3–31–64 (variety store; 41 employees).

F. W. Woolworth Co., No. 2171, 1875 Hl. M 139 (S.), Benton Harbor, Mich.; effective 6–14–63 to 3–31–64 (variety store; 73 employees).

F. W. Woolworth Co., No. 1107, 329 North Main Street, Cheboygan, Mich.; effective 6-13-63 to 3-31-64 (variety store; 19 employees).

F. W. Woolworth Co., No. 190, 562 South Saginaw Street, Flint, Mich.; effective 6-13-63 to 3-31-64 (variety store; 42 employees).

F. W. Woolworth Co., No. 45, 169 Monroe Avenue, Grand Rapids, Mich.; effective 6-13-63 to 3-31-64 (variety store; 61 employees).

F. W. Woolworth Co., No. 2584, 1220-28th Street, Grand Rapids, Mich.; effective 6-14-63 to 3-31-64 (variety store; 45 employees).

F. W. Woolworth Co., No. 167, 157 South Burdick Street, Kalamazoo, Mich.; effective 6-21-63 to 3-31-64 (variety store; 80 employees).

F. W. Woolworth Co., No. 327, 257 Western Avenue, Muskegon, Mich.; effective 6-13-63 to 3-31-64 (variety store; 34 employees).

F. W. Woolworth Co., No. 111, 304 East Genesse, Saginaw, Mich.; effective 6-13-63 to 3-31-64 (variety store; 46 employees).

F. W. Woolworth Co., No. 2447, 280 West Genesse Avenue, Saginaw, Mich.; effective 6-14-63 to 3-31-64 (variety store; 21 employees).

REGION VI

Archer Avenue Big Store, Inc., 4181-93 Archer Avenue, Chicago, Ill.; effective 6-10-63 to 3-31-64 (department store; 81 employees).

Columbia Shopping Center, 1200 West Columbia Street, Evansville, Ind.; effective 6-10-63 to 3-31-64 (variety store; 49 employees).

Cram's Tomah Markets, Inc., 600 Superior Avenue, Tomah, Wis.; effective 6-10-63 to 3-31-64 (food store; 21 employees).

Kohl's Food Stores-Bluemound, Inc., 8201 West Bluemound Road, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 83 employees).

Kohl's Food Stores-Brookfield, Inc., 2315 North 124th Street, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 104 employees).

Kohl's Food Stores-Burleigh, Inc., 4623 West Burleigh Street, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 82 employees).

Kohl's Food Stores-Capitol, Inc., 5500 West Capitol Drive, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 127 employees).

Kohl's Food Stores-Forest Home, Inc., 7530 West Forest Home Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 67 employees).

Kohl's Food Stores-Fox Point, Inc., 6940 North Santa Monica Boulevard, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 50 employees).

Kohl's Food Stores-Hadley, Inc., 2777 North Teutonia Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 49 employees).

Kohl's Food Stores-Holton, Inc., 3334 North Holton Street, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 62 employees).

Kohl's Food Stores-Lisbon, Inc., 9210 West Lisbon Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 94 employees).

Kohl's Food Stores-Loomis, Inc., 3555 South 27th Street, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 113 employees).

Kohl's Food Stores-Mitchell, Inc., 1301 West Forest Home Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 64 employees).

Kohl's Food Stores-North Co., 8616 West North Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 93 employees).

Kohl's Food Stores-Oakland, Inc., 4145 North Oakland Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 86 employees).

Kohl's Food Stores-Oklahoma, Inc., 5801 West Oklahoma Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 66 employees).

Kohl's Food Stores-Port Road, Inc., 5656 North Port Washington Road, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 94 employees).

Kohl's Food Stores-Teutonia, Inc., 3725 North Teutonia Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 66 employees).

Kohl's Food Stores-Vliet, Inc., 3824 West Vliet Street, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 28 employees).

Kohl's Food Stores-West Allis, Inc., 7546 West Greenfield Avenue, Box 4196, Station K, Milwaukee, Wis.; effective 6-10-63 to 3-31-64 (food store; 28 employees).

S. S. Kresge Co., No. 427, 103 West Third Street, Alton, Ill.; effective 6-10-63 to 3-31-64 (variety store; 29 employees).

S. S. Kresge Co., No. 34, 213-215 North Main Street, Bloomington, Ill.; effective 6-10-63 to 3-31-64 (variety store; 54 employees).

S. S. Kresge Co., No. 94, Southfield Shopping Center, 8751 South Harlem Avenue, Bridgeview, Ill.; effective 6-10-63 to 3-31-64 (variety store; 32 employees).

S. S. Kresge Co., No. 164, 82 North Main Street, Canton, Ill.; effective 6-10-63 to 3-31-64 (variety store; 28 employees).

S. S. Kresge Co., No. 174, 215-217 North Neil Street, Champaign, Ill.; effective 6-10-63 to 3-31-64 (variety store; 32 employees).

S. S. Kresge Co., No. 690, Country Fair Shopping Center, Springfield and Mattis Avenue, Champaign, Ill.; effective 6-10-63 to 3-31-64 (variety store; 45 employees).

S. S. Kresge Co., No. 136, Valley Shopping Center, 1505 West Main Street, St. Charles, Ill.; effective 6-10-63 to 3-31-64 (variety store; 26 employees).

S. S. Kresge Co., No. 8, 10 South State Street, Chicago, Ill.; effective 6-10-63 to 3-31-64 (variety store; 133 employees).

S. S. Kresge Co., No. 305, Harlem-Foster Shopping Center, 7240-50 Foster Avenue, Chicago, Ill.; effective 6-10-63 to 3-31-64 (variety store; 27 employees).

S. S. Kresge Co., No. 416, 8027 South Cicero Avenue, Chicago, Ill.; effective 6-10-63 to 3-31-64 (variety store; 38 employees).

S. S. Kresge Co., No. 71, 2774 Milwaukee Avenue, Chicago, Ill.; effective 6-10-63 to 3-31-64 (variety store; 19 employees).

S. S. Kresge Co., No. 480, 6300 South Halsted, Chicago, Ill.; effective 6-10-63 to 3-31-64 (variety store; 180 employees).

S. S. Kresge Co., No. 505, 4737 South Ashland Avenue, Chicago, Ill.; effective 6-10-63 to 3-31-64 (variety store; 24 employees).

S. S. Kresge Co., No. 594, 3141 North Lincoln Avenue, Chicago, Ill.; effective 6-10-63 to 3-31-64 (variety store; 34 employees).

S. S. Kresge Co., No. 627, 9530 South Western Avenue, Chicago, Ill.; effective 6-10-63 to 3-31-64 (variety store; 81 employees).

S. S. Kresge Co., No. 261, 26 North Vermilion Street, Danville, Ill., effective 6-10-63 to 3-31-64 (variety store; 58 employees).

S. S. Kresge Co., No. 50, Deerfield Commons Shopping Center, 722 Waukegan Road, Deerfield, Ill.; effective 6-10-63 to 3-31-64 (variety store; 26 employees).

S. S. Kresge Co., No. 201, 343 North Water Street, Decatur Ill.; effective 6-10-63 to 3-31-64 (variety store; 40 employees).

S. S. Kresge Co., No. 429, Market Place Shopping Center, 755 West Golf Road, Des Plaines, Ill.; effective 6-10-63 to 3-31-64 (variety store; 29 employees).

S. S. Kresge Co., No. 177, 32 South Grove Avenue, Elgin, Ill.; effective 6-10-63 to 3-31-64 (variety store; 42 employees).

S. S. Kresge Co., No. 220, 1630 Sherman Avenue, Evanston, Ill.; effective 6-10-63 to 3-31-64 (variety store; 41 employees).

S. S. Kresge Co., No. 179, 211 East Main Street, Galesburg, Ill.; effective 6-10-63 to 3-31-64 (variety store; 21 employees).

S. S. Kresge Co., No. 207, 19 North Main Street, Harrisburg, Ill.; effective 6-10-63 to 3-31-64 (variety store; 31 employees).

S. S. Kresge Co., No. 130, Hillcrest Shopping Center, Larkin Road, and Theodore Street, Joliet, Ill.; effective 6-10-63 to 3-31-64 (variety store; 41 employees).

S. S. Kresge Co., No. 417, 162 Court Street East, Kankakee, Ill.; effective 6-10-63 to 3-31-64 (variety store; 41 employees).

S. S. Kresge Co., No. 295, 206 North Tremont Street, Kewanee, Ill.; effective 6-10-63 to 3-31-64 (variety store; 17 employees).

S. S. Kresge Co., No. 122, 101 South Kickapoo Street, Lincoln, Ill.; effective 6-10-63 to 3-31-64 (variety store; 30 employees).

S. S. Kresge Co., No. 497, 1603 Broadway, Mattoon, Ill.; effective 6-10-63 to 3-31-64 (variety store; 25 employees).

S. S. Kresge Co., No. 554, King Plaza Center, 23d Avenue at 41st, Moline, Ill.; effective 6-10-63 to 3-31-64 (variety store 41 employees).

S. S. Kresge Co., No. 630, Park Forest Shopping Center, 211 Plaza, Park Forest, Ill.; effective 6-10-63 to 3-31-64 (variety store; 36 employees).

S. S. Kresge Co., No. 482, 353 Court Street, Pekin, Ill.; effective 6-10-63 to 3-31-64 (variety store; 15 employees).

S. S. Kresge Co., No. 242, Sheridan Village Shopping Center, 4125 North Sheridan Road, Peoria, Ill.; effective 6-10-63 to 3-31-64 (variety store; 48 employees).

S. S. Kresge Co., No. 98, 530 Maine Street, Quincy, Ill.; effective 6-10-63 to 3-31-64 (variety store; 36 employees).

S. S. Kresge Co., No. 321, Legion Town and Country Shopping Center, 3227-43 Legion Boulevard, Quincy, Ill.; effective 6-10-63 to 3-31-64 (variety store; 41 employees).

S. S. Kresge Co., No. 318, Rockford Shopping Center, 636 Hollister Avenue, Rockford, Ill.; effective 6-10-63 to 3-31-64 (variety store; 37 employees).

S. S. Kresge Co., N. 656, 111 Old Orchard, Skokie, Ill.; effective 6-10-63 to 3-31-64 (variety store; 51 employees).

S. S. Kresge Co., No. 237, 401 South Main Street, Elkhart, Ind.; effective 6-10-63 to 3-31-64 (variety store; 58 employees).

S. S. Kresge Co., No. 556, 401 Main Street, Evansville, Ind.; effective 6-10-63 to 3-31-64 (variety store; 72 employees).

S. S. Kresge Co., No. 647, Reichert's Lawndale Shopping Center, 850 New Green River Road, Evansville, Ind.; effective 6-10-63 to 3-31-64 (variety store; 35 employees).

S. S. Kresge Co., No. 568, Northcrest Shopping Center, Unit No. 737, Fort Wayne, Ind.; effective 6-10-63 to 3-31-64 (variety store; 32 employees).

S. S. Kresge Co., No. 462, Village Shopping Center, 3542 Village Court, Gary, Ind.; effective 6-10-63 to 3-31-64 (variety store; 41 employees).

S. S. Kresge Co., No. 618, 747 Broadway, Gary, Ind.; effective 6-10-63 to 3-31-64 (variety store; 71 employees).

S. S. Kresge Co., No. 283, 5129-31 Hohman Avenue, Hammond, Ind.; effective 6-10-63 to 3-31-64 (variety store; 20 employees).

S. S. Kresge Co., No. 7, 17 West Washington Street, Indianapolis, Ind.; effective 6-10-63 to 3-31-64 (variety store; 96 employees).

S. S. Kresge Co., No. 258, Eagledale Plaza Shopping Center, 2744 Lafayette Road, Indianapolis, Ind.; effective 6-10-63 to 3-31-64 (variety store; 32 employees).

S. S. Kresge Co., No. 251, 1401 Broad Street, Newcastle, Ind.; effective 6-10-63 to 3-31-64 (variety store; 26 employees).

S. S. Kresge Co., No. 1111, 823 Main Street, Richmond, Ind.; effective 6-10-63 to 3-31-64 (variety store; 19 employees).

S. S. Kresge Co., No. 117, 637 Wabash Avenue, Terre Haute, Ind.; effective 6-10-63 to 3-31-64 (variety store; 54 employees).

S. S. Kresge Co., No. 217, 226-228 Main Street, Vincennes, Ind.; effective 6-10-63 to 3-31-64 (variety store; 40 employees).

S. S. Kresge Co., No. 168, 622 St. Germain Street, St. Cloud, Minn.; effective 6–10–63 to 3–31–64 (variety store; 22 employees).

S. S. Kresge Co., No. 266, 319 South Front Street, Mankato, Minn.; effective 6–10–63 to 3–31–64 (variety store; 26 employees).

S. S. Kresge Co., No. 135, 7971 Southtown Center, Minneapolis, Minn.; effective 6–10–63 to 3–31–64 (variety store; 44 employees).

S. S. Kresge Co., No. 176, Crystal Shopping Center, Broadway and Base Lake Road, Minneapolis, Minn.; effective 6–10–63 to 3–31–64 (variety store; 18 employees).

S. S. Kresge Co., No. 520, 634 Nicollet Avenue, Minneapolis, Minn.; effective 6–10–63 to 3–31–64 (variety store; 155 employees).

S. S. Kresge Co., No. 645, 2912 Pentagon Drive, Minneapolis, Minn.; effective 6–10–63 to 3–31–64 (variety store; 23 employees).

S. S. Kresge Co., No. 694, Hi-Lake Center, 2106 East Lake, Minneapolis, Minn.; effective 6–10–63 to 3–31–64 (variety store; 25 employees).

S. S. Kresge Co., No. 683, Sun Ray Shopping Center, 2167 Hudson Road, St. Paul, Minn.; effective 6–10–63 to 3–31–64 (variety store; 22 employees).

S. S. Kresge Co., No. 393, 12 West 66th Street, Richfield, Minn.; effective 6–10–63 to 3–31–64 (variety store; 42 employees).

S. S. Kresge Co., No. 426, 206 South Broadway, Rochester, Minn.; effective 6–10–63 to 3–31–64 (variety store; 14 employees).

S. S. Kresge Co., No. 52, 51–53 West Third Street, Winona, Minn.; effective 6–10–63 to 3–31–64 (variety store; 32 employees).

S. S. Kresge Co., No. 202, 110 West College Avenue, Appleton, Wis.; effective 6–10–63 to 3–31–64 (variety store; 55 employees).

S. S. Kresge Co., No. 4542, 336 East Grand Avenue, Beloit, Wis.; effective 6–10–63 to 3–31–64 (variety store; 14 employees).

S. S. Kresge Co., No. 607, 124 South Barstow Street, Eau Claire, Wis.; effective 6–10–63 to 3–31–64 (variety store; 37 employees).

S. S. Kresge Co., No. 611, 68 South Main Street, Fond Du Lac, Wis.; effective 6–10–63 to 3–31–64 (variety store; 50 employees).

S. S. Kresge Co., No. 324, 222 North Washington Street, Green Bay, Wis.; effective 6–10–63 to 3–31–64 (variety store; 15 employees).

S. S. Kresge Co., No. 175, 418 Main Street, LaCrosse, Wis.; effective 6–10–63 to 3–31–64 (variety store; 17 employees).

S. S. Kresge Co., No. 446, Bay Shore Shopping Center, 5828 North Port Washington Road, Milwaukee, Wis.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

S. S. Kresge Co., No. 617, Southgate Shopping Center, 3333 South 27th Street, Milwaukee, Wis.; effective 6–10–63 to 3–31–64 (variety store; 34 employees).

S. S. Kresge Co., No. 637, 7 Mayfair Mall, 2500 North 108th Street, Milwaukee, Wis.; effective 6–10–63 to 3–31–64 (variety store; 42 employees).

S. S. Kresge Co., No. 181, 305 Main Street, Oshkosh, Wis.; effective 6–10–63 to 3–31–64 (variety store; 25 employees).

S. S. Kresge Co., No. 86, 3699 Durand Avenue, Racine, Wis.; effective 6–10–63 to 3–31–64 (variety store; 34 employees).

S. S. Kresge Co., No. 286, 801–03 North Eighth Street, Sheboygan, Wis.; effective 6–10–63 to 3–31–64 (variety store; 36 employees).

S. H. Kress and Co., 116 North Main Street, Rockford, Ill; effective 6–10–63 to 3–31–64 (variety store; 25 employees).

McCrory-McLellan-Green Co., 709 Main Street, Richmond, Ind.; effective 6–10–63 to 3–31–64 (variety store; 13 employees).

G. C. Murphy Co., No. 458, 909–911 Broadway, Mt. Vernon, Ill.; effective 6–10–63 to 3–31–64 (variety store; 26 employees).

G. C. Murphy Co., No. 112, 205–7 North Mill Street, Pontiac, Ill.; effective 6–10–63 to 3–31–64 (variety store; 30 employees).

G. C. Murphy Co., No. 113, 207–11 East Main Street, Streator, Ill.; effective 6–10–63 to 3–31–64 (variety store; 35 employees).

G. C. Murhpy Co., No. 461, 411–415 Second Street, Aurora, Ind.; effective 6–10–63 to 3–31–64 (variety store; 17 employees).

G. C. Murphy Co., No. 101, 14–16–18 East National Avenue, Brazil, Ind.; effective 6–10–63 to 3–31–64 (variety store; 25 employees).

G. C. Murphy Co., No. 99, 241 South Main Street, Clinton, Ind.; effective 6–10–63 to 3–31–64 (variety store; 26 employees).

G. C. Murphy Co., No. 423, 101 North Washington Street, Crawfordsville, Ind.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

G. C. Murphy Co., No. 404, 202–204 South Anderson Street, Elwood, Ind.; effective 6–10–63 to 3–31–64 (variety store; 18 employees).

G. C. Murphy Co., No. 412, 50–58 East Jefferson Street, Franklin, Ind.; effective 6–10–63 to 3–31–64 (variety store; 35 employees).

G. C. Murphy Co., No. 417, 125–127 South Main Street, Goshen, Ind.; effective 6–10–63 to 3–31–64 (variety store; 15 employees).

G. C. Murphy Co., No. 223, 129–31 North Broadway Avenue, Greensburg, Ind.; effective 6–10–63 to 3–31–64 (variety store; 46 employees).

G. C. Murphy Co., No. 425, 407–409 Fourth Street, Huntingburg, Ind.; effective 6–10–63 to 3–31–64 (variety store; 18 employees).

G. C. Murphy Co., No. 104, 33–47 North Illinois Street, Indianapolis, Ind.; effective 6–10–63 to 3–31–64 (variety store; 143 employees).

G. C. Murphy Co., No. 123, 1043–47 Virginia Avenue, Indianapolis, Ind.; effective 6–10–63 to 3–31–64 (variety store; 126 employees).

G. C. Murphy Co., No. 215, Post Office Box 20042, 705–09 Broad Ripple Avenue, Indianapolis, Ind.; effective 6–10–63 to 3–31–64 (variety store; 35 employees).

G. C. Murphy Co., No. 235, 3926 Meadows Drive, Indianapolis, Ind.; effective 6–10–63 to 3–31–64 (variety store; 67 employees).

G. C. Murphy Co., No. 244, No. 22—Building "E", Eastgate Shopping Center, Indianapolis, Ind.; effective 6–10–63 to 3–31–64 (variety store; 65 employees).

G. C. Murphy Co., No. 260, 6101 North Keystone Avenue, Indianapolis, Ind.; effective 6–10–63 to 3–31–64 (variety store; 66 employees).

G. C. Murphy Co., No. 445, 108–110 South Main Street, Kendallville, Ind.; effective 6–10–63 to 3–31–64 (variety store; 35 employees).

G. C. Murphy Co., No. 203, 15–19 East Vincennes Street, Linton, Ind.; effective 6–10–63 to 3–31–64 (variety store; 33 employees).

G. C. Murphy Co., No. 430, 209–211 East Main Street, Madison, Ind.; effective 6–10–63 to 3–31–64 (variety store; 28 employees).

G. C. Murphy Co., No. 411, 54–56 North Ninth Street, Noblesville, Ind.; effective 6–10–63 to 3–31–64 (variety store; 21 employees).

G. C. Murphy Co., No. 422, 1–3 South Broadway, Peru, Ind.; effective 6–10–63 to 3–31–64 (variety store; 34 employees).

G. C. Murphy Co., No. 405, 105–107 North Meridian Street, Portland, Ind.; effective 6–10–63 to 3–31–64 (variety store; 25 employees).

G. C. Murphy Co., No. 420, 125–129 North Hart Street, Princeton, Ind.; effective 6–10–63 to 3–31–64 (variety store; 18 employees).

G. C. Murphy Co., No. 443, 21–28 Public Square, Salem, Ind.; effective 6–10–63 to 3–31–64 (variety store; 28 employees).

G. C. Murphy Co., No. 72, 112–116 West Second Street, Seymour, Ind.; effective 6–10–63 to 3–31–64 (variety store; 50 employees).

G. C. Murphy Co., No. 105, 31 Public Square, Shelbyville, Ind.; effective 6–10–63 to 3–31–64 (variety store; 37 employees).

G. C. Murphy Co., No. 114, 808–16 East Main Street, Washington, Ind.; effective 6–10–63 to 3–31–64 (variety store; 24 employees).

Neisner Brothers, Inc., No. 30, 5254 North Clark Street, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 18 employees).

Neisner Brothers, Inc., No. 31, 1343 Milwaukee Avenue, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 27 employees).

Neisner Brothers, Inc., No. 35, 4255 Archer Avenue, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

Neisner Brothers, Inc., No. 38, 3908 Cottage Grove Avenue, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 22 employees).

Neisner Brothers, Inc., No. 49, 3268 West Madison Street, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 24 employees).

Neisner Brothers, Inc., No. 52, 3431 South Halsted Street, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 35 employees).

Neisner Brothers, Inc., No. 54, 4723 South Ashland Avenue, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 28 employees).

Neisner Brothers, Inc., No. 57, 411 East 47th Street, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 42 employees).

Neisner Brothers, Inc., No. 65, 501 West North Avenue, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 28 employees).

Neisner Brothers, Inc., No. 74, 1252 South Halsted Street, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 53 employees).

Neisner Brothers, Inc., No. 76, 3548 West Irving Park Road, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 20 employees).

Neisner Brothers, Inc., No. 88, 7174 West Grand Avenue, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 16 employees).

Neisner Brothers, Inc., No. 97, 4058 West Madison Street, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 75 employees).

Neisner Brothers, Inc., No. 150, 1018 Winston Plaza, Melrose Park, Ill.; effective 6–10–63 to 3–31–64 (variety store; 44 employees).

Neisner Brothers, Inc., No. 26, 417 Main Street, Evansville, Ind.; effective 6–10–63 to 3–31–64 (variety store: 30 employees).

J. J. Newberry Co., 415 North State Street, Litchfield, Ill.; effective 6–10–63 to 3–31–64 (variety store; 35 employees).

J. J. Newberry Co., 1712–14 Second Avenue, Rock Island, Ill.; effective 6–10–63 to 3–31–64 (variety store; 32 employees).

Newberry Sangamon, Inc., 128 North Side Square, Macomb, Ill.; effective 6–10–63 to 3–31–64 (variety store; 37 employees).

J. J. Newberry Co., 3714 Main Street, Indiana Harbor, Ind.; effective 6–10–63 to 3–31–64 (variety store; 38 employees).

J. J. Newberry Corp., No. 175, 620 Main Street, Jasper, Ind.; effective 6–10–63 to 3–31–64 (variety store; 19 employees).

J. J. Newberry Co., 308–310 South Washington Street, Marion, Ind.; effective 6–10–63 to 3–31–64 (variety store; 14 employees).

Newberry Wabash, Inc., 1–15 North Jefferson Street, Martinsville, Ind.; effective 6–10–63 to 3–31–64 (variety store; 28 employees).

Weinbach Pharmacy, 1 North Weinbach, Evansville, Ind.; effective 6–10–63 to 3–31–64 (drug store; 75 employees).

Albert W. Wesselman, Estate, The Old National Bank & Helen Wesselman Co., Pers. Repr., 1931 Lincoln Avenue, Evansville, Ind.; effective 6–10–63 to 3–31–64 (food store; 33 employees).

F. W. Woolworth Co., No. 1630, 2104 West Cermak Road, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 32 employees).

F. W. Woolworth Co., No. 1910, 3845 North Broadway, Chicago, Ill.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

F. W. Woolworth Co., No. 2615, 3090 North Water Street, Decatur, Ill.; effective 6–10–63 to 3–31–64 (variety store; 56 employees).

F. W. Woolworth Co., No. 78, 113 South Adams Street, Peoria, Ill.; effective 6–10–63 to 3–31–64 (variety store; 49 employees).

F. W. Woolworth Co., No. 1313, 519 Seventh Street, Rockford, Ill.; effective 6–10–63 to 3–31–64 (variety store; 11 employees).

F. W. Woolworth Co., No. 704, 101 East Third Street, Sterling, Ill.; effective 6–10–63 to 3–31–64 (variety store; 43 employees).

F. W. Woolworth Co., No. 307, 1016 Meridian Street, Anderson, Ind.; effective 6–10–63 to 3–31–64 (variety store; 47 employees).

F. W. Woolworth Co., No. 2624, 500 Central Avenue, Connersville, Ind.; effective 6–10–63 to 3–31–64 (variety store; 21 employees).

F. W. Woolworth Co., No. 2616, 119 East Wayne Street, Fort Wayne, Ind.; effective 6–10–63 to 3–31–64 (variety store; 42 employees).

F. W. Woolworth Co., No. 549, 2–4 North Main Street, Frankfort, Ind.; effective 6–10–63 to 3–31–64 (variety store; 36 employees).

F. W. Woolworth Co., No. 2196, 4425 Tri City, Gary, Ind.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

F. W. Woolworth Co., No. 676, 5201 Hohman Avenue, Hammond, Ind.; effective 6–10–63 to 3–31–64 (variety store; 55 employees).

F. W. Woolworth Co., No. 574, 102 Monument Circle, Indianapolis, Ind.; effective 6–10–63 to 3–31–64 (variety store: 58 employees).

F. W. Woolworth Co., No. 2336, 1300 East 86th Street, Indianapolis, Ind.; effective 6–10–63 to 3–31–64 (variety store; 24 employees).

F. W. Woolworth Co., No. 2551, Southern Plaza Shopping Center, 4200 South East Street, Indianapolis, Ind.; effective 7–6–63 to 3–31–64 (variety store; 65 employees).

F. W. Woolworth Co., No. 1923, 1025 Youngstown Shopping Center, Jeffersonville, Ind.; effective 6–10–63 to 3–31–64 (variety store; 31 employees).

F. W. Woolworth Co., No. 2296, 2909 South Washington, Kokomo, Ind.; effective 6–10–63 to 3–31–64 (variety store; 46 employees).

F. W. Woolworth Co., No. 2400, 9–11 Southland Shopping Center, Terre Haute, Ind.; effective 6–10–63 to 3–31–64 (variety store; 27 employees).

F. W. Woolworth Co., No. 447, 12 West Market Street, Wabash, Ind.; effective 6–10–63 to 3–31–64 (variety store; 30 employees).

F. W. Woolworth Co., No. 468, 618–620 Lincolnway, La Porte, Ind.; effective 6–10–63 to 3–31–64 (variety store; 29 employees).

F. W. Woolworth Co., No. 2622, 8200 Pendleton Pike, Lawrence, Ind.; effective 6–10–63 to 3–31–64 (variety store; 25 employees).

F. W. Woolworth Co., No. 2284, 109 Lincolnway West, Mishawaka, Ind.; effective 6–10–63 to 3–31–64 (variety store; 20 employees).

F. W. Woolworth Co., No. 2193, Northwest Plaza, Muncie, Ind.; effective 6–10–63 to 3–31–64 (variety store; 20 employees).

F. W. Woolworth Co., No. 2317, Southway Plaza No. 19, Muncie, Ind.; effective 6–10–63 to 3–31–64 (variety store; 22 employees).

F. W. Woolworth Co., No. 451, 117–127 East Market Street, New Albany, Ind.; effective 6–10–63 to 3–31–64 (variety store; 59 employees).

F. W. Woolworth Co., No. 2453, 1141 East Ireland Road, South Bend, Ind.; effective 6–10–63 to 3–31–64 (variety store; 20 employees).

F. W. Woolworth Co., No. 1023, 43 Meadows Center, Terre Haute, Ind.; effective 6–10–63 to 3–31–64 (variety store; 61 employees).

REGION VIII

Chinaberry Variety, Inc., d/b/a T.G. & Y. Stores Co., No. 181, 1520 Eubanks NE., Albuquerque, N. Mex.; effective 6–14–63 to 3–31–64 (variety store; 18 employees).

Gum Variety, Inc., d/b/a T.G. & Y. Stores Co., 204 Jefferson Street, Sand Springs, Okla.; effective 6–10–63 to 3–31–64 (variety store; 16 employees).

Lakeside Variety, Inc., d/b/a T.G. & Y. Stores Co., No. 56, 5020 North May Street, Oklahoma City, Okla.; effective 6–10–63 to 3–31–64 (variety store; 12 employees).

Morgan & Lindsey, Inc., No. 3058, 699 Orleans Street, Beaumont, Tex.; effective 6–26–63 to 3–31–64 (variety store; 17 employees).

Morgan & Lindsey, Inc., No. 3066, 845 Gaylynn Drive, Beaumont, Tex.; effective 6–26–63 to 3–31–64 (variety store; 12 employees).

Morgan & Lindsey, Inc., No. 3093, 3380 Avenue A, Beaumont, Tex.; effective 6–26–63 to 3–31–64 (variety store; 11 employees).

Neisner Brothers, Inc., No. 155, 300 Tarpon Inn Village, Freeport, Tex.; effective 7–5–63 to 3–31–64 (variety store; 12 employees).

F. W. Woolworth Co., 60–62 East San Francisco Street, Santa Fe, N. Mex.; effective 6–26–63 to 3–31–64 (variety store; 16 employees).

F. W. Woolworth Co., 5501 Alameda Avenue, El Paso, Tex.; effective 6–10–63 to 3–31–64 (variety store; 14 employees).

REGION X

Casey's, Inc., Duke of Gloucester Street, Williamsburg, Va.; effective 6–27–63 to 3–31–64 (department store; 55 employees).

W. T. Grant Co., 134 North Loudoun Street, Winchester, Va.; effective 6–10–63 to 3–31–64 (variety store; 22 employees).

McCrory-McLellan-Green Stores, 213–215 East Main Street, Front Royal, Va.; effective 6–12–63 to 3–31–64 (variety store; 17 employees).

McCrory's, No. 96, 517–19 Market Street, Parkerburg, W. Va.; effective 7–13–63 to 3–31–64 (variety store; 10 employees).

Rose's 5–10–25¢ Store, 133–139 Washington Street, Suffolk, Va.; effective 7–11–63 to 3–31–64 (variety store; 24 employees).

REGION XI

Eagle Stores Co., Inc., 5613 Rivers Avenue, Palmetto Shopping Center, Charleston Heights, S.C.; effective 6–10–63 to 3–31–64 (variety store; 18 employees).

W. T. Grant Co., No. 44, 418 Third Street, Macon, Ga.; effective 6–11–63 to 3–31–64 (variety store; 38 employees).

Harris Super Market, Inc., 2077 Roosevelt Highway, College Park, Ga.; effective 6–10–63 to 3–31–64 (food store; 21 employees).

Harris Super Market, Inc., 874 East Cleveland Avenue, East Point, Ga.; effective 6–10–63 to 3–31–64 (food store; 26 employees).

S. H. Kress and Co., 400 Clematis Street, West Palm Beach, Fla.; effective 6–10–63 to 3–31–64 (variety store; 56 employees).

S. H. Kress and Co., 1634 East Broadway, Ybor City, Fla.; effective 6–10–63 to 3–31–64 (variety store; 26 employees).

S. H. Kress and Co., 1508 Main Street, Columbia, S.C.; effective 6–10–63 to 3–31–64 (variety store; 67 employees).

S. H. Kress and Co., 27 South Main Street, Greenville, S.C.; effective 6–10–63 to 3–31–64 (variety store; 56 employees).

S. H. Kress and Co., 311 Main Street, Greenwood, S.C.; effective 6–10–63 to 3–31–64 (variety store; 37 employees).

McCrory-McLellan-Green Stores Corp., 219–23 South Andrews Avenue, Fort Lauderdale, Fla.; effective 6–10–63 to 3–31–64 (variety store; 27 employees).

McCrory-McLellan-Green Stores No. 244, 301–11 Central Avenue, Winter Haven, Fla.; effective 6–19–63 to 3–31–64 (variety store; 46 employees).

McCrory-McLellan-Green, No. 159, 110–116 North Broad Street, Bainbridge, Ga.; effective 6–10–63 to 3–31–64 (variety store; 19 employees).

McCrory-McLellan-Green, No. 164, 112–114 Laurens Street, Aiken, S.C.; effective 6–11–63 to 3–31–64 (variety store; 31 employees).

McCrory-McLellan-Green, 1546 Main Street, Columbia, S.C.; effective 6–11–63 to 3–31–64 (variety store; 42 employees).

McCrory-McLellan Stores, 145 East Main Street, Spartanburg, S.C.; effective 6–12–63 to 3–31–64 (variety store; 28 employees).

Rose's 5–10–25¢ Store, No. 80, Milledgeville, Ga.; effective 6–10–63 to 3–31–64 (variety store; 15 employees).

Rose's 5–10–25¢ Stores, Inc.; 1815 Watson Boulevard, Warner Robins, Ga.; effective 6–10–63 to 3–31–64 (variety store; 34 employees).

Rose's, Inc., 1001 Broad Street, Camden, S.C.; effective 6–13–63 to 3–31–64 (variety store; 23 employees).

Rose's 5–10–25¢ Store, No. 2, 1246–1250 Carolina Avenue, Hartsville, S.C.; effective 6–10–63 to 3–31–64 (variety store; 16 employees).

NORTH CAROLINA

Eagle Stores Co., Inc., No. 5, 12–14 East First Street, Newton, N.C.; effective 6–12–63 to 3–31–64 (variety store; 10 employees).

McCrory-McLellan-Green, 254–258 North Front Street, Wilmington, N.C.; effective 6–27–63 to 3–31–64 (variety store; 32 employees).

Rose's 5–10–25¢ Stores, Inc., No. 50, 206–208 North Queen Street, Kinston, N.C.; effective 7–2–63 to 3–31–64 (variety store; 31 employees).

Rose's Stores, Inc., Main Street, Roxboro, N.C.; effective 7–6–63 to 3–31–64 (variety store; 19 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 10th day of July 1963.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 63–7569; Filed, July 17, 1963; 8:55 a.m.]

INTERSTATE COMMERCE COMMISSION

[Sec. 5a, Application 4, Amdt. 4]

MOVERS' & WAREHOUSEMEN'S ASSOCIATION OF AMERICA, INC.

Application for Approval of Amendments to Agreement

JULY 15, 1963.

The Commission is in receipt of an application in the above-entitled and numbered proceeding for approval of amendments to the agreement therein approved under the provisions of section 5a of the Interstate Commerce Act.

Filed: June 27, 1963, as supplemented July 9, 1963 by: Zelby & Burstein, 160 Broadway, New York 38, N.Y.

Amendments involved: Change the bylaws so as to limit membership in the association to motor common carriers of household goods whose annual gross revenue does not exceed thirty million dollars.

The application may be inspected at the office of the Commission in Washington, D.C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-7571; Filed, July 17, 1963; 8:55 a.m.]

[Notice 835]

MOTOR CARRIER TRANSFER PROCEEDINGS

JULY 15, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 65773. By order of July 10, 1963, the Transfer Board approved the transfer to Francis L. Lenza Corporation, doing business as Bern-Marts Express Company, Wilmington, Del., of Permit in No. MC 113856, issued September 24, 1954, to Anthony F. Martine, doing business as Bern-Marts Express, Minquadale, New Castle County, Del., authorizing the transportation of: Electrical appliances, sound equipment, household equipment and appliances, and musical instruments, uncrated and parts of the described commodities, in retail delivery service, from Wilmington, Del., to points in Cecil County, Md., Chester and Delaware Counties, Pa., and Cumberland, Salem, and Gloucester Counties, N.J., located within 25 miles of Wilmington, and returned shipments of the above-commodities and shipments taken in trade, on the return. John H. Derby, 2122 Cross Road, Glenside, Pa., representative for applicants.

No. MC-FC 65823. By order of July 10, 1963, the Transfer Board approved the transfer to R. B. Colby Co., Inc., Stoneham, Mass., of the operating rights of Edward Borenstein, doing business as R. B. Colby, Stoneham, Mass., as described in its BMC 75 statement in Docket No. MC 99121, authorizing service in the State of Massachusetts. Bert Collins, 140 Cedar Street, New York 6, New York, attorney for applicants.

No. MC-FC 65841. By order of July 5, 1963, the Transfer Board approved the transfer to Atlantic Motor Tours, Inc., Bridgeton, N.J., of Certificates in Nos. MC 2353 (Sub No. 11) and MC 2353 (Sub No. 12), issued December 19, 1960, and July 29, 1960, respectively, to Monumental Motor Tours, Inc., Baltimore, Md., authorizing the transportation of: Passengers and their baggage, and newspapers in the same vehicles with passengers, Between Bridgeton, N.J., and Wildwood, N.J., between Wilmington, Del., and Atlantic City, N.J., between Pennsville, N.J., and Wilmington, Del., between Pennsville, N.J., and Richland, N.J., between Wilmington, Del., and Garden State Race Track, and between Wilmington, Del., and Pimlico Race Course, Baltimore, Md.: Some of the above routes are restricted as to seasons. S. Harrison Kahn, 733 Investment Building, Washington, D.C., attorney for applicants.

No. MC-FC 65859. By order of July 10, 1963, the Transfer Board approved the transfer to Bramcote Cartage, Inc., Stowe, Pa., of Certificate in No. MC 116811, issued November 27, 1957, to Frank Russo, doing business as Russo Motor Express, Camden, N.J., authorizing the transportation of: Household goods, between points in Pennsylvania on U.S. Highway 30, between Philadelphia and Malvern, including Philadelphia and Malvern, on the one hand, and, on the other, points in New York, New Jersey, Delaware, and Maryland. Christian V. Graff, Esq., 407 North Front Street, Harrisburg, Pa., attorney for applicants.

No. MC-FC 65996. By order of July 11, 1963, the Transfer Board approved the transfer to Albee Trucking Company, Inc., Wolfeboro, N.H., of Certificate in No. MC 4073 (Sub No. 2), issued September 11, 1958, to Carl Edwin Kelton, doing business as C. E. Kelton Motor Transportation, White River Junction, Vt., authorizing the transportation of: Household goods, as defined by the Commission, between points in Windsor County, Vt., on the one hand, and, on the other, points in Connecticut, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont; between points in New Hampshire and Vermont, on the one hand, and, on the other, points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont; between points in New Hampshire and Vermont, on the one hand, and, on the other, points in Delaware, Maryland, Pennsylvania, Virginia, and the District of Columbia; between Kittery, Maine, and Portsmouth, N.H., on the one hand, and, on the other, points in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont; between points in Rockingham County, N.H., on the one hand, and, on the other, points in Connecticut, Massachusetts, Rhode Island, and Vermont. Andre J. Barbeau, 795 Elm Street, Manchester, N.H., attorney for applicants.

No. MC-FC 66080. By order of July 10, 1963, the Transfer Board approved the transfer to Owens Bros. Transfer & Storage, a corporation, Santa Cruz, Calif., of Certificate in No. MC 39499, issued November 26, 1957 to Linnie Jouett, doing business as Owens Bros. Transfer & Storage, Santa Cruz, Calif., authorizing the transportation of household goods, over irregular routes, between Santa Cruz, Calif., on the one hand, and, on the other, points within 25 miles of Santa Cruz; and between points in Santa Cruz, Calif. Frank Loughran, 100 Bush Street, San Francisco 4, Calif., attorney for applicants.

No. MC-FC 66083. By order of July 10, 1963, the Transfer Board approved the transfer to Ted's Towing Service, Inc., Baltimore, Md., of Certificate in No. MC 125030, issued April 5, 1963, to Tilden J. Kopp, doing business as Ted's Towing Service, Baltimore, Md., authorizing the transportation of wrecked and disabled motor vehicles (except passengers automobiles), and replacement truck tractors both by use of wrecker equipment only, over irregular routes, between points in North Carolina, Virginia, West Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, and Washington, D.C. Donald E. Freeman, 172 East Green Street, Westminister, Md., representative for applicants.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-7572; Filed, July 17, 1963; 8:56 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 15, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 38430: *Substituted service—Soo Line for Midwest Haulers, Inc.* Filed by Midwest Haulers, Inc. (No. 46), for itself and interested carriers. Rates on property loaded in trailers and transported on railroad flat cars, between Chicago, Ill., and Minneapolis, Minn., on traffic originating at or destined to such points or points beyond as described in the application.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 11 to Midwest Haulers, Inc., tariff MF-I.C.C. 25.

FSA No. 38431: *T.O.F.C. service—glass from and to southwestern territory.* Filed by Southwestern Freight Bureau, Agent (No. B-8416), for interested rail carriers. Rates on glass, as described in the application, loaded in or on trailers and transported on railroad flat cars, be-

tween points in Illinois, Iowa, Minnesota, and Wisconsin, also Aberdeen, S. Dak., on the one hand, and points in southwestern territory, on the other.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 58 to Southwestern Freight Bureau, Agent, tariff I.C.C. 4480.

FSA No. 38432: *T.O.F.C. service—class rates from and to southern territory.* Filed by O. W. South, Jr., Agent (No. A4351), for interested rail carriers. Rates on various commodities moving on class rates, loaded in or on trailers and transported on railroad flat cars, between points in southern territory, on the one hand, and points in official (including Illinois), on the other.

Grounds for relief: Motor-truck competition.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 63-7573; Filed, July 17, 1963; 8:56 a.m.]

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PART II

THE NATIONAL ARCHIVES OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 28 NUMBER 139

Washington, Thursday, July 18, 1963

Federal Communications Commission

Radio Broadcast Services and Commercial Radio Operators; Amendments

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 14661; FCC 63-644]

PART 3—RADIO BROADCAST SERVICES

Memorandum Opinion and Order Regarding Automatic Logging Devices

1. The Commission has before it petitions filed March 27, 1963, by the Radio Corporation of America (RCA), the National Association of Broadcasters (NAB), and Richard Tuck Enterprises, et al., requesting reconsideration of a Commission Report and Order (FCC 63-184) adopted February 20, 1963, in Docket No. 14661, RM-227, amending the Commission rules with regard to information which must be logged and providing for the use of logging devices to record automatically certain information required by the operating log rules. The petitions are directed mainly at four of the topics treated in that document. Two of these topics deal with the operating log, and involve rules pertaining to (1) logging as it pertains to devices recording parameters in sequence, and (2) the logging of the value of antenna current. The other two relate to the maintenance log and have to do with (1) the value of such a log, and (2) the transmitter inspection requirement.

2. Various petitions for reconsideration, supporting statements, and letters were not timely filed but contained helpful matter which convinces us that they should nevertheless be made part of the record since we believe it in the public interest to do so and no party will be prejudiced thereby. These documents and the parties filing them are: "Supporting Statement in Response to Petition for Reconsideration," Storer Broadcasting Company; "Statement in Support of Petition for Reconsideration of NAB," WXVA Broadcasting Corporation; "Petition for Reconsideration" and "Petition for Modification of Rule Making Report and Order," Pacific FM, Inc.; "Comments in Support of Petition for Reconsideration," KLMA Broadcasting Corp.; "Comments in Support of Petition for Reconsideration," Corn Belt Publishers, Inc.; "Petition for Relief," American Broadcasting Company; "Comments in Support of Petition for Reconsideration," Cleveland Broadcasting, Inc.; "Comments of Hagerstown Broadcasting Company," Hagerstown Broadcasting Company; "Comments of WEOK-FM," Hudson Valley FM, Inc.; letters from A. Earl Cullum, Jr., Consulting Engineers; Hamilton College; Elmira College; Morton S. Brewer; Foothill Broadcasting Corp.; KSFR, Inc.; Radio Corning, Inc.; Stations KEAR, KEBR, KCTI, KNOB, KTFI, KXGI, and WIKB; and the National Association of Broadcast Employees and Technicians. These documents urged various points, many but not all of which were mentioned in timely filed documents. These points were given consideration in the present Memorandum Opinion and Order or at various stages of the proceeding. Some of the points urged were: Require weekly rather than daily inspections five times per week. Make effective immediately the five-time-per-week inspection previously adopted herein. Delete the inspection requirement. Relax the inspection requirement in extreme hardship cases. Delete the inspection requirement for noncommercial educational FM broadcast stations operating with authorized transmitter power output of 10 watts or less. Relax the requirement for logging certain information every thirty minutes. Type accept remote control equipment and require only weekly transmitter inspections. See also footnote 2.

Devices recording parameters in sequence. 3. The petition of RCA concerns itself with two technical items and will be disposed of first. As pointed out by petitioner, new §§ 3.113(b)(5), 3.283(b)(5), 3.583(b)(5) and 3.671(b)(5) require that automatic devices "which record each parameter in sequence must read each parameter at least once during each 10-minute period." The intent of these sections of the Rules was to insure that the alarm circuits were sampled at sufficient intervals to indicate to the operator any deviation beyond permissible tolerance. Petitioner states "that some automatic logging systems record sequentially and provide alarm continuously" thus meeting the intent of the Commission's rule. RCA suggests that the above-mentioned sections be modified to read as follows: "Unless the alarm circuit operates continuously, devices which record each parameter in sequence must read each parameter at least once during each 10-minute period and clearly indicate the parameter being recorded." We believe the suggestion offered clarifies the intent of the pertinent sections and the Appendix appearing below contains the amendment suggested.

Logging of value of antenna current. 4. RCA also notes, as do NAB and Storer, that § 3.113 requires the logging of the value of antenna current, or appropriate sample thereof, without modulation. As we explained in paragraph 8 of the Report and Order, the value of antenna current to be logged is the value without modulation for this is the value appearing on the station license, the value to be maintained, and the value upon which the allocation structure is based. NAB states that during manual operation it is possible to log antenna current during slight pauses in the normal course of programming but that stations using certain types of automatic logging equipment will have difficulty since the equipment will log a value at a certain instant whether or not modulation is present. This statement pinpoints the problem involved and explains why we provided that antenna current readings be without modulation. Automatic devices which log antenna current with modulation could, in many instances, indicate operation in violation of the rules and the terms of the station authorization when, in fact, such is not the case. As we stated before, the problem is not without solution, in spite of the difficulty involved. Our belief is buttressed by the comments of RCA in its petition for reconsideration. Therein, petitioner states "that a practical solution is to use a transducer which converts the radio-frequency current to direct current and does not respond to modulation." It is suggested by RCA that § 3.113 be amended to provide for this as one acceptable solution by the addition of the following: "* * * or with modulation if the reading does not respond to modulation." The Appendix appearing below contains this change.

5. Storer in its statement expresses concern that when readings are taken without the use of automatic logging equipment during a pause in programming, an argument could arise as to the exact moment at which no modulation occurs and that stations could be penalized unless definite "dead air" times are scheduled. Such pre-scheduled times would, in the opinion of Storer, be a direct injury to the station. The request is made that the words "without modulation" be deleted or that a clarifying statement be issued to the effect that the Commission does not "require the scheduling of 'dead air' but merely that the operator choose a time between sentences or during other natural pauses where the modulation is such a low value that the meter indication is essentially the same as at carrier level alone."

6. Upon re-examination, we do not believe our requirement to be an unreasonable one. We have established the need for logging values of antenna current without modulation. Moreover, we do not believe a real problem exists, so long as our intention is understood. We recognized that, because of the ballistics of antenna current meters, it may take three or four seconds for a meter to settle from a modulated value to an unmodulated value after modulation ceases. To the extent that these three or four seconds may be construed as requiring "dead air time," this is an unfortunate but necessary requirement. We believe that, in most instances, there are natural pauses during programming which are of sufficient duration to enable the operator to read a value without modulation or a value which "is essentially the same as the carrier value alone." In those few instances where such natural pauses may be lacking, we believe that they must be provided for.

7. Some licensees and consulting engineers have suggested that confusion exists concerning the frequency of readings required by §§ 3.113(a)(3), 3.283(a)(3), 3.583(a)(3) and 3.671(a)(3) of the rules adopted herein. Previously, the rules had required that certain readings be logged "each thirty minutes." As explained in the Report and Order in this proceeding, we attempted by the wording of the above-numbered sections to make it clear that readings are not required precisely on the hour and half-hour. Hence, we provided that readings be made at the beginning of operation and at intervals not to exceed one-half hour. The complaint we now receive is that in some instances it will be necessary to begin the meter readings at a lesser interval, e.g., 20 minutes, to insure that all readings are completed within the 30-minute allowed elapsed time. It is sug-

gested that we provide that measurements be made at 30-minute intervals with a tolerance of 5 minutes. We do not intend that the wording of the new rule result in a change of policy in this area. The wording of the former rule requiring readings "each thirty minutes" did not provide a five minute tolerance. We believe that if the logging procedure is begun approximately 30 minutes or less from the start of the previous logging procedure and completed with reasonable dispatch, no confusion should result.

Maintenance log. 8. NAB in its petition reiterates previous comments supporting the concept of a maintenance log. The petition of Richard Tuck Enterprises, et al., however, opposes such a log as unnecessary paper work. The latter objection may be rejected on the ground that the main purpose of the maintenance log is to provide a place for the many entries required by the rules on an occasional basis. In the past, it has been necessary to clutter the operating log with this occasional information thus making it difficult to keep a clear and concise record of equipment maintenance. With the effectiveness of the new rules, the repetitive information concerning station operation (e.g., half-hourly readings of voltage, current and frequency) will appear in the operating log while the information relative to equipment maintenance and the information required to be logged on an occasional basis will appear on the maintenance log. It is our belief that this procedure will be of great benefit to all concerned.

Daily inspection of transmitting equipment. 9. We come now to the new requirement that a station operator holding a radiotelephone first-class operator's license (or lesser grade license at certain noncommercial educational FM broadcast stations) at each standard and FM broadcast station make a daily inspection of all transmitting equipment. In petitions for reconsideration, NAB and Richard Tuck Enterprises, et al., oppose this requirement. Their position is supported by the statement of WXVA Broadcasting Corporation and by others. For a proper understanding of the occurrences which led to the adoption of this daily inspection requirement it is necessary to review certain historical events.

10. On June 4, 1952, the Commission released a notice of proposed rule making in Docket No. 10214 relating to amendment of Parts 3 and 13 of the rules and regulations. This notice set forth the request of the National Association of Radio and Television Broadcasters for amendment of the Commission rules to permit both the use of lesser grade operators and for remote control of certain types of stations. In our Report and Order in this proceeding (9 Pike and Fischer, RR 1501, 1506) we discussed the desirability and prime importance of preventive maintenance, the necessity for observation and "sniffing out" trouble by the experienced technician, and the reliance on the chief engineer for any significant repair. The wording, in part, of §§ 3.93, 3.265 and 3.565 which resulted from this proceeding is as follows:

(c) The licensee of a station which is operated by one or more operators holding other than a radiotelephone first-class operator license shall have one or more operators holding a radiotelephone first-class operator license in regular full-time employment at the station whose primary duties shall be to effect and insure the proper functioning of the transmitting equipment.

11. The considerable increase in violations of our technical rules which has occurred during the ensuing years as evidenced by (1) our need to levy fines, (2) the number of violation notices issued, and (3) the number of renewal applications on which action is withheld for technical difficulties, makes it obvious to us that insufficient time is being devoted to the proper technical operation of standard and FM broadcast stations. We were, in fact, compelled by events to issue on April 29, 1960, a Public Notice (No. 87794) calling attention to the lack of technical compliance in the broadcast area and the need for corrective measures. Subsequent events convince us that the situation has not improved. For example, a study of the processing of applications for renewal of broadcast facilities during 1962 indicates that letters were written to approximately 25 percent of the applicants calling attention to technical problems which were revealed by the application itself.

12. We do not believe that the basic flaw is with our decision in 1953 to reduce the operator requirements or to permit remote control.[1] Rather, as it relates to the classes of stations involved, the difficulty in part appears to be the miscontruing of the operator rules to require only that someone with a radiotelephone first-class operator's license (or lesser grade license at certain noncommercial educational FM broadcast stations) be on the payroll for 40 hours a week, regardless of the duties which he is assigned. In many instances this operator's primary duties are announcing, sales, management, etc., and only occasional time (if any) is available for engineering maintenance duties. This interpretation is obviously in violation of the operator rules and our intention as stated in the aforementioned Report and Order (Docket No. 10214) that the radiotelephone first-class operator "have ample opportunity to detect difficulties and engage in preventive maintenance, and be readily available at all times for necessary repair work." It was contemplated by our action that each standard and FM broadcast station licensee would impose upon the one remaining first-class operator the responsibility for the technical operation of the station and would assign to him no other duties which would in any way restrict his ability to satisfy this responsibility.

13. In our notice of proposed rule making (FCC 62–609) in the instant proceeding, released June 8, 1962, we again indicated our concern with the carelessness with respect to operating requirements and equipment performance standards and proposed that at each standard and FM broadcast station the supervising first-class operator (or lesser grade supervising operator at certain noncommercial educational FM broadcast stations) make a daily inspection of all transmitting equipment and enter a signed statement in the maintenance log that the inspection had been made, noting in detail the repairs and maintenance work which were accomplished in order to insure that the station was operating in accordance with Commission rules and the station license. A few comments were received in opposition to this proposal as being expensive and unnecessary. More comments were received, however, objecting to a daily inspection when the chief engineer is normally employed only five days a week. Accordingly, the rule which we adopted required an inspection of the transmitting equipment only five days a week.[2]

14. In its petition, NAB indicates its appreciation of the Commission's desire to uplift performance standards and the importance of having adequate supervision of the transmitting facility. They express doubt, however, that a daily inspection requirement is necessary for adequate supervision or that it will necessarily result in improved technical performance. We, however, have the hope and belief that conscientious adherence to the terms and intent of this rule can and will improve considerably the technical performance of the great majority of licensees who are now operating in a manner other than as authorized. We intend to study closely for the next year the expected improvement in technical performance as a result of the adoption of this new requirement. If experience under the new rule reveals that fewer inspections per week are adequate for the proper technical operation of AM and FM broadcast stations, we shall then entertain the possibility of a relaxation of the rule reflecting this experience.

15. NAB surmises that the requirement for daily visits was brought about by the belief that some stations fail to employ a first-class operator on a full-time basis, and suggests that means are available "to punish the miscreant few other than by the imposition of sweeping requirements for the innocent many." Further, they note: "Compliance with outstanding operator regulations is best insured by on-the-spot inspections buttressed by the adoption of a definitive maintenance

[1] In a report and order adopted today in Docket No. 14746, we have adopted rules permitting certain standard and FM broadcast stations of lesser power to employ radiotelephone first-class operators (and lesser grade operators at certain noncommercial educational FM broadcast stations) on a part-time rather than full-time basis, such operators to be available to perform maintenance duties required under the rules. These new rules were accompanied, however, by other rules adopted in that docket which raise the minimum operator requirements for such stations, and were promulgated with an awareness of the inspection requirements adopted in the instant docket.

[2] In comments filed July 8, 1963, the National Association of Broadcast Employees and Technicians urged the Commission to adopt a 7-day-per-week inspection requirement as originally proposed in the Notice herein. For the reasons stated in the Report and Order adopted in the instant proceeding, on February 20, 1963, we adhere to the 5-day-per-week inspection.

program verified to by the first-class ticket holder." As we have previously stated, the problem of technical compliance does not involve "the miscreant few," for is such were the case we have adequate procedures to cope with such numbers. But when non-compliance becomes more widespread, the public interest requires that we determine the steps which are necessary to insure improvement. The problem appears to us to be one in which a first-class operator is not provided suffiicent time to accomplish his primary duty—insuring proper technical operation. Nor will on-the-spot inspections cure the problem if sufficient maintenance time is not provided. This will only result in additional violation notices being issued. We agree wholeheartedly with NAB, however, in its statement that compliance can be insured by a definitive maintenance program. This is the very step we seek to accomplish by the daily inspection.

16. In their petitions, NAB and Richard Tuck Enterprises, et al., raise the problem of the impact of the daily inspection on all stations operating by remote control. NAB states that the inspection requirement creates transportation and personnel problems which they believe would be not only burdensome but unnecessary to adequate technical performance. They state that in many instances, because of the distance involved, the first-class operator would be taken away from the duties he now performs at the remote control point. WXVA Broadcasting Corp. in its supporting statement comments that its transmitter site is in an apple orchard, and, during many days of the year when there is snow, mud, or apple growing activity, the transmitting facilities are relatively inaccessible. They further state that: "It is usually the better equipped and better maintained stations that are using remotely operated transmitter facilities" but submit no evidence to support this statement. The petition of Richard Tuck Enterprises, et al., states: "Most of the equipment is remarkably stable and has been for many years and this the Commission knows from the thousands of logs that are submitted to it year in and year out so that the engineer who has other matters to claim his attention, which are somewhat more important, will find much of this time wasted in traveling to and from the transmitter for no useful purpose."

17. We fully recognize the impact of the new rule on existing AM and FM stations, but do not believe, in the great majority of cases, that the burden will be as great as petitioners imply—if the stations are now complying with the present rule requiring that the operator holding a first-class license has as his primary duty that of effecting and insuring the proper functioning of the transmitting equipment. Henceforth, the new rule will insure that he is spending a certain amount of his time each day inspecting all the equipment to assure operation in accordance with the rules and the instrument of authorization.

18. We are not blind to the fact, however, that situations will arise wherein certain FM stations will find strict compliance with the rule almost impossible to meet. For example, this would be true of transmitters located in rugged, isolated, mountainous terrain during snowstorms or other severe weather when roads are impassible. For those FM stations which can demonstrate the impossibility of complete compliance because of unusual terrain and weather factors we shall entertain requests for waiver when supported by a showing of the number of inspections per week which can be made, the maintenance program which has been instituted to insure proper operation, and a record of continued compliance with Commission rules. The possibility of waiver is not anticipated for AM stations because such terrain factors are not expected to arise. The rules (§ 3.188) recommend the selection of AM transmitter sites in low areas with marshy soil and the avoidance of hilltop sites. Further, since remote meters must be calibrated against the main meters a minimum of once a week, it is expected that transmitting equipment would be readily accessible.[3]

19. Hamilton College and Elmira College, each of which operates an FM station with power of 10 watts or less, cite the fact that they are not now required to have a licensed operator employed on a regular basis and that the requirement of a daily inspection would impose such a requirement. Further, the correspondence notes that stations of this type are not required to have monitors and other accessory equipment which would require inspection. On the basis of the information we have received, we conclude that the inclusion of noncommercial educational FM broadcast stations of 10 watts or less in the category of stations requiring daily inspection is unnecessary and results in an unreasonable burden on the stations. We accordingly amend the inspection rules to except this type of station.

20. The petition of Richard Tuck Enterprises, et al., raises three other points not previously disposed of. First, the claim is made that present day transmitting equipment is quite stable. No engineering evidence is submitted to support this statement nor is the term "stability" defined. The question with which we are concerned is not, however, directly related to transmitter stability, but rather with operation in compliance with existing rules. The evidence we have cited establishes, we believe, that many stations are not devoting sufficient time to assuring operation in compliance with the technical rules. Second, petitioners claim that it will be necessary to hire a second engineer to comply with the rule—one to work forty hours a week at the station, and a second to make the daily visit. We cannot arrive at petitioners' conclusion except in those instances where the engineer's duties at the remote control point are of a nature (announcing, managing, etc.) which preclude his fulfilling his duties as a maintenance engineer. Only in the event that he is presently devoting at least 40 hours per week to maintenance of the transmitting equipment would additional assistance be required. Third, petitioners appear to place the burden upon the Commission and the operators holding a radiotelephone first-class license for stations which fail to comply with the Commission's technical requirements.

21. As to this we must point out that it is the licensee who must assume the responsibility, finally, for the proper operation of its station. This is a responsibility it accepts with a license. If technical responsibility is delegated, then it must assure itself that the responsibility is well placed by the proper selection of technical personnel. Notwithstanding this, however, we do not overlook the fact that we now require a radiotelephone first-class operator to enter a signed statement that the required inspection has been made and noting in detail the repairs and maintenance work which were accomplished in order to insure operation in accordance with the provisions of Commission rules and the current instrument of authorization. False statements in this regard will be considered in the same vein as any false information submitted to the Commission.

22. We note that in the inspection rule adopted herein we did not restrict the inspection requirement to those stations operating by remote control or using lesser grade operators because the evidence cited above indicates technical problems in all classes of stations where insufficient time is devoted to engineering maintenance. In this connection it is pointed out that in our notice of proposed rule making (FCC 62–874) released in Docket No. 14746 on August 2, 1962, pertaining to operator requirements for standard and FM broadcast stations, an inspection requirement was also proposed. However, in that docket the proposal was applicable only to stations permitted to utilize other than radiotelephone first-class operators for routine operation of the transmitter. A report and order adopted today in Docket No. 14746 states that no inspection rule is adopted therein in view of the broader inspection requirements applicable to all standard and FM broadcast stations adopted in the report and order in the present proceeding and reaffirmed in the instant memorandum opinion and order.

23. It has been called to our attention that there is some question as to what constitutes an inspection under the new rules. To eliminate doubt, we are modifying the inspection rules adopted in our report and order (FCC 63–184) released February 25, 1963, herein. The modification does not mention every detail necessary for a satisfactory inspection, but does suggest some of the acts which we deem necessary to a good inspection. We are also modifying those rules to require that the logging entry reflecting the inspection activity indicate the time spent in the actual inspection as opposed to travel time to and from the transmitter.

24. Certain editorial changes are also being made in the aforementioned inspection rules for purposes of clarifica-

[3] Pacific FM, Inc. has suggested that the Commission give consideration to type accepting remote control equipment and requiring only a weekly inspection of transmitters. The Commission may at some future date consider the question of type accepting remote control equipment.

tion and consistency. As an example of the latter, it is noted that the present inspection (and inspection logging) rules appear under the sections dealing with maintenance logs. We believe it more appropriate to deal only with logging requirements in those sections and to deal with the actual inspection requirements under the sections of the rules (§§ 3.93, 3.265, 3.565) dealing with operating requirements for standard and FM broadcast stations. Thus, in the appendix below, the inspection logging provisions are retained in §§ 3.114(e), 3.284(g), and 3.584(g) while the provisions which require daily inspection are removed from those sections and added to §§ 3.93, 3.265 and 3.565 in the form of a new paragraph (e) in each of those sections.

Order. 25. Authority for the adoption of the amendments herein is contained in sections 4(i), 303(j) and 405 of the Communications Act of 1934, as amended. Since the amendments adopted herein are editorial in nature and constitute a relaxation of the rules adopted in the report and order in this proceeding which are effective July 18, 1963, compliance with the effective date provisions of section 4 of the Administrative Procedure Act is not required.

26. In view of the foregoing: *It is ordered,* That effective July 19, 1963, Part 3 of the Commission rules and regulations is amended in accordance with the appendix below.

27. *It is further ordered,* That the petitions for reconsideration listed in paragraph 1, and the requests made in petitions for reconsideration and other documents listed in paragraph 2 of this memorandum opinion and order are granted insofar as they are consistent with the changes effected by the appendix below, and in other respects are denied.

(Secs. 4, 303, 405, 48 Stat. 1066, 1082, 1095, as amended; 47 U.S.C. 154, 303, 405)

Adopted: July 10, 1963.

Released: July 15, 1963.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

Part 3 of the Commission rules is amended as follows:

1. In § 3.93, add a new paragraph (e) as follows:

§ 3.93 Operator requirements.

* * * * *

(e) At all standard broadcast stations, a complete inspection of all transmitting equipment in use shall be made by an operator holding a valid radiotelephone first-class operator license (whether employed full time or on a part-time contract basis) at least once each day, 5 days each week, with an interval of no less than 12 hours between successive inspections. This inspection shall include such tests, adjustments, and repairs as may be necessary to insure operation in conformance with the provisions of this subpart and the current instrument of authorization for the station.

2. In § 3.113, paragraph (a)(3)(ii), the introductory text of paragraph (a)(4)(i), and paragraphs (a)(4)(ii) and (b)(5) are amended to read as follows:

§ 3.113 Operating log.

(a) * * *

(3) * * *

(ii) Antenna current or common point current (if directional) without modulation, or with modulation if the meter reading is not affected by modulation.

* * * * *

(4) * * *

(i) Antenna base current(s) without modulation, or with modulation if the meter reading is not affected by modulation, for each mode of operation:

* * * * *

(ii) Where there is remote control operation of a directional antenna station, readings for each pattern taken at the transmitter (within two hours of commencement of operation with each pattern) of:

(*a*) Common point current without modulation, or with modulation if the meter reading is not affected by modulation.

(*b*) Base current(s) without modulation, or with modulation if the meter reading is not affected by modulation.

(*c*) Phase monitor sample loop current(s) without modulation or with modulation if the meter reading is not affected by modulation.

(*d*) Phase indications.

* * * * *

(b) * * *

(5) Unless the alarm circuit operates continuously, devices which record each parameter in sequence must read each parameter at least once during each 10-minute period and clearly indicate the parameter being recorded;

3. In § 3.114, paragraphs (e) and (f) are amended to read as follows:

§ 3.114 Maintenance log.

* * * * *

(e) Upon completion of the inspection required by § 3.93(e), the inspecting operator shall enter a signed statement that the required inspection has been made, noting in detail the tests, adjustments and repairs which were accomplished in order to insure operation in accordance with the provisions of this subpart and the current instrument of authorization of the station. The statement shall also specify the amount of time, exclusive of travel time to and from the transmitter, which was devoted to such inspection duties. If complete repair could not be effected, the statement shall set forth in detail the items of equipment concerned, the manner and degree in which they are defective, and the reasons for failure to make satisfactory repairs.

(f) Any other entries required by the current instrument of authorization of the station and the provisions of this subpart.

4. In § 3.265, add a new paragraph (e) as follows:

§ 3.265 Operator requirements.

* * * * *

(e) At all FM broadcast stations, a complete inspection of all transmitting equipment in use shall be made by an operator holding a valid radiotelephone first-class operator license (whether employed full time or on a part-time contract basis) at least once each day, five days each week, with an interval of no less than 12 hours between successive inspections. This inspection shall include such tests, adjustments, and repairs as may be necessary to insure operation in conformance with the provisions of this subpart and the current instrument of authorization for the station.

5. In § 3.283, paragraph (b)(5) is amended to read as follows:

§ 3.283 Operating log.

* * * * *

(b) * * *

(5) Unless the alarm circuit operates continuously, devices which record each parameter in sequence must read each parameter at least once during each 10-minute period and clearly indicate the parameter being recorded;

6. In § 3.284, paragraphs (g) and (h) are amended to read as follows:

§ 3.284 Maintenance log.

* * * * *

(g) Upon completion of the inspection required by § 3.265(e), the inspecting operator shall enter a signed statement that the required inspection has been made, noting in detail the tests, adjustments, and repairs which were accomplished in order to insure operation in accordance with the provisions of this subpart and the current instrument of authorization of the station. The statement shall also specify the amount of time, exclusive of travel time to and from the transmitter, which was devoted to such inspection duties. If complete repair could not be effected, the statement shall set forth in detail the items of equipment concerned, the manner and degree in which they are defective, and the reasons for failure to make satisfactory repairs.

(h) Any other entries required by the current instrument of authorization of the station and the provisions of this subpart.

7. In § 3.565, add a new paragraph (e) as follows:

§ 3.565 Operator requirements.

* * * * *

(e) At all noncommercial educational FM broadcast stations, a complete inspection of all transmitting equipment in use shall be made by an operator holding a valid radiotelephone first-class operator license (whether employed full time or on a part-time contract basis) at least once each day, 5 days each week, with an interval of no less than 12 hours between successive inspections. This inspection shall include such tests, adjustments, and repairs as may be necessary to insure operation in conformance with the provisions of this subpart and the current instrument of authorization for the station: *Provided,* That if the transmitter power output is in excess of 10 watts but not greater than 1 kw, an operator holding a radiotelephone second-

class operator license (whether employed full time or on a part-time contract basis) may perform the required inspection: *Provided, further,* That if the transmitter power output is 10 watts or less, no such daily inspection need be made, although this shall in no way relieve such stations from the duty to operate in conformance with the provisions of this subpart and the current instrument of authorization.

8. In § 3.583, paragraph (b)(5) is amended to read as follows:

§ 3.583 Operating log.

* * * * *

(b) * * *

(5) Unless the alarm circuit operates continuously, devices which record each parameter in sequence must read each parameter at least once during each 10-minute period and clearly indicate the parameter being recorded;

9. In § 3.584, paragraphs (g) and (h) are amended to read as follows:

§ 3.584 Maintenance log.

* * * * *

(g) Upon completion of the inspection required by § 3.565(e), the inspecting operator shall enter a signed statement that the required inspection has been made, noting in detail the tests, adjustments, and repairs which were accomplished in order to insure operation in accordance with the provisions of this subpart and the current instrument of authorization of the station. The statement shall also specify the amount of time, exclusive of travel time to and from the transmitter, which was devoted to such inspection duties. If complete repair could not be effected, the statement shall set forth in detail the items of equipment concerned, the manner and degree in which they are defective, and the reasons for failure to make satisfactory repairs.

(h) Any other entries required by the current instrument of authorization of the station and the provisions of this subpart.

10. In § 3.671, paragraph (b)(5) is amended to read as follows:

§ 3.671 Operating log.

* * * * *

(b) * * *

(5) Unless the alarm circuit operates continuously, devices which record each parameter in sequence must read each parameter at least once during each 10-minute period and clearly indicate the parameter being recorded;

[F.R. Doc. 63-7529; Filed, July 17, 1963; 8:46 a.m.]

[Docket No. 14746; FCC 63-646]

PART 3—RADIO BROADCAST SERVICES

PART 13—COMMERCIAL RADIO OPERATORS

Report and Order Regarding Operator Requirements for Standard and FM Broadcast Stations

1. The Commission has before it for consideration its notice of proposed rule making (FCC 62-874) released on August 2, 1962, and comments filed in response thereto by a number of licensees of standard and FM broadcast stations, broadcast operators, organizations representing broadcast engineers and technicians, and others having an interest in the broadcast industry.[1]

2. As the caption indicates, this proceeding deals with modification of the Commission rules pertaining to operator requirements for standard and FM broadcast stations. More specifically, it pertains to modification of those rules as they relate to non-directional standard broadcast stations with not more than 10 kilowatts power, and FM broadcast stations with no more than 25 kilowatts transmitter operating power output.

3. We shall proceed herein by setting forth in skeleton form the present contents of the sections listed in the caption, by then giving the reasons why it was thought worthwhile to invite comments on possible amendments to those sections, and finally by briefly stating the amendments proposed. Thereafter, we shall discuss the comments received and conclude with our decision based on those comments and on other relevant information.[2]

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[1] Comments were filed on behalf of the following stations, groups and individuals: KMRS, Morris, Minn.; KIZZ, El Paso, Texas; KAVI, Rocky Ford, Colo.; WIKB, Iron River, Mich.; KCRB, Chanute, Kansas; WRWH, Cleveland, Ga.; WWOM, New Orleans, La.; WEJL, Scranton, Pa.; KSPI, Stillwater, Okla.; WECW(FM), Elmira, N.Y.; KITN, Olympia, Wash.; KITI, Chehalis-Centralia, Wash.; KRCW(FM), Santa Barbara, Calif.; KWWL, Waterloo, Iowa; KGMI, Bellingham, Wash.; KMVZ(FM), Santa Barbara, Calif.; WVOG, Coral Gables, Fla.; KMLA, Los Angeles, Calif.; WJLS, Beckley, W. Va.; WENN, Birmingham, Ala.; KINT, El Paso, Texas, et al.; KTHO, Tahoe Valley, Calif.; WEAW, Evanston, Ill.; WGGO, Salamanca, N.Y.; KISD, Sioux Falls, S.D.; WDEC, Americus, Ga.; WMNE, Menomonic, Wis.; KHEN, Henryetta, Okla.; KUSH, Cushing, Okla.; WHEB, Portsmouth, N.H.; WJOY, Burlington, Vt.; WNAE, Warren, Pa.; KRHM, Los Angeles, Calif.; WDOT, Burlington, Vt.; WHTC, Holland, Mich.; WWNY, Watertown, N.Y.; WEAQ, Eau Claire, Wis., et al.; WJNC, Jacksonville, N.C.; WSAY, Rochester, N.Y.; KTEM, Temple, Texas; KSOM-FM, Tucson, Ariz.; WCNL, Newport, N.H.; KPLY, Crescent City, Calif.; L. C. McKenney, Carthage, Mo.; Hawaiian Assn. of Broadcasters; National Assn. of Broadcasters; Robert M. Booth, Jr., John L. Tierney and Joseph F. Hennessey, on behalf of a number of stations; John Creutz and Arthur A. Snowberger; Broadcast Electronics, Springfield, Ill.; Radio and Television Broadcast Engineers, Local 1220, IBEW, Chicago, Ill.; Jesse Campbell Craver, Montgomery, Ala.; Radio Broadcast Technicians and Engineers, Local 253, Birmingham, Ala.; National Assn. of Broadcast Employees and Technicians; International Brotherhood of Electrical Workers; George W. Fellows, Kittery, Me.; Lester R. Keck, Springfield, Ill.; Harold Cobb, Cape Girardeau, Mo.; H. W. Holt, West Hartford, Conn.; West Virginia Broadcasters Assn.; and Union Theological Seminary, Richmond, Va.

[2] Throughout this document, unless otherwise indicated, such terms as "first-class operator," "first-class operator licensee," "third-class operator," "third-class operator permittee," "restricted operator," "restricted operator permittee," or similar operator designations refer to radiotelephone rather than radiotelegraph operators. Thus, for example, "first-class operator" means "radiotelephone first-class operator."

Present contents of §§ 3.93, 3.265 and 3.565. 4. The sections mentioned in the catch line of this paragraph pertain to operator requirements for standard, FM, and noncommercial educational FM broadcast stations, respectively. Each section is divided into four paragraphs—(a), (b), (c), (d)—the contents of which are substantially identical in each section. Briefly, the provisions of these paragraphs are as follows:

(a) One or more radio operators holding a valid first-class operator license shall be in actual charge of the transmitting apparatus of such stations and shall be on duty either at the transmitter location or remote control point. However, this requirement need not be met by stations wishing to take advantage of the provisions of (b) and (c) below.

(b) Standard broadcast stations which are authorized for non-directional operation with a power of 10 kilowatts or less, and FM broadcast stations which are authorized transmitter power output of 10 kilowatts or less, may, with certain exceptions, be operated by persons holding operator licenses other than first class.

(c) However, stations taking advantage of (b) above (i.e., stations using other than first-class operators) are required to have one or more operators holding a first-class operator license in regular full-time employment at the station whose primary duties are to effect and insure the proper functioning of the transmitting equipment.[3]

(d) The licensed operator on duty and in charge of the broadcast transmitter (whether a first-class operator or otherwise) may, at the discretion of the station licensee, be employed for other duties or for the operation of another radio station or stations in accordance with the class of operator's license which he holds and the rules and regulations governing such other stations if such duties do not interfere with the proper operation of the broadcast transmitter.

Present contents of § 13.21. 5. This section consists of a list of eight broad categories, each of which pertains to some aspect of radiotelegraphy or radiotelephony. Questions are drawn from one or more of the categories in preparing written examinations for the different kinds of operator permits or licenses. Sections 13.61 and 13.62 indicate the types of operation in which various operators may engage. Although not mentioned in the caption, the body of

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[3] Exceptions to this requirement are: (a) If a station licensee operates both a standard and an FM broadcast station in the same community, a regular full-time first-class operator or operators employed in connection with one station may concurrently be employed to satisfy the requirement for the other station. (b) In the case of noncommercial educational FM broadcast stations, if the transmitter power output is in excess of 10 watts but not greater than 1 kw, an operator holding a second-class operator license may be on duty and perform the functions required of the first-class operator; or, if the transmitter output is 10 watts or less, a radiotelephone second-class or radiotelegraph first- or second-class operator may be on duty and perform the functions of the radiotelephone first-class operator but need not be in regular full-time employment at the station.

the notice stated that the latter two sections would be amended editorially to reflect the changes made in other sections with which this proceeding deals.

Reasons for proposing to amend the aforementioned sections—Raising minimum operator requirements. 6. Under the rules condensed in paragraph 4 above, certain stations are permitted to utilize the services of other than first-class operators. Consequently, many such stations employ holders of the restricted operator permit—the lowest class of operating authority issued by the Commission. As we stated in the notice, applicants for such permits are merely required to sign a declaration to the effect that they are familiar with the regulatory provisions governing the authority granted under the requested permit and that they understand their responsibility to keep currently familiar with the provisions of the rules. They are not required to demonstrate through examination or otherwise that they do in fact possess the required knowledge. (See § 13.22 of the rules.) As we also stated in the notice, giving numerous examples (of serious violations) from recent inspection reports to substantiate the statements, it has become apparent that holders of restricted operator permits in many cases are not qualified for the duties that must be performed, and that the bare knowledge required of such a permit holder is not adequate for the performance of the tasks that are expected of him at a broadcast station. We ended our observations on this point by noting that it would appear that familiarity with aural broadcast regulations, sufficient skill to read meters accurately, and ability to recognize symptoms of trouble when they occur should be among the minimum requirements for any operator attending a broadcast transmitter.

7. In view of this situation, we stated that corrective action appeared necessary and invited comments on a proposal to raise the minimum operator requirement for routine operation of a transmitter from the holding of a restricted operator permit to the holding of a third-class operator permit. Together with this proposed amendment, we also suggested that a series of questions designed to determine the applicant's qualifications to perform operator duties at a broadcast station be added to the present written examination for the third-class operator permit, that such questions be given only to applicants desiring to qualify for employment at broadcast stations, and that upon successful passing of the entire examination, including the new questions, such applicants should have their permits endorsed to qualify them for broadcast station employment.[4] This increase in the requirements for obtaining a third-class operator permit which would qualify one for employment in a broadcast station was to be reflected in an amendment of § 13.21 which added a ninth category, "Basic Broadcast," from which the aforementioned questions would be drawn, and in appropriate amendments to §§ 13.61 and 13.62 indicating that, to obtain the endorsement for broadcast employment, such third-class permittees must answer additional questions drawn from the ninth category of § 13.21. In addition, it was also proposed to require stations to maintain a program of instruction of lesser-grade operators in transmitter duties.

Daily inspection of transmitter. 8. Although we were of the opinion that the aforementioned raising of the operator requirements for certain standard and FM broadcast stations would serve to correct the serious failure of many such stations to comply with technical operation requirements, we felt that this alone would not be sufficient. For this reason, we also proposed a daily inspection of transmitters of such stations to be performed by a first-class operator, and we listed specific steps to be accomplished in such inspections.

Part-time services of first-class operators at certain standard and FM broadcast stations. 9. As the notice stated, it had been suggested that consideration be given to the possibility of permitting stations to employ first-class operators on a part-time basis so that several stations located in the same general area might be serviced by one such operator who could perform maintenance on a regular schedule and be "on call" to make essential repairs and adjustments or to correct any condition of improper operation which might occur. We were of the opinion that the suggestion might have merit insofar as lesser-powered FM and non-directional standard broadcast stations were concerned if the minimum operator requirements for such stations were raised and if the inspection requirement were adopted as mentioned in paragraphs 6–8 above. Comments were invited on a proposal to permit such part-time employment.

Requests for rule making to permit all FM broadcast stations to use other than first-class operators. 10. As indicated in paragraph 4(b) above, FM broadcast stations which are authorized transmitter power output of 10 kilowatts or less may, with certain exceptions, be operated by persons holding other than first-class operator licenses. In a petition (RM–294) filed by Samuel Miller and Mark E. Fields on behalf of unspecified FM broadcast stations, it was suggested that the rules be amended to remove the 10 kilowatt ceiling and thus permit all FM broadcast stations to use other than first-class operators. However, as we pointed out in the notice, we were willing to invite comments on a proposal to raise the ceiling for FM stations from 10 to 25 kilowatts, but we did not believe that operation of higher powered FM transmitters should be entrusted to the care of non-technical operators. Accordingly, we proposed an appropriate amendment which would permit FM stations operating with not more than 25 kilowatts transmitter output power to use other than first-class operators.

The proposed amendments. 11. As stated previously, §§ 3.93, 3.265 and 3.565 set forth operator requirements for standard, FM, and noncommercial educational FM broadcast stations respectively, and each of these sections is divided into four paragraphs—(a), (b), (c), (d)—which are substantially the same in all of the sections. Paragraph (a) requires all stations except those mentioned in paragraph (b) to have on duty and in actual charge of the transmitter a first-class operator. Paragraph (b) permits non-directional standard broadcast stations with authorized power not in excess of 10 kilowatts, and FM broadcast stations with authorized transmitter power output not in excess of 10 kilowatts to use, with certain exceptions, other than first-class operators; but paragraph (c) states that in such cases there must be at least one first-class operator in regular full-time employment at the stations. Paragraph (d) permits any operator working at a station to be engaged in other duties at the station or elsewhere if this does not interfere with the proper operation of the broadcast transmitter of the station.

12. The proposals on which comments were invited with regard to these sections suggested amendment of paragraphs (b) and (c) with no changes in paragraphs (a) and (d).[5] With regard to paragraph (b), the proposal was to amend that paragraph by permitting FM stations authorized transmitter power output not in excess of 25 kilowatts (instead of 10 kilowatts) to use other than first-class operators, and by raising the minimum operator requirement for routine operation of transmitters of AM and FM stations specified in that paragraph from the holding of a restricted operator permit to the holding of a third-class permit. As for paragraph (c), the suggested amendment consisted of permitting the stations utilizing other than first-class operators in accordance with the provisions of paragraph (b) to employ first-class operators on a part-time contractual basis rather than on a basis of regular full-time employment at the station. It was further proposed that paragraph (c) also be amended to require that a first-class operator employed by such a station—whether on a regular full-time or on a contractual part-time basis—make a daily inspection of the station transmitter. Moreover, it was also proposed to require stations to maintain a program of instruction of lesser-grade operators in transmitter duties.

13. Finally, it was proposed to effect amendments to §§ 13.21, 13.61 and 13.62

[4] We stated that, if these proposals were adopted, stations presently employing restricted operators would have one year from the effective date of the new rules in which to change to third-class operators. See also footnote 7.

[5] The notice did suggest a change in paragraph (a) of § 3.565 which was mainly the result of a proposal to raise certain operator requirements for noncommercial educational FM broadcast stations of transmitter power output of 10 watts or less to the level presently required of noncommercial educational FM broadcast stations of transmitter power output in excess of 10 watts but not greater that 1 kilowatt. (See footnote 3(b).) Consideration of this proposal has led us to the conclusion that such an increase in operator requirements is unnecessary. Hence, the suggested change in paragraph (a) of § 3.565 is not adopted, and that paragraph will remain as it presently appears in the rules.

so as to require that third-class operators wishing to qualify for employment at broadcast stations pass an additional examination covering basic broadcast information.

Comments on the proposals and discussion thereof—Raising minimum operator requirements for routine operation of stations. 14. Parties differed concerning the merits of the proposal to raise the requirement for the routine operation of certain standard and FM broadcast stations from persons holding a restricted operator permit to those holding a third-class operator permit. Those who favored the proposal urged that because of lack of knowledge and proper training, restricted permit holders cannot properly read meters, cannot detect trouble or potential trouble, and have little if any pride in their work or the technical condition of the station. They contended that most of these persons are used as announcers and for other duties (which is permitted by the rules) and perform the operator functions hurriedly as a secondary duty (which is not permitted by the rules). In view of their very limited technical knowledge, it was averred that they cannot be aware of deficiencies or irregularities and cannot determine when it is necessary to call in the first-class operator. Among the matters which it was pointed out may need attention are voltage line fluctuations, tube deterioration, tube failures, failure of components in the cooling system, need for adjustments of the radio frequency power, standing wave ratio measurements, side-band response, modulation percentage, excitation and carrier frequency adjustments, and repair of faulty equipment.

15. Those who opposed raising the minimum operator requirement stated that there is no need for the change since anyone who is properly trained can read the necessary meters and perform the operating duties, that this is not affected by the type of operator license held, that it would be a hardship for stations to send their restricted operators a great distance to take the required written examination, and that it would not improve the standards of operation in any event. Apropos of this, one party suggested that instead of raising operator requirements, a certification be required of the Chief Engineer of the station to the effect that he has instructed and tested the operators in the Commission's regulations and the proper operation of the transmitting equipment. A few parties suggested that the new third-class operator requirement should not apply to stations which continue to employ on a full-time basis operators holding a first-class license.

16. We are inclined to believe that, in view of the numerous technical violations (cited in the notice) at stations operated by other than first-class operators, some corrective action is essential. A reasonable start in this direction appears to be that of raising operator requirements for such stations. Although there is merit in the suggestion that a training program be instituted at stations whereby the Chief Engineer instructs operators in their duties, we view such a step not as a substitute for but as a valuable supplement to the raising of operator requirements from restricted to third-class permits and the adding of questions to written examinations for persons desiring third-class permits which qualify them for employment at broadcast stations. It was with this idea in mind that the proposal in the notice contained, among other things, a suggested requirement to the effect that the licensee must insure that lesser-grade operators are properly trained in their duties. Some of the specific language concerning this proposal stated that "Lesser grade operators, employed for the purpose of operating the station in his [the first-class operator's] absence, shall be thoroughly instructed in their duties and, where necessary, printed step-by-step instructions shall be posted for those transmitter adjustments which the lesser-grade operator is authorized to make."[6]

17. We are also of the opinion that such an upgrading of requirements is essential in all stations using other than first-class operators regardless of whether the stations contract for first-class operators on a part-time basis or continue to employ such operators on a full-time basis. In this connection, it may be noted that the violations referred to above occurred in stations which presently do (and must, under the present rules) have first-class operators in full-time employment. Finally, we do not view the expense incurred in traveling to take a written examination as an overwhelming obstacle, especially in view of the public interest goal of better overall broadcasting results to be obtained through stricter adherence to the Commission rules.[7]

Daily inspection of transmitter. 18. The proposal contained a requirement of a daily inspection, six times a week, of the transmitting equipment of stations utilizing other than first-class operators. The purpose of the suggested rule was to insure conformance with the Commission rules. It spelled out the details of what constituted an inspection, stating that the term was meant to include such tests, adjustments, and repairs as might be necessary to insure operation of the transmitter in conformance with the Commission rules and the instrument of authorization, and a determination that all required indicating instruments were functioning properly. Provision was made for an appropriate entry in the station operating log to reflect the inspection activities. As an adjunct to the inspection requirement, the aforementioned proposed rule requiring that instruction be given to other than first-class operators was included (see paragraph 16 above).

19. Several parties opposed an inspection rule on the ground that it would work a hardship on many stations, especially those with transmitter sites on mountain tops. It was also asserted that inspections would serve no useful purpose, and that they would require additional help or the payment of overtime wages since most persons are employed for a 5-day week. Others asked for exemption of the inspection requirement for stations which have sites at some distances from the studio and where severe winter weather conditions prevail. Opposed to the foregoing views were those who strongly supported the daily inspection proposal on the ground that it would make for improved station operation in accordance with Commission rules.

20. In Docket No. 14661 which deals with automatic logging, we released a Report and Order (FCC 63–184) on February 25, 1963, containing extensive rule changes which were to be effective on April 8, 1963. That date was later extended to May 10, 1963 (Order of Stay, Docket No. 14661, FCC 63–301, released March 29, 1963), then to June 17, 1963 (Order of Stay, Docket No. 14661, FCC 63–441, released May 9, 1963), and then to July 18, 1963 (Order of Stay, Docket No. 14661, FCC 63–567, released June 14, 1963). Among the new rules adopted therein were provisions requiring a daily inspection, five times per week, of transmitters of all standard and FM broadcast stations.

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[6] We believe that such a requirement will contribute greatly to proper station operation and therefore adopt a training proposal herein.

[7] Written examinations will have to be taken by any person wishing to obtain a third-class operator permit endorsed for broadcast station employment, as well as by present third-class permittees wishing to take an examination for the endorsement alone. Because of the administrative action necessary to implement this requirement, there may be some delay before the broadcast endorsement examination is available in the field. The proposal in the notice would have required all new lesser-powered AM and FM stations to use, for routine transmitter operation, the services of third-class operators with broadcast-endorsed permits as of the effective date of the new rules. The aforementioned delay in administering the necessary examinations so soon dictates a temporary amelioration of this requirement. In addition, as indicated in footnote 4 above, our original proposal was to permit all existing AM and FM stations presently authorized to employ restricted operators for routine transmitter operation to continue to do so for a period of one year after the effective date of the new rules, after which time employment of third-class operators with permits endorsed for broadcast station operation was to be required. Because of the fact that violations of the technical rules by existing stations continue to present a serious problem, we believe that a period of one year in which to convert from restricted to higher-grade operators at existing stations is too long. In view of the foregoing, the rules adopted herein require that as of 6 months after the effective date thereof, all (new or existing) lesser-powered stations designated in the new rules shall be required to use, for routine transmitter operation, operators holding not less than third-class broadcast-endorsed permits. During the 6-month interim period, as the new rules indicate, such stations may utilize the services of restricted operators, or of third-class operators without broadcast endorsements. In view of the foregoing, §§ 13.61 and 13.62 of the rules are not being amended to reflect the endorsement requirement in the present Report and Order. At such time as the broadcast endorsement examination is ready for administering in the field, a further order will issue in this proceeding amending those sections accordingly.

21. Petitions for reconsideration subsequently filed in that proceeding, among other things, directed at the inspection requirement comments which were much the same as those filed in the instant proceeding. In a Memorandum Opinion and Order in Docket No. 14661 which we are adopting today simultaneously with the instant Report and Order, we consider in detail those comments, reaffirm our belief in the necessity for inspections, and deny requests that the inspection requirement be deleted.[8] Inasmuch as the topic is dealt with in the other proceeding, and inasmuch as the rule adopted therein requiring daily transmitter inspection of all standard and FM broadcast stations is broader than that which was proposed in the present proceeding (which only proposed daily inspection of transmitters of lower-powered standard and FM stations), we do not herein adopt any inspection requirement.

Utilization of first-class operators on part-time basis—Pro. 22. Among the contentions advanced in favor of this proposal, especially by licensees, were the following. It was stated that it would be an economic boon to stations in small markets and those in the larger markets which operate on a marginal basis. Some believed that the attendant savings could be used to obtain, on a part-time basis, better qualified men, and to improve programming. It was also argued that because of type acceptance requirements and the fact that modern equipment is extremely stable and reliable and does not need constant supervision, regular servicing by a competent engineer would be adequate. Many stressed the shortage of first-class operators resulting from competition from the larger markets and nearby government and industry installations using engineers. Others urged that the proposal should go even further and include stations which use directional antennas, contending that the apparatus used to control directional antenna systems is stable enough to obviate constant supervision.

23. With regard to enforcement problems and the large number of violations of the rules referred to in the notice herein, several parties argued that this is not a question of the number or class of operators required, but rather one of the quality of the persons employed. They maintained that a good and qualified man on a part-time basis would serve the Commission's purposes better than a full-time first-class operator who merely crammed to pass the written examination. They also submitted that a system of penalties for repeated infractions for both management and for individual operators would help to insure station operation in conformance with proper technical standards.

Con. 24. Opponents of the proposal urged that the relaxation in the requirement for a full-time first-class operator would downgrade the technical operation and standards at broadcast stations; that it would be contrary to the objectives of the Commission to improve the operation of stations; that it would lead to greater abuse of the rules and an increase in violations; that better engineering at stations would assure a healthy future for radio; that stations which could not afford adequate engineering help are incapable of providing a reasonable service to the community; that since part-time first-class operators could be employed by several stations and even in other fields, such operators might not be available when needed; and that even if they were available, the pressure of other work might well make them become rubber stamps with regard to maintenance and other functions at broadcast stations. It was also averred that the decrease in the high standards at broadcast stations and the lack of security and of proper instruments and tools have led to a mass removal of qualified engineers and technicians from the broadcast industry, and that relaxation of the first-class operator requirement would remove the training ground for engineers needed to man stations and to serve as a pool of engineers and technicians available in case of national emergency.

25. In addition, some parties contended that previous relaxation of the operator rules has led to increased violations of the technical rules. As evidence they cited the Public Notice (No. 87794) of the Commission issued April 29, 1960, warning stations about improper operation, and the memorandum which the National Association of Broadcasters issued to its member stations on May 6, 1960. One party cited figures from past FCC Annual Reports as follows. In 1954 a total of 533 broadcast station inspections were made and 181 discrepancies were noted. In 1961 a total of 2774 broadcast station inspections were made and 2657 violation notices were issued. Thus the percentage of violations found by station inspections varied from a low of 34 percent in 1954 to a high of 95.7 percent in 1961.[9] Finally, it was alleged that the violation situation is partially caused by the overload (in many cases) of the first-class operators which often makes maintenance work impossible.

Evaluation. 26. We are of the opinion that if the minimum operator requirements are raised as proposed, if the written requirements for third-class operators are stiffened for such operators wishing to qualify for employment in broadcast stations, and if daily inspection of transmitters five times per week is required (see paragraphs 20 and 21 above), sufficient safeguards will exist for the proper operation of standard and FM broadcast stations. Hence, many of the fears concerning deterioration of service voiced by opponents of part-time employment of first-class operators at lesser-powered stations are not likely to materialize. The rule requiring station training of lesser-grade operators should raise their skill in reading meters and in recognizing symptoms of trouble. The new examination questions for a third-class broadcast endorsement should contribute their share toward better qualified employees who can be expected to do a better job of routine operation of a transmitter. And the requirement of a daily inspection by a first-class operator should greatly alleviate the present unhappy violation situation.

27. In this connection, it is emphasized with regard to the fear that part-time engineers might become mere rubber stamps or that they might not be available when needed, that licensees of stations will continue to be expected to observe the conditions of their instruments of authorization and the Commission rules. Contracting with first-class operators for part-time employment in no way relieves them of this responsibility. It is expected that the inspection and the logging entry reflecting such inspection will be carefully made. If it should happen that engineers are not available when needed, the station must take appropriate action, including going off the air if necessary. Such occasions of unavailability of part-time engineers seem not likely to occur frequently. Moreover, some safeguards against such occurrence could be discussed at the time of entering into part-time arrangements.

28. With regard to various other points raised by the parties, the following may be noted: (1) The suggestion that we extend the first-class operator part-time employment provision to directionalized stations is not within the scope of this proceeding. Such a proposal, however, has been made in two recently filed petitions for rule making (RM–413; RM–433) and will be dealt with in response thereto. (2) It is to be hoped that financial savings resulting from the new provision will to some extent aid stations in small markets, and stations operating marginally in larger markets, to render better service and programming to the listening public. (3) It is also hoped that the new provision will ease any situation which might exist as a result of a shortage of first-class operators. (4) Arguments concerning training of new operators and lack of a pool of operators in case of national emergency are too tenuous to bear weight.

29. A question was raised as to whether contracts for the services of first-class operators on a part-time basis need be written. This was our intent in the notice, and the point is clarified in the rules which we adopt herein. In addition, the proposal in the notice required that signed copies of such contracts be on file at the station and at the transmitter or control point. In view of our concern over non-compliance with the technical requirements for station operation, we have, after further consideration, decided that enforcement will be aided if copies of such contracts are also furnished the Commission and the Engineer in Charge of the radio district in which the station is located, and the rules adopted today reflect this thought.

[8] The Memorandum Opinion and Order retains a requirement of daily inspection five times per week, but makes some changes in the rule originally adopted as a result of the Commission's reconsideration.

[9] It should be noted that only one violation notice is issued to a station for rule infractions discovered in the course of an inspection. Sometimes a single notice contains as many as 25 infractions. In addition, it is noted that about 90 percent of the station inspections were of different stations, the remaining 10 percent constituting reinspections of stations previously inspected in the same year.

Request for rule to permit all FM broadcast stations to use other than first-class operators. 30. In the notice we stated that we believed that the operation of higher-powered FM transmitters (above 25 kilowatts transmitter power output) should not be entrusted to the care of non-technical operators. However, we have in the past, with no undesirable results, waived the requirements of the FM operator rules for stations with transmitter output power greater than 10 kilowatts (the present ceiling) but not in excess of 25 kilowatts. In one case, for example, by a small modification the rated output was increased from 10 kilowatts to 15 kilowatts with little change in the stability and reliability of the transmitter. Because of such experiences, we are of the opinion that permitting FM stations with authorized transmitter power output not in excess of 25 kilowatts to use other than first-class operators will not hinder proper station operation.

Order. 31. For the reasons stated above, we are of the opinion that it is in the public interest to adopt the proposals set forth in the notice, subject to changes as mentioned in the preceding discussion and to certain editorial revisions.

32. Authority for the adoption of the amendments herein is contained in sections 4(i), 303 (f), (l) and (r) of the Communications Act of 1934, as amended.

33. In view of the foregoing: *It is ordered,* That effective August 19, 1963, Parts 3 and 13 of the Commission rules and regulations are amended in accordance with the Appendix below.

(Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303)

Adopted: July 10, 1963.

Released: July 15, 1963.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

Parts 3 and 13 of the Commission rules are amended as follows:

1. In § 3.93, paragraphs (b) and (c) are amended to read as follows:

§ 3.93 Operator requirements.

* * * * *

(b) In cases where a station is authorized for non-directional operation with power not in excess of 10 kilowatts, the routine operation of the transmitter may be performed by an operator holding a valid first-class or second-class radiotelephone or radiotelegraph operator license or a radiotelephone third-class operator permit which has been endorsed for broadcast station operation. The operator shall be on duty at the transmitter or authorized remote control point and in actual charge thereof. Until February 19, 1964, routine operation of transmitters of such stations may be performed by persons holding valid radiotelephone operator third-class permits which are not endorsed for broadcast station operation, or valid restricted radiotelephone operator permits. Except at times when the operation of the station is under the immediate supervision of an operator holding a valid radiotelephone first-class operator license, adjustments of the transmitting equipment shall be limited to the following:

(1) Those necessary to turn the transmitter on and off.

(2) Adjustments of external controls as may be required to compensate for voltage fluctuations in the power supply.

(3) Adjustments of external controls to maintain modulation of the transmitter within the prescribed limits.

(4) Adjustments of external controls necessary to effect routine changes in operating power which are required by the station's instrument of authorization.

(5) Adjustments of external controls necessary to effect operation in accordance with a National Defense Emergency Authorization during an Emergency Action Condition.

It shall be the responsibility of the licensee to insure that the person who may be required to perform these tasks as well as to perform other duties (such as reading meters and making log entries) is properly instructed so as to be capable of performing the duties required of him at times when not under the immediate supervision of a radiotelephone first-class operator. Where necessary, printed step-by-step instructions shall be posted for those transmitter adjustments which the lesser grade operator is authorized to make. Should the transmitting apparatus be observed to be operating in any manner inconsistent with this subpart or the current instrument of authorization for the station at any time when an operator holding a valid radiotelephone first-class operator license is not immediately available and none of the above adjustments is effective in correcting the condition of improper operation, the emissions of the station shall be immediately terminated.

(c) If the routine operation of the transmitting apparatus at a standard broadcast station with power of 10 kw or less and nondirectional antenna is performed by an operator other than a radiotelephone first-class operator pursuant to the provisions of paragraph (b) of this section, the licensee shall either employ one or more operators holding a valid radiotelephone first-class operator license as a full-time member of the station staff or, in the alternative, contract in writing for the services on a part-time basis of one or more such operators. The radiotelephone first-class operator or operators shall perform transmitter maintenance and shall be promptly available at all times to correct conditions of improper operation beyond the scope of authority of the lesser grade operator on duty. If such services are on a contract part-time basis, a signed copy of the agreement shall be kept in the files of the station and at the transmitter or control point and shall be made available for inspection upon request by any authorized representative of the Commission. A signed copy of the agreement shall also be forwarded to the Commission and to the Engineer in Charge of the radio district in which the station is located within 3 days after the agreement is signed.

* * * * *

2. In § 3.265, paragraphs (b) and (c) are amended to read as follows:

§ 3.265 Operator requirements.

* * * * *

(b) In cases where a station is authorized to operate with a transmitter power output not in excess of 25 kilowatts, the routine operation of the transmitter may be performed by an operator holding a valid first-class or second-class radiotelephone or radiotelegraph operator license or a radiotelephone third-class operator permit which has been endorsed for broadcast station operation. The operator shall be on duty at the transmitter or authorized remote control point and in actual charge thereof. Until February 19, 1964, routine operation of transmitters of such stations may be performed by persons holding valid radiotelephone operator third-class permits which are not endorsed for broadcast station operation, or valid restricted radiotelephone operator permits. Except at times when the operation of the station is under the immediate supervision of an operator holding a valid radiotelephone first-class operator license, adjustments of the transmitter shall be limited to the following:

(1) Those necessary to turn the transmitter on and off.

(2) Adjustments of external controls as may be necessary to compensate for voltage fluctuations in the power supply.

(3) Adjustments of external controls to maintain modulation of the transmitter within prescribed limits.

It shall be the responsibility of the licensee to insure that the person who may be required to perform these tasks as well as to perform other duties (such as reading meters and making log entries) is properly instructed so as to be capable of performing the duties required of him at times when not under the immediate supervision of a radiotelephone first-class operator. Where necessary, printed step-by-step instructions shall be posted for those transmitter adjustments which the lesser grade operator is authorized to make. Should the transmitting apparatus be observed to be operating in any manner inconsistent with this subpart or the station's instrument of authorization at any time when an operator holding a valid radiotelephone first-class operator license is not immediately available and none of the above adjustments is effective in correcting the condition of improper operation, the emissions of the station shall be immediately terminated.

(c) If the routine operation of the transmitting apparatus at an FM broadcast station is performed by an operator other than a radiotelephone first-class operator pursuant to the provisions of paragraph (b) of this section, the licensee shall either employ one or more operators holding a valid radiotelephone first-class operator license as a full-time member of the station staff or, in the alternative, contract in writing for the services on a part-time basis of one or more such operators. The radiotele-

phone first-class operator or operators shall perform transmitter maintenance and shall be promptly available at all times to correct conditions of improper operation beyond the scope of authority of the lesser grade operator on duty. If such services are on a contract part-time basis, a signed copy of the agreement shall be kept in the files of the station and at the transmitter or control point and shall be made available for inspection upon request by any authorized representative of the Commission. A signed copy of the agreement shall also be forwarded to the Commission and to the Engineer in Charge of the radio district in which the station is located within 3 days after the agreement is signed.

* * * * *

3. In § 3.565, paragraphs (b) and (c) are amended to read as follows:

§ 3.565 Operator requirements.

* * * * *

(b) In cases where a station is authorized to operate with transmitter power output not in excess of 25 kilowatts, the routine operation of the transmitter may be performed by an operator holding a valid first-class or second-class radiotelephone or radiotelegraph operator license or a radiotelephone third-class operator permit which has been endorsed for broadcast station operation. The operator shall be on duty at the transmitter or authorized remote control point and in actual charge thereof. Until February 19, 1964, routine operation of transmitters of such stations may be performed by persons holding valid radiotelephone operator third-class permits which are not endorsed for broadcast station operation, or valid restricted radiotelephone operator permits. Except at times when the operation of the station is under the immediate supervision of an operator holding a valid operator license of the grade indicated for the station in subparagraphs (1), (2), or (3) of paragraph (c) of this section, adjustments of the transmitter shall be limited to the following:

(1) Those necessary to turn the transmitter on and off.

(2) Adjustments of external controls as may be necessary to compensate for voltage fluctuations in the power supply.

(3) Adjustments of external control to maintain modulation of the transmitter within prescribed limits.

It shall be the responsibility of the licensee to insure that the person who may be required to perform these tasks as well as to perform other duties (such as reading meters and making log entries) is properly instructed so as to be capable of performing the duties required of him at times when not under the immediate supervision of an operator of the grade indicated for the station in subparagraphs (1), (2), or (3) of paragraph (c) of this section. Where necessary, printed step-by-step instructions shall be posted for those transmitter adjustments which the lesser grade operator is authorized to make. Should the transmitting apparatus be observed to be operating in any manner inconsistent with this subpart or the current instrument of authorization for the station at any time when an operator of the grade indicated for the station in subparagraphs (1), (2), or (3) of paragraph (c) of this section is not immediately available, and none of the above adjustments is effective in correcting the condition of improper operation, the emissions of the station shall be immediately terminated.

(c) If the routine operation of the transmitting apparatus at a noncommercial educational FM broadcast station is performed by a lesser grade operator pursuant to the provisions of paragraph (b) of this section, the licensee shall employ as a full-time member of the station staff (in the alternative, the licensee may contract in writing for the services on a part-time basis) one or more operators holding:

(1) A valid radiotelephone first-class radio operator license if the station is authorized to operate with transmitter power output of more than 1 kw but not in excess of 25 kw.

(2) A valid radiotelephone first- or second-class operator license if the station is authorized to operate with transmitter power output of more than 10 watts but not in excess of 1 kw.

(3) A valid first- or second-class radiotelephone or radiotelegraph operator license if the station is authorized to operate with transmitter power output of not more than 10 watts.

The operators specified in subparagraphs (1), (2), and (3) of this paragraph shall perform transmitter maintenance and shall be promptly available at all times to correct conditions of improper operation beyond the scope of authority of the lesser grade operator on duty. If the services of the operator or the operators indicated in subparagraphs (1), (2), and (3) of this paragraph are on a contract part-time basis, a signed copy of the agreement shall be kept in the files of the station and at the transmitter or control point and shall be made available for inspection upon request by any authorized representative of the Commission. A signed copy of the agreement shall also be forwarded to the Commission and to the Engineer in Charge of the radio district in which the station is located within 3 days after the agreement is signed.

4. In § 13.21, a new element 9 is added as follows:

§ 13.21 Examination elements.

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9. *Basic broadcast.* Basic regulatory matters applicable to the operation of standard, commercial FM, and noncommercial educational FM broadcast stations.

[F.R. Doc. 63-7530; Filed, July 17, 1963; 8:46 a.m.]