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[Updated to January 1, 1963]

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Rules and Regulations

Title 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

[CGFR 63-40]

SMALL PASSENGER VESSELS

Miscellaneous Amendments

Pursuant to the notices of proposed rule making published in the FEDERAL REGISTER on February 2, 1963 (28 F.R. 1052-1053) and February 16, 1963 (28 F.R. 1510, 1511) and the Merchant Marine Council Public Hearing Agenda dated March 25, 1963 (CG-249), the Merchant Marine Council held a public hearing on March 25, 1963, for the purpose of receiving comments, views and data.

The proposals considered were identified as Items I to XI, inclusive. Item I contained proposals regarding small passenger vessels. The proposals in this Item regarding "portable lights for emergency purposes," "patrolmen on vessels with below deck passenger lounge areas," and "lounge arrangements for passenger spaces located below deck" are adopted without change. The proposals regarding scope of regulations for small passenger vessels are adopted with minor changes. These proposals provide that the regulations in 46 CFR, Parts 175 to 186 would apply to all small passenger vessels under 100 gross tons regardless of length. The regulations which apply only to small passenger vessels not more than 65 feet in length have been designated with an "S" for "small vessels" while those vessels which are over 65 feet in length have been designated as "L" vessels. Those regulations which do not have a specific designation are applicable to both categories of vessels, i.e., "S" and "L" vessels. In a number of cases, the text within a particular section may apply to small vessels only when the paragraph is designated as "S," or to large vessels only when it is designated "L," or to both small and large vessels when it is designated "S and L." Changes were made in 46 CFR 175.01-1, 176.01-3(c), 180.30-10(c) and 181.10-1(c). This document is the eighth of a series covering the regulations and actions considered at the March 25, 1963, public hearing.

A regulation designated 46 CFR 180.10-35 was inserted to continue existing requirements for rescue boats on "L" vessels unless the Officer in Charge, Marine Inspection, is of the opinion that the vessel itself provides a fully satisfactory rescue platform. In order that the regulations in 46 CFR Chapter I will properly reflect a change in scope of the small passenger vessel regulations in Subchapter T, amendments are made to 46 CFR 2.01-7, 24.05-1, 30.01-5, 70.05-1, 70.05-3, 90.05-1 and 110.05-1. These changes which were not described in the notices of proposed rule making published in the FEDERAL REGISTER are con-

sidered to be editorial changes and it is hereby found that compliance with the Administrative Procedure Act (respecting notice of proposed rule making, public rule-making procedure thereon and effective date requirements thereof) is unnecessary.

By authority invested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120 dated July 31, 1950 (15 F.R. 6521), 167-9 dated August 3, 1954 (19 F.R. 5195), 167-14 dated November 26, 1954 (19 F.R. 8026), 167-20 dated June 18, 1956 (21 F.R. 4894), CGFR 56-28 dated July 24, 1956 (21 F.R. 5659), 167-38 dated October 26, 1959 (24 F.R. 8857), and 167-46 dated November 6, 1961 (26 F.R. 10609), the following actions are ordered:

1. The vessel inspection regulations shall be amended in accordance with the changes in this document.

2. Unless specifically specified otherwise, the regulations in this document shall become effective on and after the 30th day following the date of publication of this document in the FEDERAL REGISTER.

3. Regulations containing specific effective dates shall become effective on and after such dates.

4. The amendments designated 46 CFR 177.30-7, 184.30-5, and 185.22-1 shall be effective as follows:

(a) For all new vessels or vessels converted to passenger service, all requirements on or after the effective date of the regulations in this document.

(b) For existing vessels the requirements concerning lounge arrangements and portable lights for emergency purposes in 46 CFR 177.30-7 and 184.30-5 must be complied with prior to the next date of inspection for certification or 12 months from the effective date of the regulations in this document, whichever is later.

(c) For all vessels the requirements concerning patrolmen in 46 CFR 185.22-1 shall apply as of the effective date of the regulations in this document.

5. The regulations in this document may be complied with in lieu of existing requirements; however, the new or revised requirements in this document shall be met by no later than the effective dates specified herein.

SUBCHAPTER A—PROCEDURES APPLICABLE TO THE PUBLIC

PART 2—VESSEL INSPECTIONS

Subpart 2.01—Inspecting and Certifying of Vessels

§ 2.01-7 Classes of vessels (including motorboats) examined or inspected and certificated.

Section 2.01-7 is amended by revising footnote 4 to Table 2.01-7(a) in paragraph (a) to read as follows:

*Subchapter H (Passenger Vessels) of this chapter covers only those vessels of 100 gross tons or more. Subchapter T (Small Passenger Vessels) of this chapter covers

only those vessels of less than 100 gross tons.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret sec. 3, 60 Stat. 238, 5 U.S.C. 1002. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

SUBCHAPTER C—UNINSPECTED VESSELS

PART 24—GENERAL PROVISIONS

Subpart 24.05—Application

§ 24.05-1 Vessels subject to the requirements of this subchapter.

Section 24.05-1 is amended by revising footnote 4 to Table 24.05-1(a) in paragraph (a) to read as follows:

*Subchapter H (Passenger Vessels) of this chapter covers only those vessels of 100 gross tons or more. Subchapter T (Small Passenger Vessels) of this chapter covers only those vessels of less than 100 gross tons.

(R.S. 4405, as amended, 4462, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 375, 416, 526p)

SUBCHAPTER D—TANK VESSELS

PART 30—GENERAL PROVISIONS

Subpart 30.01—Administration

§ 30.01-5 Application of regulations—TB/ALL.

Section 30.01-5 is amended by revising footnote 4 to Table 30.01-5(d) in paragraph (d) to read as follows:

*Subchapter H (Passenger Vessels) of this chapter covers only those vessels of 100 gross tons or more. Subchapter T (Small Passenger Vessels) of this chapter covers only those vessels of less than 100 gross tons.

(R.S. 4405, as amended, 4417a, as amended, 4462, as amended; 46 U.S.C. 375, 391a, 416. Interpret or apply sec. 3, 68 Stat. 675, 50 U.S.C. 198; E.O. 10402, 17 F.R. 9917; 3 CFR, 1952 Supp.)

SUBCHAPTER H—PASSENGER VESSELS

PART 70—GENERAL PROVISIONS

Subpart 70.05—Application

1. Section 70.05-1 is amended by revising the introductory sentence (but not the subparagraphs) in paragraph (a) and by revising footnote 4 to Table 70.05-1(a) to read as follows:

§ 70.05-1 United States flag vessels subject to the requirements of this chapter.

(a) This subchapter shall be applicable to all United States flag vessels indicated in Column 4 of Table 70.05-1(a) that are 100 gross tons or more, except as follows:

* * * * *
TABLE 70.05-1(a)

*Subchapter H (Passenger Vessels) of this chapter covers only those vessels of 100 gross tons or more. Subchapter T (Small Passenger Vessels) of this chapter covers only those vessels of less than 100 gross tons.

2. Section 70.05-3 is amended by revising the introductory sentence (but not the subparagraphs) in paragraph (a) to read as follows:

§ 70.05-3 Foreign vessels subject to the requirements of this subchapter.

(a) Except as specifically noted in paragraph (b) of this section, this subchapter shall be applicable to the extent prescribed by law to all foreign vessels of the following classifications indicated in Column 4 of Table 70.05-1(a) that are 100 gross tons or more:

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret sec. 3, 60 Stat. 238, 5 U.S.C. 1002. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

SUBCHAPTER I—CARGO AND MISCELLANEOUS VESSELS

PART 90—GENERAL PROVISIONS

Subpart 90.05—Application

§ 90.05-1 Vessels subject to requirements of this subchapter.

Section 90.05-1 is amended by revising footnote 4 to Table 90.05-1(a) in paragraph (a) to read as follows:

⁴ Subchapter H (Passenger Vessels) of this chapter covers only those vessels of 100 gross tons or more. Subchapter T (Small Passenger Vessels) of this chapter covers only those vessels of less than 100 gross tons.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416. Interpret sec. 3, 60 Stat. 238, 5 U.S.C. 1002. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

SUBCHAPTER J—ELECTRICAL ENGINEERING

PART 110—GENERAL PROVISIONS

Subpart 110.05—Application

§ 110.05-1 Vessels subject to the requirements of this subchapter.

Section 110.05-1 is amended by revising footnote 4 to Table 110.05-1(a) in paragraph (a) to read as follows:

⁴ Subchapter H (Passenger Vessels) of this chapter covers only those vessels of 100 gross tons or more. Subchapter T (Small Passenger Vessels) of this chapter covers only those vessels of less than 100 gross tons.

(R.S. 4405, as amended, 4462, as amended; 46 U.S.C. 375, 416)

SUBCHAPTER T—SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)

The heading for Subchapter T is amended to read "Small Passenger Ves-

sels (Under 100 Gross Tons)." (This change broadens the scope of these regulations to include passenger vessels of over 65 feet in length and under 100 gross tons and states realistic, attainable requirements for these vessels.)

PART 175—GENERAL PROVISIONS

1. The authority for Part 175 is amended to read as follows:

AUTHORITY: §§ 175.01-1 to 175.30-1 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4464, as amended; 46 U.S.C. 391, 392, 399, 404, 435, 451. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 5659; CGFR 56-28, July 24, 1956, 21 F.R. 5659. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 175.01—Authority

2. Section 175.01-1 is amended to read as follows:

§ 175.01-1 General.

(a) *S.* By virtue of the authority vested in the Commandant of the Coast Guard by the Secretary of the Treasury in Treasury Department Order 167-20, dated June 18, 1956 (21 F.R. 4894), the regulations in this subchapter are prescribed to carry out the intent and purposes of Title 46, U.S. Code, sections 390 to 390g and 404, which require the inspection and certification of certain vessels carrying passengers.

(b) *L.* By virtue of the authority vested in the Commandant of the Coast Guard by the Secretary of the Treasury in Treasury Department Orders 120, dated July 31, 1950 (15 F.R. 6521), 167-20, dated June 18, 1956 (21 F.R. 5659), CGFR 56-28, dated July 24, 1956 (21 F.R. 5659), the regulations in this subchapter are prescribed to carry out the intent and purposes of Title 46, U.S. Code, sections 375, 391, 392, 399, 404, 416, 435 and 451, which require inspection and certification of certain vessels carrying passengers for hire.

(c) *S and L.* Where other laws are applicable to vessels inspected under this subchapter, appropriate references following certain regulations are made to show that such regulations interpret or apply such laws.

Subpart 175.05—Application

3. Section 175.05-1 is amended to read as follows:

§ 175.05-1 Vessels subject to the requirements of this subchapter.

(a) *S.* The general overall application of the regulations in this subchapter to small passenger vessels, and the application of other vessel inspection regulations are tabulated in Table 175.05-1(a). Specifically, this subchapter shall be applicable to vessels not more than 65 feet in length carrying more than 6 passengers, which are propelled in whole or in part by steam or any form of mechanical or electrical power; propelled by sail; or non-self-propelled. The regulations in this subchapter are applicable to all such United States flag vessels and all such foreign flag vessels carrying more than 6 passengers from a port of the United States, except as follows:

(1) Any vessel of a foreign nation signatory to the International Convention for the Safety of Life at Sea, 1948, and which has on board a current, valid safety certificate.

(Sec. 4, 70 Stat. 153; 46 U.S.C. 390c; E.O. 10402, 17 F.R. 9917, 3 CFR, 1952 Supp.)

(2) Any vessel of a foreign nation having inspection laws approximating those of the United States together with reciprocal inspection arrangements with the United States, and which has on board a current, valid certificate of inspection issued by its government under such arrangements.

(R.S. 4400, as amended, sec. 1, 70 Stat. 151; 46 U.S.C. 362, 390(b))

(3) Any vessel operating exclusively on inland waters which are not navigable waters of the United States.

(Sec. 1, 70 Stat. 151; 46 U.S.C. 390(b))

(4) Any vessel while laid up and dismantled and out of commission.

(R.S. 4417, as amended, sec. 1, 70 Stat. 151; 46 U.S.C. 391, 390)

(5) With the exception of vessels of the United States Maritime Administration, any vessel with title vested in the United States and which is used for public purposes and operated by a department or agency of the Federal Government.

(Sec. 1, 41 Stat. 305, as amended, sec. 1, 70 Stat. 151; 46 U.S.C. 363, 390)

(6) Any lifeboat forming part of a vessel's lifesaving equipment.

(Sec. 1, 70 Stat. 151; 46 U.S.C. 390)

TABLE 175.05-1(a)

Classes of vessels (including motorboats) examined or inspected under various Coast Guard regulation					
Method of propulsion	Size or other limitations ¹	Vessels inspected and certificated under Subchapter D—Tank Vessels ²	Vessels inspected and certificated under either Subchapter H—Passenger Vessels ^{3,4,5} or Subchapter T—Small Passenger Vessels ^{3,4}	Vessels inspected and certificated under Subchapter I—Cargo and Miscellaneous Vessels ^{2,3}	Vessels subject to provisions of Subchapter C—Uninspected Vessels ^{1,4}
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Steam	Vessels not over 65 feet in length.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying more than 6 passengers. ⁷	All tugboats and towboats.	All vessels except those covered by columns 3, 4, and 5. ⁸
	Vessels over 65 feet in length.	All vessels carrying combustible or inflammable liquid cargo in bulk. ⁶	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All vessels of not over 15 gross tons which carry more than 6 passengers. ⁷ 3. All other vessels carrying passengers, except:	All vessels except those covered by columns 3 and 4.	None.

See footnotes at end of table.

Classes of vessels (including motorboats) examined or inspected under various Coast Guard regulations ¹

Method of propulsion	Size or other limitations ¹	Vessels inspected and certificated under Subchapter D—Tank Vessels ²	Vessels inspected and certificated under either Subchapter H—Passenger Vessels ^{2,3,4} or Subchapter T—Small Passenger Vessels ^{2,3,4}	Vessels inspected and certificated under Subchapter I—Cargo and Miscellaneous Vessels ^{2,5}	Vessels subject to provisions of Subchapter C—Uninspected Vessels ^{2,3,6}
Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
			a. Yachts. b. Documented cargo or tank vessels issued a permit to carry not more than 16 persons in addition to the crew. c. Towing and fishing vessels, in other than ocean and coastwise service, may carry persons on the legitimate business of the vessel, in addition to crew, but not to exceed one for each net ton of the vessel.		
Motor.....	Vessels of not over 15 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying more than 6 passengers. ⁷	Those vessels carrying dangerous cargoes when required by 46 CFR Part 98 or 146.	All vessels except those covered by columns 3, 4, and 5.
	Vessels over 15 gross tons except seagoing motor vessels of 300 gross tons and over.	All vessels carrying combustible or inflammable liquid cargo in bulk. ³	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All vessels not over 65 feet in length which carry more than 6 passengers. ⁷ 3. All other vessels of over 65 feet in length carrying passengers for hire except documented cargo or tank vessels issued a permit to carry not more than 16 persons in addition to the crew.	All vessels carrying freight for hire except those covered by columns 3 and 4.	All vessels except those covered by columns 3, 4, and 5.
	Seagoing motor vessels of 300 gross tons and over.	All vessels carrying combustible or inflammable liquid cargo in bulk. ³	1. All vessels carrying more than 12 passengers on an international voyage, except yachts. 2. All other vessels carrying passengers, except: a. Yachts. b. Documented cargo or tank vessels issued a permit to carry not more than 16 persons in addition to the crew.	All vessels except those covered by columns 3 and 4, and those engaged in the fishing, oystering, clamming, crabbing, or any other branch of the fishery, kelp, or sponge industry.	All vessels except those covered by columns 3, 4, and 5.
Sail.....	Vessels not over 700 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying more than 6 passengers. ⁷	Those vessels carrying dangerous cargoes when required by 46 CFR Part 98 or 146.	None.
	Vessels over 700 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying passengers for hire.	Those vessels carrying dangerous cargoes when required by 46 CFR Part 98 or 146.	None.
Non-self-propelled....	Vessels not over 100 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying more than 6 passengers. ⁷	Those vessels carrying dangerous cargoes when required by 46 CFR Part 98 or 146.	All barges carrying passengers except those covered by column 4.
	Vessels over 100 gross tons.	All vessels carrying combustible or inflammable liquid cargo in bulk.	All vessels carrying passengers for hire.	All seagoing barges except those covered by columns 3 and 4; and those inland barges carrying dangerous cargoes when required by 46 CFR Part 98 or 146.	All barges carrying passengers except those covered by column 4.

¹ Where length is used in this table it means the length measured from end to end over the deck, excluding sheer. On and after May 2, 1962, this expression "means a straight line measurement of the overall length from the foremost part of the vessel to the aftermost part of the vessel, measured parallel to the centerline."

² Subchapters E (Load Lines), F (Marine Engineering), J (Electrical Engineering), and N (Explosives or Other Dangerous Articles or Substances, and Combustible Liquids on Board Vessels) of this chapter may also be applicable under certain conditions.

³ Public nautical school ships, other than vessels of the Navy and Coast Guard, shall meet the requirements of Part 167 of Subchapter R (Nautical Schools) of this chapter. Civilian nautical school ships, as defined by 46 U.S.C. 1331, shall meet the requirements of Subchapter H (Passenger Vessels) and Part 168 of Subchapter R (Nautical Schools) of this chapter.

⁴ Subchapter H (Passenger Vessels) of this chapter covers only those vessels of 100 gross tons or more. Subchapter T (Small Passenger Vessels) of this chapter covers only those vessels of less than 100 gross tons.

(b) L. The provisions of this subchapter will also be applicable to any vessel which is more than 65 feet in length and which is less than 100 gross tons and carries passengers for hire. (See footnote 4 to Table 175.05-1(a).)

(c) S and L. Any vessel carrying more than 150 passengers shall comply with the provisions of this subchapter and shall be subject to certain additional requirements as determined by the Officer in Charge, Marine Inspection.

These additional requirements are contained in applicable regulations in Subchapter H (Passenger Vessels), Subchapter P (Manning), Subchapter F (Marine Engineering), and Subchapter J (Electrical Engineering) of this chapter.

(R.S. 4463, as amended; 46 U.S.C. 222; Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

(d) S and L. Nothing in the regulations in this subchapter shall be con-

⁵ Vessels covered by Subchapters H (Passenger Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter, where the principal purpose or use of the vessel is not for the carriage of liquid cargo, may be granted a permit to carry a limited amount of inflammable or combustible liquid cargo in bulk. The portion of the vessel used for the carriage of the inflammable or combustible liquid cargo shall meet the requirements of Subchapter D (Tank Vessels) in addition to the requirements of Subchapter H (Passenger Vessels) or I (Cargo and Miscellaneous Vessels) of this chapter.

⁶ Any vessel on an international voyage is subject to the requirements of the International Convention for the Safety of Life at Sea, 1948.

⁷ The meaning of the term "passenger" is as defined in the Act of May 10, 1956 (sec. 1, 70 Stat. 151; 46 U.S.C. 390).

⁸ Boilers and machinery are subject to examination on vessels over 40 feet in length.

strued as exempting any mechanically propelled vessel, other than a yacht, which carries more than 12 passengers on an international voyage from the applicable requirements of the International Convention for Safety of Life at Sea, 1948.

(Sec. 3, 70 Stat. 153, 46 U.S.C. 390c; E.O. 10402, 17 F.R. 9917; 3 CFR 1952 Supp.)

(e) S and L. Any vessel which carries inflammable or combustible liquid

cargo, or explosives, or other dangerous articles or substances is subject to additional requirements provided in other laws and regulations. Any Officer in Charge, Marine Inspection, may be contacted for information concerning these additional requirements.

(R.S. 4417a, as amended, 4472, as amended; 46 U.S.C. 391a, 170. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521).

(f) *S and L*. Any mechanically propelled vessel inspected and certificated under the provisions of this subchapter, which is of above 15 gross tons and carries freight for hire, is subject to additional requirements provided in other laws and regulations. Any Officer in Charge, Marine Inspection, may be contacted for information concerning these additional requirements.

(R.S. 4426, as amended; 46 U.S.C. 404)

4. Section 175.05-5 is amended to read as follows:

§ 175.05-5. Specific application noted in text.

(a) For the purposes of this subchapter, vessels subject to inspection under the provisions of § 175.05-1(a) are termed "S" vessels; vessels subject to inspection under the provisions of § 175.05-1(b) are termed "L" vessels. Certain portions of this subchapter applicable to only "S" vessels will be indicated by the designator "S". Portions applicable to only "L" vessels will be indicated by the designator "L". Those portions of this subchapter applicable to both categories of vessel will contain no designator or will be designated "S and L."

(b) At the beginning of the various parts, subparts and sections, a more specific application is generally given for the particular portion of the text involved. This application sets forth the types, sizes, services or vessels to which the text pertains, and in many cases limits the application of the text to vessels contracted for before or after a specific date.

(c) As used in this subchapter the term "vessels contracted for" includes not only the contracting for the construction of a vessel, but also the contracting for a material alteration to a vessel, the contracting for the conversion of a vessel to a passenger vessel, and the changing of service or route of a vessel if such change increases or modifies the general requirements for the vessel or increases the hazards to which it might be subjected.

Subpart 175.10—Definitions of Terms Used in This Subchapter

5. Section 175.10-27 is amended to read as follows:

§ 175.10-27 Passenger.

A passenger is every person other than the master and the members of the crew or other persons employed or engaged in any capacity on board a vessel in the business of that vessel. The following special considerations should be noted:

(a) *S and L*. In the case of a vessel on an international voyage a child under one year of age is not counted as a passenger.

(b) *S*. For vessels subject to the provisions of the Act of May 10, 1956 (46 U.S.C. 390-390g), the term passenger means every person carried on board a vessel other than:

(1) The owner or his representative;
(2) The master and the bona fide members of the crew engaged in the business of the vessel who have contributed no consideration for their carriage and who are paid for their services;

(3) Any employee of the owner of the vessel engaged in the business of the owner, except when the vessel is operating under a bareboat charter;

(4) Any employee of the bareboat charterer of the vessel engaged in the business of the bareboat charterer;

(5) Any guest on board a vessel which is being used exclusively for pleasure purposes who has not contributed any consideration directly or indirectly, for his carriage; or

(6) Any person on board a vessel documented and used for tugboat or towboat service of fifty gross tons or more who has not contributed any consideration, directly or indirectly, for his carriage.

6. Subpart 175.10 is amended by inserting after § 175.10-27 a new section reading as follows:

§ 175.10-28 Passengers for hire, carriage of.

(a) The carriage of any person or persons by a vessel for a valuable consideration, whether directly or indirectly flowing to the owner, charterer, agent, or any other person interested in the vessel.

(R.S. 4426, as amended, sec. 1, 70 Stat. 151; 46 U.S.C. 404, 390)

Subpart 175.25—Special Consideration

§ 175.25-1 By Officer in Charge, Marine Inspection.

7. The authority note following § 175.25-1(a) is amended to read as follows:

(R.S. 4488, as amended, 4491, as amended; 46 U.S.C. 481, 489. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857)

Subpart 175.30—Appeals

§ 175.30-1 Right of appeal.

8. The authority note following § 175.30-1(a) is canceled because statutes cited are included in authority for this part.

PART 176—INSPECTION AND CERTIFICATION

1. The authority for Part 176 is amended to read as follows:

AUTHORITY: §§ 176.01-1 to 176.35-10 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4464, as amended; 46 U.S.C. 391, 392, 399, 404, 435, 451. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 176.01—Certificate of Inspection

2. Section 176.01-1 is amended to read as follows:

§ 176.01-1 When required—S.

(a) Except as noted in this subpart, every vessel subject to inspection and certification shall, when carrying more than six passengers, have on board a valid certificate of inspection, Form CG-3753, and shall be operated in compliance therewith.

(Sec. 4, 70 Stat. 153; 46 U.S.C. 390c)

(b) Every mechanically propelled vessel of above 15 gross tons inspected and certificated under the provisions of this subchapter shall, during the tenure of the certificate, be in full compliance with the terms of the certificate when carrying freight for hire. Any other vessel certificated under the provisions of this subchapter when carrying not more than 6 passengers, and when operating as a yacht, commercial fishing vessel, cargo carrier, etc., will be subject only to the laws, rules and regulations governing the type of operation in which it engages.

(R.S. 4463, as amended, sec. 26, 41 Stat. 998, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 222, 882, 526p)

(c) If necessary to prevent delay of the vessel, a temporary certificate of inspection, Form CG-854, shall be issued pending the issuance and delivery of the regular certificate of inspection. Such temporary certificate shall be carried in the same manner as the regular certificate and shall in all ways be considered the same as the regular certificate of inspection which it represents.

3. Subpart 176.01 is amended by inserting after § 176.01-1 a new section reading as follows:

§ 176.01-3 When required—L.

(a) Except as noted in this subpart or § 176.01-27, no vessel subject to inspection and certification shall be operated without a valid Certificate of Inspection, Form CG-841.

(b) If necessary to prevent delay of the vessel, a temporary certificate of inspection, Form CG-854, shall be issued pending the issuance and delivery of the regular certificate of inspection, Form CG-841. Such temporary certificate shall be carried in the same manner as the regular certificate and shall in all ways be considered the same as the regular certificate of inspection which it represents.

(c) Nothing in this subpart shall prevent a vessel upon a regularly established line from a port in the United States to a port of a foreign country not contiguous to the United States whose certificate of inspection expires at sea or while said vessel is in a foreign port or a port of Hawaii from lawfully completing her voyage without the valid certificate of inspection or temporary certificate required by this section: *Provided*, That the voyage shall be completed within 30 days after the expiration of the certificate of inspection. No such vessel shall depart if its certificate of inspection will expire within 15 days of the date of sail-

ing unless the voyage will be completed before such expiration.

§ 176.01-5 Description.

4. The authority following § 176.01-5(a) is amended to read as follows (statutes now included in authority for part are deleted):

(R.S. 4463, as amended, 4488, as amended, sec. 26, 41 Stat. 998, as amended; 46 U.S.C. 222, 481, 882. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857)

5. Section 176.01-10 is amended to read as follows:

§ 176.01-10 How to obtain or renew.

(a) *S and L*. The certificate of inspection shall be obtained or renewed by making application for inspection on Form CG-3752, Application for Inspection of Small Passenger Vessel, to the Coast Guard Marine Inspection Office located in, or nearest the port at which the inspection is to be made. The application forms are available at any local Coast Guard Marine Inspection Office.

(b) *S and L*. The application for initial inspection of a vessel being newly constructed or converted shall be submitted prior to the start of such construction or conversion. Information and requirements or plans are in Subpart 177.05 of this subchapter.

(c) *S and L*. The construction, arrangement and equipment of all vessels shall be acceptable to the cognizant Officer in Charge, Marine Inspection, as a prerequisite of the issuance of the initial certificate of inspection. Such acceptance will be based on the information, specifications, drawings and calculations available to the Officer in Charge, Marine Inspection, and on the successful completion of an initial inspection for certification.

(d) *S*. Certificates of inspection will be renewed by the issuance of new certificates of inspection. Such renewal will normally be made triennially upon expiration of the old certificate of inspection but may be made at any time within the three years upon proper application.

(e) *L*. Certificates of inspection will be renewed by the issuance of new certificates of inspection. Such renewal will normally be made annually upon expiration of the old certificate of inspection but may be made at any time within the year upon proper application.

(f) *S and L*. The condition of the vessel and its equipment shall be acceptable to the cognizant Officer in Charge, Marine Inspection, as a prerequisite of the certificate of inspection renewal. Such acceptance will be based on the condition as found at the periodic inspection for certification.

6. Section 176.01-15 is amended to read as follows:

§ 176.01-15 Period of validity

(a) *S*. A certificate of inspection will be issued for a period of three years, and will remain valid for such period unless renewed, revoked, suspended, or surrendered.

(b) *L*. A certificate of inspection will be issued for a period of one year and will remain valid for such period unless

renewed, revoked, suspended, or surrendered.

(c) *S and L*. A certificate of inspection may be revoked, or suspended and withdrawn by the Officer in Charge, Marine Inspection, at any time for non-compliance with the provisions of this subchapter or requirements established thereunder.

§ 176.01-25 Passengers permitted.

7. The authority following § 176.01-25(a) is amended to read as follows (statutes now included in authority for part are deleted):

(R.S. 4463, as amended, 4488, as amended, sec. 26, 41 Stat. 998, as amended; 46 U.S.C. 222, 481, 882. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857)

8. Subpart 176.01 is amended by inserting after § 176.01-25 a new section reading as follows:

§ 176.01-27 Permit to proceed to another port for repair—L.

(a) The Officer in Charge, Marine Inspection, may issue a permit to proceed to another port for repair, Form CG-948, to a vessel if in his judgment it can be done with safety even if the certificate of inspection of the vessel has expired or is about to expire.

(b) Such permit will only be issued upon the written application of the master, owner, or agent of the vessel.

(c) The permit will state upon its face the conditions under which it is issued and whether or not the vessel is permitted to carry freight or passengers. Passengers may not be carried if the certificate of inspection has expired, except as provided under § 176.01-3(c).

(d) The permit shall be carried in a manner similar to that described in § 176.01-40 for a certificate of inspection.

§ 176.01-30 Permit to carry excursion party.

9. The authority following § 176.01-30(e) is amended to read as follows (statutes now included in authority for part are deleted):

(R.S. 4466, as amended, 4488, as amended 46 U.S.C. 453, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857)

Subpart 176.05—Inspection for Certification

§ 176.05-1 General.

10. The authority note following § 176.05-1(a) is canceled because statutes cited are included in authority for this part.

Subpart 176.10—Reinspection

11. Section 176.10-1 is amended to read as follows:

§ 176.10-1 When made.

(a) *S*. At least two reinspections shall be made on each vessel within each triennial inspection period. When possible these reinspections will be made at approximately equal intervals between triennial inspections for certification, but may be made at such other times as may be required by the Officer in Charge, Marine Inspection.

(b) *L*. Vessels in this category are not required to be reinspected between annual inspections, except where specifically deemed necessary by the Officer in Charge, Marine Inspection.

Subpart 176.25—Materiel Inspections

§ 176.25-1 Inspection standards.

12. The authority note following § 176.25-1(a) is amended to read as follows:

(R.S. 4488, as amended; 46 U.S.C. 481. Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857)

§ 176.25-5 Hull.

13. The authority note following § 176.25-5(a) (5) is canceled because statutes cited are included in authority for this part.

§ 176.25-10 Machinery.

14. The authority note following § 176.25-10(b) is canceled because statutes cited are included in authority for this part.

§ 176.25-15 Electrical.

15. The authority note following § 176.25-15(a) (6) is canceled because statutes cited are included in authority for this part.

§ 176.25-20 Lifesaving equipment—S.

16. The headnote for § 176.25-20 is amended to read "*Lifesaving equipment—S.*"

17. The authority note following § 176.25-20(b) is amended to read as follows:

(R.S. 4488, as amended; 46 U.S.C. 481. Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857)

18. Subpart 176.25 is amended by inserting after § 176.25-20 a new section reading as follows:

§ 176.25-22 Lifesaving equipment—L.

(a) At each initial and subsequent inspection for certification, the marine inspector shall inspect all lifesaving equipment to determine its serviceability.

(b) Life preservers, if found to be of approved type and in good condition shall be stamped "Passed," together with the date, the port and the marine inspector's initials.

(c) At each reinspection conducted in accordance with § 176.10-1(b), such examination of lifesaving equipment shall be made as deemed necessary by the Officer in Charge, Marine Inspection.

(R.S. 4488, as amended; 46 U.S.C. 481. Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857)

§ 176.25-25 Fire extinguishing equipment—S.

19. Section 176.25-25 is amended by changing the headnote to read "*Fire extinguishing equipment—S.*"

20. The authority note following § 176.25-25(c) is amended to read as follows:

(R.S. 4472, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 170, 481, 489. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857)

21. Subpart 176.25 is amended by inserting after § 176.25-25 a new section reading as follows:

§ 176.25-27 Fire extinguishing equipment—L.

(a) At each initial and subsequent inspection for certification, the provisions of § 176.25-25 shall apply.

(b) At each reinspection conducted in accordance with § 176.10-1(b), such examination of fire extinguishing equipment shall be made as deemed necessary by the Officer in Charge, Marine Inspection.

(R.S. 4472, as amended, 4488, as amended, 4491, as amended; 46 U.S.C. 170, 481, 489. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857)

§ 176.25-30 Pressure vessels—S.

22. Section 176.25-30 is amended by changing the headnote to read "Pressure vessels—S."

23. Subpart 176.25 is amended by inserting after § 176.25-30 a new section reading as follows:

§ 176.25-32 Pressure vessels—L.

(a) At each initial and subsequent inspection for certification, the provisions of § 176.25-30 shall apply except that those examinations and tests required by § 176.25-30 (b) (3) and (b) (4) shall be performed triennially at the time of regular annual inspection.

§ 176.25-35 Steering apparatus.

24. The authority note following § 176.25-35(a) is canceled because the statutes cited are included in authority for this part.

§ 176.25-40 Miscellaneous systems and equipment.

25. The authority note following § 176.25-40(b) is amended to read as follows:

(R.S. 4488, as amended, 4491, as amended; 46 U.S.C. 481, 489. Treasury Department Order 167-38, October 26, 1959, 24 F.R. 8857)

PART 177—CONSTRUCTION AND ARRANGEMENT

1. The authority for Part 177 is amended to read as follows:

AUTHORITY: §§ 177.01-1 to 177.35-15 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659.

Subpart 177.05—Plans

§ 177.05-1 Plans required for "S" vessels carrying not more than 150 passengers—S.

2. Section 177.05-1 is amended by changing the headnote to read "Plans required for 'S' vessels carrying not more than 150 passengers—S."

3. Section 177.05-3 is amended to read as follows:

§ 177.05-3 Plans required for "S" vessels carrying more than 150 passengers, all "L" vessels, and certain other vessels.

(a) *S and L*. The owner or builder shall, prior to the start of construction if practicable, or in any case prior to the initial inspection of the vessel, submit for approval to the Officer in Charge, Marine Inspection, of the inspection zone where the vessel is to be inspected, at least two copies of each of the plans listed in § 177.05-1(a). Prior to the initial certification, the owner or builder shall submit for approval by the Commandant two copies of each of the following plans:

(1) Lines and offsets.

(2) Curves of form.

(3) Capacities of the tanks, including sizes and locations in vessel.

(b) *S and L*. Additional calculations and data shall be submitted as required by §§ 178.20-5(a) and 179.10-5(a) of this subchapter.

(c) *S*. If a vessel carrying not more than 150 passengers for any reason is required or elects to have a stability test according to the standards and procedures set forth in Subchapter H (Passenger Vessels) of this chapter; the additional plans listed in paragraph (a) of this section shall be submitted together with the calculations and data required by § 179.10-5(a) of this subchapter.

(d) *S*. If a vessel carrying not more than 150 passengers for any reason is required or elects to meet one compartment subdivision and damage stability requirements calculated in accordance with Subchapter H (Passenger Vessels) of this chapter, the additional plans listed in paragraph (a) of this section shall be submitted together with the calculations and data required by § 178.20-5(a) of this subchapter.

(e) *S*. Where internal buoyancy is installed in accordance with § 178.10-1 (b) of this subchapter, the plans and calculations demonstrating compliance with such paragraph shall be submitted for approval.

Subpart 177.10—Hull Structure

4. Section 177.10-5(a) is amended to read as follows:

§ 177.10-5 Fire protection.

(a) The general construction of the vessel shall be such as to minimize fire hazards insofar as reasonable and practicable. Vessels contracted for on or after July 1, 1961, which carry more than 150 passengers shall meet the requirements of Subpart 72.05 of Subchapter H (Passenger Vessels) of this chapter. The application of these requirements to specific vessels shall be as determined by the Officer in Charge, Marine Inspection.

Subpart 177.30—Passenger Accommodations

5. Subpart 177.30 is amended by adding after § 177.30-5 a new section reading as follows:

§ 177.30-7 Lounge arrangements.

(a) The specific requirements in this section apply to passenger lounge areas

located below the main deck. Variation from these requirements may be authorized by the Officer in Charge, Marine Inspection, for unusual arrangements or design: *Provided*, That there is no significant reduction of space, accessibility or sanitation.

(b) Bunks, where installed, shall have a minimum length of 74 inches and a minimum width of 24 inches. They may be constructed of wood or metal. Mattress is to be covered with material which has been treated to give it fire resistant properties and which will provide the mattress with a reasonably smooth surface free of sharp depressions. (Example: Treated duck stretched smoothly, fully sewn, covering the basic mattress.) Arrangement shall be not more than three high, with a minimum distance of 24 inches vertically between bunks; ladders or steps shall be provided for each top bunk. Construction and arrangement shall allow free and unobstructed access to the bunks. Each bunk shall be immediately adjacent to an aisle leading to a means of escape from the lounge area.

(c) Means of escape from lounge areas shall be provided in accordance with Subpart 177.15. Aisles alongside bunks shall be not less than 24 inches in width and after the joining of two or more aisles, the width of the aisles leading to an escape shall be not less than 42 inches. Head room in lounge areas shall be not less than 74 inches which may be reduced at the sides of the space to allow for camber, wiring, ventilation ducts or piping. However, main aisles leading to exists shall have not less than 74 inches clear head room. All aisles shall be kept clear of obstructions.

(d) Covered metal trash containers shall be provided in lounge areas and the spaces shall be maintained to minimize fire and safety hazards and to preserve sanitary conditions. Portable fire extinguishers shall be provided as indicated in Subpart 181.30 of this subchapter.

PART 178—WATERTIGHT INTEGRITY AND SUBDIVISION

1. The authority for Part 178 is amended to read as follows:

AUTHORITY: §§ 178.01-1 to 178.40-1 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152, 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 435, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

Subpart 178.10—Watertight Bulkheads Required

2. Section 178.10-1 is amended to read as follows:

§ 178.10-1 Requirements for "S" vessels carrying more than 49 passengers and all "L" vessels.

(a) *S and L*. Except as otherwise provided in this section, all "S" vessels carrying more than 49 passengers and all "L" vessels shall be fitted with a col-

lision bulkhead and such additional transverse watertight bulkheads as are required to provide one compartment subdivision, i.e., so that the fully-loaded vessel shall remain afloat with positive stability with any one main compartment flooded.

(b) *S*. Vessels carrying more than 49 passengers but not more than 150 passengers may, in lieu of one compartment subdivision, be fitted with a collision bulkhead and sufficient air tankage or other internal buoyancy to maintain the fully-loaded vessel afloat with positive stability in the flooded condition.

§ 178.10-5 Requirements for "S" vessels carrying not more than 49 passengers in ocean or coastwise service—*S*.

3. Section 178.10-5 is amended by changing the headnote to read "*Requirements for 'S' vessels carrying not more than 49 passengers in ocean or coastwise service—S.*"

§ 178.10-10 Requirements for "S" vessels carrying not more than 49 passengers in other than ocean or coastwise service—*S*.

4. Section 178.10-10 is amended by changing the headnote to read "*Requirements for 'S' vessels carrying not more than 49 passengers in other than ocean or coastwise service—S.*"

Subpart 178.20—Location of Watertight Bulkheads

§ 178.20-1 Requirements for "S" vessels carrying not more than 150 passengers—*S*.

5. Section 178.20-1 is amended by changing the headnote to read "*Requirements for 'S' vessels carrying not more than 150 passengers—S.*"

6. Section 178.20-5 is amended to read as follows:

§ 178.20-5 Requirements for "S" vessels carrying more than 150 passengers and all "L" vessels—*S* and *L*.

(a) For "S" vessels carrying more than 150 passengers and all "L" vessels, the location of the transverse watertight bulkheads to meet the requirements for subdivision and damaged stability, shall be determined by direct calculations which take into account the form and proportions of the hull. The details of such calculations shall be in accordance with the provisions of Part 73 and Part 74 of Subchapter H (Passenger Vessels) of this chapter. These calculations and the supporting data shall be submitted to the Commandant for approval.

PART 179—STABILITY

1. The authority for Part 179 is amended to read as follows:

AUTHORITY: §§ 179.01-1 to 179.20-5 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 435, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

No. 174—2

Subpart 179.01—Application

2. Section 179.01-1 is amended to read as follows:

§ 179.01-1 General.

(a) *S*. The provisions of this part shall apply to the following "S" vessels:

(1) All vessels carrying more than 49 passengers.

(2) All vessels permitted an increased passenger allowance by § 176.01-25(b) of this subchapter.

(3) Any other vessel whose stability is questioned by the Officer in Charge, Marine Inspection.

(b) *L*. The provisions of this part shall apply to all "L" vessels.

Subpart 179.10—Stability Test Procedure

§ 179.10-1 Procedure for "S" vessels carrying not more than 150 passengers—*S*.

3. Section 179.10-1 is amended by changing the headnote to read "*Procedure for 'S' vessels carrying not more than 150 passengers—S.*"

§ 179.10-3 Alternate procedure for "S" vessels carrying not more than 150 passengers—*S*.

4. Section 179.10-3 is amended by changing the headnote to read "*Alternate procedure for 'S' vessels carrying not more than 150 passengers—S.*"

5. Section 179.10-5 is amended to read as follows:

§ 179.10-5 Procedure for "S" vessels carrying more than 150 passengers and all "L" vessels—*S* and *L*.

(a) The stability of "S" vessels carrying more than 150 passengers and all "L" vessels shall be checked according to the standards and procedures set forth in Part 74 of Subchapter H (Passenger Vessels) of this chapter.

(b) The results of the test together with the supporting plans and data shall be submitted to the Commandant for approval.

PART 180—LIFESAVING EQUIPMENT

1. The authority for Part 180 is amended to read as follows:

AUTHORITY: §§ 180.01-1 to 180.35-10 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended, 46 U.S.C. 391, 392, 404, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 180.05—General Provisions Pertaining to Lifesaving Equipment

§ 180.05-1 Equipment of an approved type.

2. The authority note following § 180.05-1(b) (9) is amended to read as follows:

(R.S. 4491, as amended, sec. 6, 17, 54 Stat. 164, as amended, 166, as amended; 46 U.S.C. 489, 526e, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 180.10—Primary Lifesaving Equipment Required

§ 180.10-1 General.

3. The authority note following § 180.10-1(a) is amended to read as follows:

(R.S. 4491, as amended, 46 U.S.C. 489. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

4. Subpart 180.10 is amended by adding after § 180.10-30 a new section reading as follows:

§ 180.10-35 Rescue boat—*L*.

(a) A suitable rescue boat shall be required except when, in the opinion of the Officer in Charge, Marine Inspection, the vessel is of such design and operating characteristics that the vessel itself provides a fully satisfactory rescue platform.

Subpart 180.25—Life Preservers

§ 180.25-1 Type required.

5. The authority note following § 180.25-1(b) is amended to read as follows:

(R.S. 4491, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended; 46 U.S.C. 489, 526e, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 180.30—Ring Life Buoys and Water Lights

§ 180.30-1 General.

6. The authority note following § 180.30-1(a) is amended to read as follows:

(R.S. 4491, as amended, secs. 6, 17, 54 Stat. 164, as amended, 166, as amended; 46 U.S.C. 489, 526e, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

7. Section 180.30-5 is amended to read as follows:

§ 180.30-5 Number and size required.

(a) *S*. All vessels shall be fitted with one ring life buoy of not less than 24 inches in diameter, except that vessels less than 26 feet in length may use one ring life buoy of not less than 20 inches in diameter.

(b) *L*. All vessels shall be fitted with three ring life buoys of not less than 24 inches in diameter.

(c) *S* and *L*. Vessels not limited to daytime operation shall be provided with an approved water light.

(Secs. 6, 17, 54 Stat. 164, as amended, 166, as amended; 46 U.S.C. 526e, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

8. Section 180.30-10 is amended to read as follows:

§ 180.30-10 Location, distribution, and securing.

(a) *S*. The ring life buoy shall be so placed as to be readily accessible. It shall be capable of being cast loose, shall not be permanently secured in any way, and shall have attached to it a line at least 60 feet in length.

(b) *L.* The ring life buoys shall be so placed as to be readily accessible. They shall be capable of being cast loose, shall not be permanently secured in any way, and one of the ring life buoys shall have attached to it a line at least 60 feet in length.

(c) *S and L.* The water light, which is to be attached for nighttime operation, shall be stowed close to or attached to that ring life buoy which is located nearest the pilothouse.

(Sec. 6, 17, 54 Stat. 164, as amended, 166, as amended; 46 U.S.C. 526e, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 180.35—Pyrotechnic Distress Signals

§ 180.35-1 General.

9. The authority note following § 180.35-1(a) is amended to read as follows:

(R.S. 4491, as amended; 46 U.S.C. 489. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

PART 181—FIRE PROTECTION EQUIPMENT

1. The authority for Part 181 is amended to read as follows:

AUTHORITY: §§ 181.01-1 to 181.35-1 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4421, as amended, 4426, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 435, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 181.05—Approved Fire Protection Equipment

§ 181.05-1 General.

2. The authority note following § 181.05-1(b) is amended to read as follows:

(R.S. 4491, as amended, secs. 8, 17, 54 Stat. 165, as amended, 166, as amended, 46 U.S.C. 489, 526g, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 181.10—Fire Pumps

3. Section 181.10-1 is amended to read as follows:

§ 181.10-1 Power fire pump.

(a) *S and L.* A power-driven fire pump shall be installed on each mechanically propelled "S" vessel which is a ferry vessel or which is permitted to carry more than 49 passengers, and on each mechanically propelled "L" vessel.

(b) *S.* The power fire pump shall be self-priming and of such size as to discharge an effective stream from a hose connected to the highest outlet.

(c) *L.* The minimum capacity of the power fire pump shall be 50 gallons per minute at a pressure of not less than 60 pounds per square inch at the pump outlet. The pump outlet shall be fitted with a pressure gage.

(d) *S.* The power fire pump may be driven off a propulsion engine or other source of power and shall be connected

to the fire main. This pump may also be connected to the bilge system so that it can serve as either a fire pump or a bilge pump as described in Subpart 182.25.

(e) *L.* The power fire pump may be driven off one of the propulsion engines in a twin engine installation. In a single engine propulsion installation, the pump shall be driven by a source of power independent of the propulsion engine. The pump may also be connected to the bilge system so that it can serve as either a fire pump or a bilge pump as described in Subpart 182.25 of this subchapter.

Subpart 181.15—Fire Main System

4. Section 181.15-5 is amended to read as follows:

§ 181.15-5 Fire main and hydrants.

(a) *S and L.* Fire hydrants, when required, shall be of sufficient number and so located that any part of the vessel may be reached with an effective stream of water from a single length of hose.

(b) *L.* There shall be a minimum of two (2) fire hydrants on all mechanically propelled "L" vessels.

(c) *S and L.* All piping, valves, and fittings shall be in accordance with good marine practice and suitable for the purpose intended.

5. Section 181.15-10 is amended to read as follows:

§ 181.15-10 Fire hose.

(a) *S and L.* One length of fire hose shall be provided for each fire hydrant required.

(b) *S.* Fire hose may be commercial fire hose or equivalent of not over 1½-inch diameter or garden hose of not less than ⅝-inch nominal inside diameter. Hose shall be in one piece not less than 25 feet and not more than 50 feet in length.

(c) *L.* Fire hose shall be 1½ inches in diameter and 50 feet in length.

(d) *S and L.* If 1½-inch hose is used, it shall be of a good grade fire hose and provisions shall be made for proper stowage to prevent kinking. The hose shall be fitted with a good grade bronze or equivalent metal nozzle having a ½-inch solid stream orifice or an approved combination nozzle.

(e) *S.* If garden hose is used, it shall be of a good commercial grade constructed of an inner rubber tube, plies of braided cotton reinforcement and an outer rubber cover or of equivalent material, and shall be fitted with a commercial garden hose nozzle of good grade bronze or equivalent metal.

(f) *S and L.* All fittings on fire hose shall be of brass, copper, or other suitable corrosion-resistant metal.

(g) *S and L.* A length of fire hose shall be attached to each fire hydrant at all times.

Subpart 181.20—Fixed Fire Extinguishing System

§ 181.20-1 Where required.

6. The authority note following § 181.20-1(a) (3) is canceled because appropriate statutes cited are included in authority for this part.

Subpart 181.25—Manual Sprinkling System

§ 181.25-1 Where required.

7. The authority note following § 181.25-1(a) is canceled because statutes cited are included in authority for this part.

Subpart 181.30—Portable Fire Extinguishers

§ 181.30-5 Approved extinguishers.

8. The authority note following § 181.30-5(a) is amended to read as follows: (R.S. 4491, as amended, secs. 8, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 489, 526g, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

9. Part 181 is amended by inserting after § 181.30-10 a new Subpart 181.35, consisting of § 181.35-1, reading as follows:

Subpart 181.35—Fire Axe

§ 181.35-1 Required number and location—L.

(a) Each "L" vessel will be equipped with one (1) fire axe located in or adjacent to the pilothouse.

PART 182—MACHINERY INSTALLATION

1. The authority for Part 182 is amended to read as follows:

AUTHORITY: §§ 182.01-1 to 182.35-1 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 411, 435, 481. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 182.01—Application and Intent

§ 182.01-1 Application.

2. The authority note following § 182.01-1(a) is canceled because statutes cited are included in authority for this part.

Subpart 182.15—Machinery Using Gasoline as Fuel

§ 182.15-45 Ventilation of compartments containing gasoline machinery or fuel tanks.

3. Section 182.15-45 is amended by adding after paragraph (h) the following additional authority note:

(Secs. 11, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 526j, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 182.20—Machinery Using Diesel Fuel

§ 182.20-45 Ventilation of compartments containing diesel machinery.

4. Section 182.20-45 is amended by adding after paragraph (e) the following additional authority note:

(Secs. 11, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 526j, 526p. Treasury

Department Order 120, July 31, 1950, 15 F.R. 6521)

§ 182.20-50 Ventilation or venting of compartments containing diesel fuel tanks.

5. Section 182.20-50 is amended by adding after subparagraph (a) (2) the following additional authority note:

(Secs. 11, 17, 54 Stat. 165, as amended, 166, as amended; 46 U.S.C. 526j, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

Subpart 182.25—Bilge and Ballast Systems

6. Section 182.25-5(b) is amended to read as follows:

TABLE 182.25-10(a)

Number of passengers	Length of vessel	Bilge pumps required	Minimum capacity required (gallons per minute)
"L" vessels (any number of passengers)	Over 65 feet	2 fixed power pumps	50 GPM
"S" vessels carrying more than 49 passengers and all "S" ferry vessels.	65 feet and less	1 fixed power pump and 1 portable hand pump	25 GPM
		1 fixed power pump and 1 portable hand pump	5 GPM
"S" vessels other than ferry vessels, carrying not more than 49 passengers.	26 feet up to 65 feet	1 fixed power pump and 1 portable hand pump	10 GPM
		1 fixed power pump or 1 portable hand pump	5 GPM
		1 fixed hand pump and 1 portable hand pump	10 GPM
		1 portable hand pump	5 GPM
	Less than 26 feet	1 portable hand pump	5 GPM

(b) *S*. The fixed power bilge pump shall be self-priming and may be driven off the main engine or other source of power. It shall be permanently connected to the bilge main and may also be connected to the fire main. If of sufficient capacity the power bilge pump may also serve as a fire pump.

(c) *L*. The two required fixed power bilge pumps shall be self-priming and shall each be driven by different sources of power. If one pump is driven off the main engine in a single propulsion engine installation, the other shall be independently driven. In a twin engine installation, each pump may be driven off a main propulsion engine. The pumps shall be permanently connected to the bilge main and may also be connected to the fire main.

(d) *S and L*. The fixed hand bilge pump shall be permanently connected to the bilge main and may also be connected to the fire main.

(e) *S and L*. The portable hand bilge pump shall be provided with suitable hoses for pumping bilges on the suction and discharge ends. This pump may also serve as a portable fire pump if it is of sufficient capacity.

PART 183—ELECTRICAL INSTALLATION

1. The authority for Part 183 is amended to read as follows:

AUTHORITY: §§ 183.01-1 to 183.10-50 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4433, as amended, 4453, as amended, 4488, as amended; 46 U.S.C. 391, 392, 404, 411, 435, 481. Treasury Department Orders 120, July

§ 182.25-5 Bilge piping system.

(b) The bilge pipe in "S" vessels shall be not less than one inch nominal pipe size, and in "L" vessels not less than one and one-half inches. The bilge suction shall be fitted with suitable strainers having an open area not less than three times the area of the bilge pipe.

7. Section 182.25-10 is amended to read as follows:

§ 182.25-10 Bilge pumps.

(a) *S and L*. All vessels shall be provided with bilge pumps in accordance with Table 182.25-10(a).

31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857.

Subpart 183.01—Application and Intent

§ 183.01-1 Application.

2. The authority note following § 183.01-1(a) is canceled because statutes cited are included in authority for this part.

Subpart 183.05—Electrical Installations Operating at Potentials of Less Than 50 Volts

3. Section 183.05-10 is amended to read as follows:

§ 183.05-10 Generators and motors (less than 50 volts).

(a) *L*. If both of the required fixed power bilge pumps (Table 182.25-10(a)) are electrically driven, two generators shall be provided. One of these generators shall be driven by a means independent of the main propulsion plant.

(b) *S and L*. Generators and motors shall be placed in dry, accessible and adequately ventilated locations.

(c) *S and L*. Independent generators and motors should be mounted on foundations as high as practicable above the bilges to avoid damage by splash or contact with low lying vapors. They shall not be located in low or pocketed positions.

(d) *S and L*. All generators shall be suitably protected from overcurrent by circuit breakers, fuses or by an overcurrent relay.

(e) *S and L*. Overcurrent protection of a third brush type generator shall open the field circuit.

(f) *S and L*. An emergency switch shall be provided in the normally ungrounded main supply conductor from the battery and located as closely as practicable to the supply battery.

Subpart 183.10—Electrical Installations Operating at Potentials of 50 Volts or More

4. Section 183.10-5 is amended to read as follows:

§ 183.10-5 Generators and motors (50 volts or more).

(a) *S and L*. Each major generator and motor shall be fitted with a nameplate of corrosion-resistant material marked with the following information as applicable:

- (1) Name of manufacturer.
- (2) Manufacturer's type and frame designation.
- (3) Output in KW of watts or horsepower rating.
- (4) Kind of rating (continuous, intermittent, etc.).
- (5) Revolutions per minute at rated load.
- (6) Amperes at rated load.
- (7) Voltage.
- (8) Frequency if applicable.
- (9) Number of phases, if applicable.
- (10) Type of winding (for direct-current motors).

(b) *L*. If both of the required fixed power bilge pumps (Table 182.25-10(a)) are electrically driven, two generators shall be provided. One of these generators shall be driven by a means independent of the main propulsion plant.

(c) *S and L*. Generators and motors shall be mounted as high as practicable above the bilges to avoid damage by splash or contact with low lying vapors. They shall not be located in low or pocketed positions.

(d) *S and L*. Generators and motors for use below decks shall be located in as dry a place as practicable.

(e) *S and L*. Motors for use in locations exposed to the weather shall be of the watertight type or shall be enclosed in watertight housings. The motor enclosure or housing shall be provided with a check valve for drainage or a tapped hole at the lowest part of the frame which will serve for application of a drain pipe or drain plug.

(f) *S and L*. Generators and motors for use in machinery spaces shall generally be designed for an ambient temperature of 50° C. (122° F.). Generators and motors for use in locations where the ambient temperature will not exceed 40° C. (104° F.) may be designed for an ambient temperature of 40° C.

(1) If it can be substantiated that the ambient temperature in machinery spaces will not exceed 40° C. under normal operating conditions, the motors and generators may be designed for an ambient temperature of 40° C.

(2) Generators and motors designed for 40° C. may be used in 50° C. ambient locations provided the machines are derated to 80 percent of full load rating, and the rating or setting of the overcurrent devices is reduced accordingly. An additional nameplate specifying the derated capacity shall be provided for each such motor and generator.

(g) *S and L*. A voltmeter and an ammeter shall be provided that can be used for measuring voltage and current of each generator that is in operation. For alternating-current generators a means for measuring frequency shall also be provided. Additional control equipment and measuring instruments shall be provided as necessary to insure satisfactory operation of the generator or generators.

PART 184—VESSEL CONTROL AND MISCELLANEOUS SYSTEMS AND EQUIPMENT

1. The authority for Part 184 is amended to read as follows:

AUTHORITY: §§ 184.01-1 to 184.40-15 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended; 46 U.S.C. 391, 392, 404, 435. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 184.01—Application and Intent

§ 184.01-1 Application.

2. The authority note following § 184.01-1(a) is amended to read as follows:

(Sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 526p)

Subpart 184.30—Emergency Lighting

3. Section 184.30-1 is amended to read as follows:

§ 184.30-1 Portable lights.

(a) Vessels shall be equipped with a suitable number of portable battery lights.

4. Subpart 184.30 is amended by inserting after § 184.30-1 a new section reading as follows:

§ 184.30-5 Lights for lounge areas below the main deck.

(a) Adequate emergency lighting automatically actuated upon failure of the main lighting system shall be fitted along the line of escape in vessels having lounge areas below the main deck as per Subpart 177.30-7 of this subchapter.

(b) Vessels not equipped with a single source emergency lighting system shall have individual storage battery powered automatically operated lights in strategic locations. These lights shall have an automatic battery charger, shall not be readily portable, and shall have sufficient capacity for 6 hours continuous operation.

Subpart 184.40—Work Vests

§ 184.40-1 Approved unicellular plastic foam work vests.

5. The authority note following § 184.40-1(b) is amended to read as follows:

(R.S. 4488, as amended, 4491, as amended; 46 U.S.C. 481, 489. Treasury Department Orders 120, July 31, 1950, 15 F.R. 6521; 167-38, October 26, 1959, 24 F.R. 8857)

PART 185—OPERATIONS

1. The authority for Part 185 is amended to read as follows:

AUTHORITY: §§ 185.01-1 to 185.30-25 issued under R.S. 4405, as amended, 4462, as amended, sec. 3, 70 Stat. 152; 46 U.S.C. 375, 416, 390b. Interpret or apply R.S. 4417, as amended, 4418, as amended, 4426, as amended, 4453, as amended; 46 U.S.C. 391, 392, 404, 435. Treasury Department Orders 120, July 31, 1950; 15 F.R. 6521; 167-20, June 18, 1956, 21 F.R. 4894; CGFR 56-28, July 24, 1956, 21 F.R. 5659; 167-38, October 26, 1959, 24 F.R. 8857. Other statutory provisions interpreted or applied are cited to text in parentheses.

Subpart 185.20—Miscellaneous Operating Requirements

§ 185.20-1 Compliance with provisions of certificate of inspection.

2. The authority note following § 185.20-1(a) is amended to read as follows:

(R.S. 4421, as amended, 4463, as amended, 4464, as amended, sec. 26, 41 Stat. 998, as amended, sec. 17, 54 Stat. 166, as amended; 46 U.S.C. 399, 222, 451, 882, 526p. Treasury Department Order 120, July 31, 1950, 15 F.R. 6521)

3. Part 185 is amended by inserting after § 185.20-25 a new Subpart 185.22, consisting of § 185.22-1, reading as follows:

Subpart 185.22—Patrolmen

§ 185.22-1 Duties.

(a) At all times during which bunks in passenger lounge areas located below the main deck may be occupied (whether or not the vessel is underway), a member of the vessel's crew shall be designated by the operator in charge of the vessel as a roving patrolman.

(b) It shall be the duty of the roving patrolman to frequently visit such lounge areas to insure that safe conditions are being maintained.

(R.S. 4488, as amended; 46 U.S.C. 481. Treasury Department Order 167-38, October 26, 1959; 24 F.R. 8857)

Dated: August 29, 1963.

[SEAL] D. MCG. MORRISON,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 63-9520; Filed, Sept. 5, 1963; 8:50 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

COMPONENTS OF PAPER AND PAPERBOARD IN CONTACT WITH DRY FOOD

Subsequent to the promulgation of § 121.2571 *Components of paper and paperboard in contact with dry food* in the FEDERAL REGISTER of May 8, 1963 (28 F.R. 4615), comments were received

from Drew Chemical Corporation, 416 Division Street, Boonton, New Jersey, relating to the substance identified as acetylated monoglycerides, distilled. The Commissioner of Food and Drugs, having evaluated the comments received, and other relevant material, has concluded that § 121.2571 should be amended by deleting the term "distilled" from the above-identified substance to provide for the use of acetylated monoglycerides whether or not distilled. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 701(a), 52 Stat. 1055, 72 Stat. 1785 et seq.; 21 U.S.C. 348, 371(a)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), § 121.2571(b) is amended by changing the first item in the list of substances to read as follows:

List of substances	Limitations
Acetylated mono-glycerides.	Complying with § 121.1018.

The amendment ordered removes a restriction on the identification of the product involved and conforms the limitation to an existing regulation. Because of the nature of the change, notice and public procedure are not deemed necessary in this instance.

Effective date. This order shall be effective 30 days after the date of its publication in the FEDERAL REGISTER.

(Secs. 409, 701(a), 52 Stat. 1055, 72 Stat. 1785 et seq.; 21 U.S.C. 348, 371(a))

Dated: August 30, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-9547; Filed, Sept. 5, 1963; 8:47 a.m.]

Title 41—PUBLIC CONTRACTS

Chapter 9—Atomic Energy Commission

PART 9-51—REVIEW AND APPROVAL OF CONTRACT ACTIONS

Miscellaneous Amendments

Section 9-51.101(a)(1) is amended to read as follows:

(1) The Field Offices at Chicago, Richmond, Nevada, Idaho, New York, Oak Ridge, Savannah River, San Francisco, Albuquerque, and the Brookhaven Office will communicate directly with the Director, Division of Contracts, on all contract actions requiring Headquarters' consideration.

Effective date: This amendment shall become effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 161, 68 Stat. 948; 42 U.S.C. 2201; sec. 205, 63 Stat. 390; 40 U.S.C. 486)

Dated at Germantown, Md., this 29th day of August 1963.

For the U.S. Atomic Energy Commission.

JAMES SCAMMAHORN,
Acting Director,
Division of Contracts.

[F.R. Doc. 63-9551; Filed, Sept. 5, 1963; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Reg. Docket No. 1895, Amdt. 336]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to standard instrument approach procedures contained herein are being adopted to become effective when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be contrary to the public interest and is therefore not required.

Pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 609 is amended as follows:

1. The low or medium frequency range procedures prescribed in § 609.100(a) are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Elkins VOR.....	Elkins LFR.....	Direct.....	4700	T-d*.....	1000-2	1000-2	1000-2
				T-n.....	NA	NA	NA
				C-d.....	2000-2	2000-2	2000-2
				C-n.....	NA	NA	NA
				A-d.....	2000-3	2000-3	2000-3
				A-n.....	NA	NA	NA

Procedure turn W side of crs, 354° Outbnd, 174° Inbnd, 4700' within 10 miles.

Minimum altitude over facility on final approach crs, 4300'.

Crs and distance, facility to airport, 177°—2.7 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.7 miles after passing EN-LFR, climb to 6000' on crs within 10 miles, make right turn to EN-LFR, hold on N crs 174° bearing Inbnd 1-minute right turns.

AIR CARRIER NOTE: Night operations not authorized. Sliding scale not authorized. No reduction in minimums authorized due to local conditions. No reduction in takeoff minimums authorized.

*Takeoffs all runways: Climb direct to EN LFR, then via 042° bearing to intercept the EKN VOR R-074, then continue climb on R-074.

City, Elkins; State, W. Va.; Airport Name, Elkins Municipal—Randolph County; Elev., 1987'; Fac. Class, SBMRAZ; Ident., EN; Procedure No. 1, Amdt. 4; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 3; Dated, 15 July 61

PROCEDURE CANCELLED, EFFECTIVE 7 SEPT. 1963, OR UPON DECOMMISSIONING DATE OF FLO LFR.

City, Florence; State, S.C.; Airport Name, Florence Airport; Elev., 146'; Fac. Class, SBMRLZ; Ident., FLO; Procedure No. 1, Amdt. 6; Eff. Date, 18 June 63; Sup. Amdt. No. 5; Dated, 7 June 64

2. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Swiss Int.....	CR LOM.....	Direct.....	3000	T-dn.....	300-1	300-1	200-1/2
CRW VOR.....	CR LOM.....	Direct.....	2800	C-dn.....	600-1	600-1	600-1 1/2
Gay Int.....	CR LOM.....	Direct.....	3000	S-dn-23.....	600-1	600-1	600-1
Walnut Grove Int.....	CR LOM.....	Direct.....	3000	A-dn.....	800-2	800-2	800-2
Irydale Int.....	CR LOM.....	Direct.....	3000				

Radar vectoring authorized in accordance with approved procedures.

Procedure turn N side of crs, 050° Outbnd, 230° Inbnd, 2300' within 10 miles.

Minimum altitude over facility on final approach crs, 2300'.

Crs and distance, facility to airport, 230°—4.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb straight ahead to 3000', then proceed direct to CRW VOR, maintain 3000', hold CRW R-261 1-minute right turns 081° Inbnd.

City, Charleston; State, W. Va.; Airport Name, Kanawha County; Elev., 982'; Fac. Class., LOM; Ident., CR; Procedure No. 1, Amdt. 12; Eff. Date, 7 Sept. 63; Sup. Amdt No. 11; Dated, 21 Apr. 62

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Salem Int.	GON RBn.....	Direct.....	2000	T-dn.....	300-1	300-1	*300-1
Saybrook Int.	GON RBn.....	Direct.....	2000	C-dn.....	500-1	500-1	500-1½
Watch Hill Int.	GON RBn.....	Direct.....	2000	A-dn**.....	800-2	800-2	800-2
Norwich VOR.....	GON RBn.....	Direct.....	2100				

Radar vectoring authorized in accordance with approved patterns from Quonset Point, R.I. RATCC.
 Procedure turn W side of crs, 230° Outbnd, 050° Inbnd, 1800' within 10 miles.
 Minimum altitude over facility on final approach crs, 600'.
 Crs and distance, facility to airport, 049°—0.9 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.9 mile after passing GON RBn, make a right climbing turn to 1800', direct to GON RBn, hold SW, 050° Inbnd, 1-minute left turns.
 NOTE: Facility must be monitored aurally during this approach.
 *200-½ authorized for takeoff Runway 23 only.
 **Alternate weather minimums of 800-2 authorized for those who have an approved arrangement for weather service at the airport.

City, Groton; State, Conn.; Airport Name, Trumbull; Elev., 10'; Fac. Class., MHW; Ident., GON; Procedure No. 1, Amdt. 1; Eff. Date, 7 Sept. 63; Sup. Amdt. No. Orig.; Dated, 10 Mar. 62

Norwich VOR.....	GON RBn.....	Direct.....	2100	T-dn.....	300-1	300-1	*300-1
Salem Int.	GON RBn.....	Direct.....	2000	C-dn.....	500-1	500-1	500-1½
Saybrook Int.	GON RBn.....	Direct.....	2000	A-dn**.....	800-2	800-2	800-2
Watch Hill Int.	GON RBn.....	Direct.....	2000				

Radar vectoring authorized in accordance with approved patterns from Quonset Point, R.I. RATCC.
 Procedure turn N side of crs, 258° Outbnd, 078° Inbnd, 1900' within 10 miles of Groton RBn.
 Minimum altitude over facility on final approach crs, 700'.
 Crs and distance, facility to airport, 049°—0.9 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.9 mile after passing GON RBn, make a right climbing turn to 1900' direct to GON RBn, hold SW, 078° Inbnd, 1-minute left turns.
 NOTE: Facility must be monitored aurally during this approach.
 *200-½ authorized for takeoff Runway 23 only.
 **Alternate weather minimums of 800-2 authorized only for those who have an approved arrangement for weather service at the airport.

City, Groton; State, Conn.; Airport Name, Trumbull; Elev., 10'; Fac. Class., MHW; Ident., GON; Procedure No. 2, Amdt. 1; Eff. Date, 7 Sept. 63; Sup. Amdt. No. Orig.; Dated, 4 Aug. 62

Hartford VOR.....	HFD RBn (final).....	Direct.....	1400	T-dn.....	300-1	300-1	300-1
				C-dn.....	800-1	900-1	900-1½
				A-dn.....	NA	NA	NA

Radar vectoring utilizing Bradley Radar is authorized in accordance with approved patterns.
 Procedure turn E side of crs, 143° Outbnd, 323° Inbnd, 2400' within 10 miles. Beyond 10 miles not authorized.
 Minimum altitude over facility on final approach crs, 1400'.
 Crs and distance, facility to airport, 323°—2.1 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.1 miles after passing HFD RBn, make a left climbing turn to 2400' on the 143° bearing from HFD RBn within 10 miles. Return to HFD RBn and hold SE at 2400', 323° Inbnd, right turns, 1 minute.
 CAUTION: 580' building 1.5 miles N of airport.

City, Hartford; State, Conn.; Airport Name, Brainard Field; Elev., 18'; Fac. Class., MHW; Ident., HFD; Procedure No. 1, Amdt. Orig.; Eff. Date, 7 Sept. 63

Mobile VOR.....	LOM.....	Direct.....	1800	T-dn.....	300-1	300-1	200-½
Brookley VOR.....	LOM.....	Direct.....	1800	C-dn.....	400-1	400-1	500-1½
				S-dn-14.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 1800' within 10 miles.
 Minimum altitude over facility on final approach crs, 1500'.
 Crs and distance, facility to airport, 139°—4.5 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, make right turn, climb to 1800' on 180° crs from LOM within 20 miles or, when directed by ATC, make right turn, proceed direct to MOB VOR climbing to 1800' and enter VOR holding pattern.
 City, Mobile; State, Ala.; Airport Name, Bates Field; Elev., 217'; Fac. Class., LOM; Ident., MO; Procedure No. 1, Amdt. 12; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 11; Dated, 25 Aug. 63

				T-dn.....	300-1	300-1	200-½
				C-dn.....	600-1	600-1	600-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn W side of crs, 350° Outbnd, 170° Inbnd, 2200' within 10 miles.
 Minimum altitude over facility on final approach crs, 1300'.
 Facility at airport.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 2200' on crs of 170° and return to MBS RBn.
 CAUTION: 947' MSL radio tower 3.0 miles 170° from airport. 780' MSL elevator 2.2 miles W of airport.

City, Saginaw; State, Mich.; Airport Name, Tri-City; Elev., 667'; Fac. Class., BMH; Ident., MBS; Procedure No. 1, Amdt. 10; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 9; Dated, 9 Dec. 61

Tulsa VOR.....	(DW) LOM.....	Direct.....	2200	T-dn.....	300-1	300-1	*200-½
Collinsville Int.	(DW) LOM.....	Direct.....	2200	C-dn.....	400-1	500-1	500-1½
Big Cabin Int.	(DW) LOM.....	Direct.....	2200	S-dn-17L.....	400-1	400-1	400-1
Will Rogers Int.	(DW) LOM.....	Direct.....	2200	A-dn.....	800-2	800-2	800-2
Murnan Int.	(DW) LOM—(final).....	Direct.....	2200				

Radar vectoring may be used to position aircraft for a final approach within 5 miles N of DW LOM with elimination of procedure turn.
 Procedure turn W side of crs, 354° Outbnd, 174° Inbnd, 2200' within 10 miles.
 Minimum altitude over facility on final approach crs, 2200'.
 Crs and distance, facility to airport, 174°—5.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.6 miles after passing DW LOM, climb to 2200' on crs 174° within 20 miles of (DW) LOM, or when directed by ATC, climb to 2200' on TUL-VOR R-035 within 20 miles.
 *300-1 required on Runway 3L, 21R, 17R and 35L.

City, Tulsa; State, Okla.; Airport Name, Municipal; Elev., 674'; Fac. Class., LOM; Ident., DW; Procedure No. 2, Amdt. Orig.; Eff. Date, 7 Sept. 63

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Boys Int.-----	Poolesville RBN (final)-----	Direct-----	2300	T-dn----- C-dn----- S-dn-19R*----- A-dn-----	300-1 500-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-1 1/2 400-1 800-2

Radar transitions and vectoring authorized in accordance with approved patterns.
 Procedure turn W side of crs, 006° Outbnd, 186° Inbnd, 2300' within 10 miles of Poolesville RBN.
 Minimum altitude over Poolesville RBN on final approach crs, 2300'. Do not descend below 813' until after passing DLX outer marker.
 Crs and distance, facility to airport, 186°—7.3 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.3 miles after passing PLV RBN, make a right climbing turn, proceed direct to PLV RBN, cross PLV RBN at 2000', continue climb to 2300' in holding pattern. Hold N 006° bearing, 186° Inbnd, 1-minute right turns.
 *If DLX OM not received, minimums of 500-2 apply.

City, Washington, D.C.; Airport Name, Dulles International; Elev., 313'; Fac. Class., MHW; Ident., PLV; Procedure No. 2, Amdt. 4; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 3; Dated, 11 May 63

Bradley Int.-----	BD LOM-----	Direct-----	2500	T-dn-----	300-1	300-1	200-1/2
New Britain Int.-----	BD LOM-----	Direct-----	2500	C-dn-----	400-1	500-1	500-1 1/2
Tamle Int.-----	BD LOM-----	Direct-----	2700	S-dn-6-----	400-1	400-1	400-1
				A-dn-----	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn S side SW crs, 238° Outbnd, 058° Inbnd, 2500' within 10 miles.
 Minimum altitude over facility on final approach crs, 1700'.
 Crs and distance, facility to airport, 058°—4.5 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, make a climbing right turn to 2500' direct BD LOM. Hold SW of BD LOM, 058° Inbnd, left turns, 1 minute.
 NOTE: Final approach from holding pattern not authorized. Procedure turn required.
 CAUTION: Unlighted hills 2.4 miles NW of airport approximately 768' MSL. Standard clearance not provided for straight-in minimums over ridge approximately 1 mile N of LOM.

City, Windsor Locks; State, Conn.; Airport Name, Bradley Field; Elev., 173'; Fac. Class., LOM; Ident., BD; Procedure No. 1, amdt. 12; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 11; Dated, 27 Dec. 58

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
EKN VOR-----	Lost Creek Int.-----	Direct-----	4000	T-dn-----	*500-1	NA	NA
Lost Creek Int.-----	CKB VOR (final)-----	Direct-----	2500	C-dn-----	700-1	NA	NA
				A-dn-----	1000-2	NA	NA

Procedure turn W side of crs, 220° Outbnd, 040° Inbnd, 3200' within 10 miles. Nonstandard due to terrain.
 Minimum altitude over facility on final approach crs, 2500'.
 Crs and distance, facility to airport, 040°—2.9 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.9 miles after passing CKB VOR, climb to 3200' on R-640 CKB VOR within 10 miles and return to CKB VOR.
 Hold SW on R-220 at 3200', 1-minute left turns, 040° Inbnd.
 CAUTION: High terrain 1600' 1.3 miles SE of airport. 2049' antenna 3.5 miles NW of CKB-VOR.
 AM CARBIE NOTE: Sliding scale not authorized.
 *Night takeoffs not authorized on Runways 16-34—obstructing terrain E side of runways of 1270'.
 #Lost Creek Int: Int EKN R-329 and CKB R-220.

City, Clarksburg; State, W. Va.; Airport Name, Benedum; Elev., 1209'; Fac. Class., BVOR; Ident., CKB; Procedure No. 1, Amdt. 1; Eff. Date, 7 Sept. 63; Sup. Amdt. No. Orig.; Dated, 21 Apr. 62

Daggett RBN-----	DAG-VOR-----	Direct-----	6000	T-dn*-----	2000-4	2000-4	2000-4
				C-dn-----	2000-4	2000-4	2000-4
				A-dn-----	2000-4	2000-4	2000-4

Procedure turn N side crs, 042° Outbnd, 222° Inbnd, 6000' within 10 miles.
 Minimum altitude over facility on final approach crs, 4000'.
 Crs and distance, facility to airport, 224°—11.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.0 miles after passing DAG-VOR, turn right, climb to 6000' on R-230 to Daggett VOR.
 *500-1 authorized for takeoff on Runways 3 and 7.

City, Daggett; State, Calif.; Airport Name, Barstow-Daggett; Elev., 1927'; Fac. Class., BVORTAC; Ident., DAG; Procedure No. 1, Amdt. 2; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 1; Dated, 21 Feb. 59

RULES AND REGULATIONS

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn-----	300-1	300-1	300-1
				C-d-----	1200-1	1200-1	1200-1½
				C-n-----	1200-2	1200-2	1200-2
				A-dn-----	1200-2	1200-2	1200-2
If aircraft is equipped with VOR and ADF, and the 120° bearing from HFD RBn is received, the following minimum applies:							
				C-dn*-----	500-1	500-1	500-1½

Radar vectoring utilizing Bradley Radar is authorized in accordance with approved patterns.
 Procedure turn E side of crs, 167° Outbnd, 347° Inbnd, 2400' within 10 miles. Beyond 10 miles not authorized.
 Minimum altitude over facility on final approach crs, 2400'.
 Crs and distance, facility to airport, 347°—7.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.0 miles after passing HFD-VOR (2.5 miles after passing the 120° bearing from HFD RBn), make a right climbing turn to 2400' direct to HFD-VOR. Hold SE of HFD-VOR on R-143, right turns, 1-minute.
 CAUTION: 580' building 2.0 miles NW of airport.
 *Do not descend below 1245' until after passing the 120° bearing from HFD RBn.

City, East Hartford; State, Conn.; Airport Name, Rentschler Field; Elev., 45'; Fac. Class., M-BVOR; Ident., HFD; Procedure No. 1, Amdt. Orig.; Eff. Date, 7 Sept. 63

				T-d*	1000-2	1000-2	1000-2
				T-n-----	NA	NA	NA
				C-d-----	2000-2	2000-2	2000-2
				C-n-----	NA	NA	NA
				A-d-----	2500-3	2500-3	2500-3
				A-n-----	NA	NA	NA

Procedure turn S side of crs, 282° Outbnd, 102° Inbnd, 4500' within 10 miles.
 Minimum altitude over facility on final approach crs, 4000'.
 Crs and distance, facility to airport, 102°—11.4 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, make immediate left climbing turn to 5000' to EKN VOR, hold W on R-268 Inbnd, 1-minute right turns.
 CAUTION: Obstructions reaching 3400' 3 miles W of airport.
 AIR CARRIER NOTE: Night operations not authorized. Sliding scale not authorized. No reduction in landing visibility for local conditions. No reduction in takeoff minimums authorized.
 *Takeoffs all runways: Climb direct to EN LFR, then via 042° bearing to intercept the EKN VOR R-074, then climb on R-074.

City, Elkins; State, W. Va.; Airport Name, Elkins Municipal—Randolph County; Elev., 1987'; Fac. Class., MBVORTAC; Ident., EKN; Procedure No. 1, Amdt. 1; Eff. Date, 7 Sept. 63; Sup. Amdt. No. Orig.; Dated, 1 Apr. 54

				T-dn-----	300-1	300-1	200-½
				C-dn-----	500-1	500-1	500-1½
				S-dn-23-----	400-1	400-1	400-1
				A-dn-----	800-2	800-2	800-2

Procedure turn N side crs, 054° Outbnd, 234° Inbnd, 1700' within 10 miles.
 Minimum altitude over facility on final approach crs, 900'.
 Crs and distance, facility to airport, 234°—3.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.7 miles after passing FLO-VOR, climb to 1700' on R-234 within 20 miles, turn left, returning to FLO-VOR via R-223.
 Other change: Deletes transition from FLO-LFR.

City, Florence; State, S.C.; Airport Name, Florence; Elev., 146'; Fac. Class., BVOR; Ident., FLO; Procedure No. 1, Amdt. 3; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 2; Dated, 18 June 60

THS VOR-----	HGR VOR-----	Direct-----	3600'	T-dn-----	300-1	300-1	200-½
MRB VOR-----	HGR VOR-----	Direct-----	3600'	C-dn-----	400-1	500-1	500-1½
				S-dn-9-----	400-1	400-1	400-1
				A-dn-----	NA	NA	NA

Procedure turn S side of crs, 246° Outbnd, 066° Inbnd, 3600' within 10 miles.
 Minimum altitude over facility on final approach crs, 2400' until crossing MRB VOR R-359, then maintain 2000' to HGR VOR.
 Crs and distance, facility to airport, 091°—5.3 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.3 miles after passing HGR VOR, make immediate left climbing turn to 3600' direct to HGR VOR, hold SW on R-246, 1-minute right turns.
 *Circling approaches to runway 2/20 authorized during daylight hours only.

City, Hagerstown; State, Md.; Airport Name, Hagerstown Municipal; Elev., 704'; Fac. Class., BVOR; Ident., HGR; Procedure No. 1, Amdt. 1; Eff. Date, 7 Sept. 63; Sup. Amdt. No. Orig.; Dated, 18 Aug. 62

				T-dn-----	300-1	300-1	300-1
				C-d-----	1200-1	1200-1	1200-1½
				C-n-----	1200-2	1200-2	1200-2
				A-dn-----	NA	NA	NA
If aircraft equipped with VOR and ADF and 240° bearing from HFD RBn is received, the following minimum applies:							
				C-dn*-----	800-1	900-1	900-1½

Radar vectoring utilizing Bradley Radar is authorized in accordance with approved patterns.
 Procedure turn E side of crs, 154° Outbnd, 334° Inbnd, 2400' within 10 miles. Beyond 10 miles not authorized.
 Minimum altitude over facility on final approach crs, 2400'.
 Crs and distance, facility to airport, 334°—7.3 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 7.3 miles after passing HFD VOR (2.0 miles after passing the 240° bearing from HFD RBn), make a left climbing turn to 2400' direct to HFD VOR. Hold SE of HFD VOR on R-143, right turns, 1-minute.
 CAUTION: 580' building 1.5 miles N of airport.
 *Do not descend below 1218' until after passing the 240° bearing from HFD RBn.

City, Hartford; State, Conn.; Airport Name, Brainard Field; Elev., 18'; Fac. Class., M-BVOR; Ident., HFD; Procedure No. 1, Amdt. Orig.; Eff. Date, 7 Sept. 63

VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	

PROCEDURE CANCELLED, EFFECTIVE 7 SEPT. 1963.

City, Morris; State, Ill.; Airport Name, Morris Municipal; Elev., 588'; Fac. Class., BVORTAC; Ident., JOT; Procedure No. 1, Amdt. 1; Eff. Date, 27 Apr. 63; Sup. Amdt. No. Orig.; Dated, 20 June 59

				T-d-----	300-1	NA	NA
				C-d-----	500-1½	NA	NA
				S-d-8-----	500-1½	NA	NA
				A-d-----	NA	NA	NA

Procedure turn S side of crs, 266° Outbnd, 086° Inbnd, 1900' within 10 miles.
Minimum altitude over facility on final approach crs, 900'.

Crs and distance, facility to airport, 086°—3.6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing COL-VOR, make a right climbing turn to 1900' and return to COL-VOR. Hold W, 1-minute right turns; Inbnd crs 086°.

City, Red Bank; State, N.J.; Airport Name, Red Bank; Elev., 80'; Fac. Class., VOR; Ident., COL; Procedure No. 1, Amdt. 1; Eff. Date, 7 Sept. 63; Sup. Amdt. No. Orig.; Dated, 27 May 61

				T-d-----	300-1	300-1	NA
				C-d-----	700-1	700-1	NA
				S-d-29-----	700-1	700-1	NA
				A-dn-----	NA	NA	NA

Procedure turn N side crs, 108° Outbnd, 288° Inbnd, 1900' within 10 miles.
Minimum altitude over facility on final approach crs, 1000'.

Crs and distance, facility to airport, 288°—4.7 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing RBV-VOR, make right climbing turn to 1900' and return to RBV-VOR. Hold E, 1-minute right turns, Inbnd crs 288°.

City, Robbinsville; State, N.J.; Airport Name, Trenton-Robbinsville; Elev., 115'; Fac. Class., B-VORTAC; Ident., RBV; Procedure No. 1, Amdt. 1; Eff. Date, 7 Sept. 63; Sup. Amdt. No. Orig.; Dated, 28 Jan. 61

4. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
BTT LFR-----	BTT VOR-----	Direct-----	2800	T-dn-----	300-1	300-1	200-½
				C-dn-----	500-1	500-1	500-1½
				S-dn-01-----	400-1	400-1	400-1½
				A-dn-----	800-2	800-2	800-2

Procedure turn E side of crs, 189° Outbnd, 009° Inbnd, 2800' within 10 miles.
Minimum altitude over facility on final approach crs, 1100'.

Crs and distance, breakoff point to approach end of Runway 01, 006°—1.0 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of BTT VOR, turn left, climb to 3000' on R-189 of BTT VOR within 15 nautical miles.

CAUTION: High terrain E of airport, all maneuvering to be accomplished W of airport. 1000' terrain 2 miles NNE; 2000' terrain 7 miles E.
City, Bettles; State, Alaska; Airport Name, Bettles; Elev., 665'; Fac. Class., HVOR; Ident., BTT; Procedure No. TerVOR-1, Amdt. Orig.; Eff. Date, 7 Sept. 63

SCK-VOR-----	MOD-VOR-----	Direct-----	2000	T-dn-----	300-1	300-1	200-½
Woodward Int-----	MOD-VOR-----	Direct-----	2000	C-dn-----	500-1	500-1	500-½
SCK-VOR-----	Salida Int*-----	Direct-----	2000	A-dn-----	NA	NA	NA
Salida Int*-----	MOD-VOR (final)-----	Direct-----	600				

Radar vectoring authorized in accordance with approved patterns.
Procedure turn S side of crs, 274° Outbnd, 094° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 600'.

Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, make right turn, climb to 2000' on R-274 within 20 miles.

*Salida Int: Int MOD-VOR R-274 and SCK-VOR R-147.
City, Modesto; State, Calif.; Airport Name, Modesto City-County; Elev., 96'; Fac. Class., BVOR; Ident., MOD; Procedure No. TerVOR R-274, Amdt. Orig.; Eff. Date, 7 Sept. 63

RULES AND REGULATIONS

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Flat Rock VOR	RIC VOR	Direct	2000	T-dn	300-1	300-1	200-1/2
Manakin RBN	RIC VOR	Direct	2000	C-dn	600-1	600-1	600-1 1/2
Hopewell VOR	RIC VOR	Direct	1700	S-dn-6	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2
If aircraft equipped with VOR and ADF receivers and Stack Int received, the following minimums apply:							
				C-dn	500-1	500-1	500-1 1/2
				S-dn-6	400-1	400-1	400-1

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn S side of crs, 236° Outbnd, 056° Inbnd, 1700' within 10 miles of RIC VOR.
 *Minimum altitude until over Stack Int# on final approach crs, 800'.
 Crs and distance, breakoff point to approach end of runway, 063°—0.9 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of RIC VOR, climb to 2000' on R-056 RIC VOR within 10 miles. Return to RIC VOR, hold SW 220° Outbnd, 040° Inbnd, 1-minute right turns.
 *If Stack Int# not received, maintain 800' over RIC VOR.
 #Stack Int: Int R-236 RIC VOR and 304° bearing from RIC RBN.

City, Richmond; State, Va.; Airport Name, Byrd Field; Elev., 167'; Fac. Class., BVOR; Ident., RIC; Procedure No. TerVOR-6, Amdt. 7; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 6; Dated, 18 May 63

Flat Rock VOR	Biltmore Int*	Direct	2000	T-dn	300-1	300-1	200-1/2
Biltmore Int*	RIC VOR (final)	Direct	800	C-dn	600-1	600-1	600-1 1/2
Manakin RBN	RIC VOR	Direct	2000	S-dn-15	600-1	600-1	600-1
5-mile radar fix	RIC VOR (final)	Direct	600	A-dn	800-2	800-2	800-2
If aircraft equipped with dual VOR receivers and Biltmore Int* or 5-mile radar fix received, the following minimum applies:							
				S-dn-15	400-1	400-1	400-1

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn N side of crs, 347° Outbnd, 167° Inbnd, 1700' within 10 miles.
 Minimum altitude over Biltmore Int* on final approach crs, 800'; over facility, 600'.
 Crs and distance, breakoff point to approach end of runway, 154°—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 2000' on R-167 RIC-VOR within 10 miles, return to RIC VOR. Hold SW 220° Outbnd, 040° Inbnd, 1-minute right turns.
 *Biltmore Int: Int R-008 Flat Rock VOR and R-347 Richmond VOR.

City, Richmond; State, Va.; Airport Name, Byrd Field; Elev., 167'; Fac. Class., BVOR; Ident., RIC; Procedure No. TerVOR-15, Amdt. 9; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 8; Dated, 18 May 63

Flat Rock VOR	RIC VOR	Direct	2000	T-dn	300-1	300-1	200-1/2
Hopewell VOR	RIC VOR	Direct	1700	C-dn	600-1	600-1	600-1 1/2
Manakin RBN	RIC VOR	Direct	2000	S-dn-33	600-1	600-1	600-1
Brown Int*	RIC VOR (final)	Direct	600	A-dn	800-2	800-2	800-2
5-mile radar fix	RIC VOR (final)	Direct	600				
If aircraft is equipped with VOR and ADF receivers and Brown Int* or 5-mile radar fix received, the following minimum applies:							
				S-dn-33	400-1	400-1	400-1

Radar vectoring authorized in accordance with approved pattern.
 Procedure turn N side of crs, 138° Outbnd, 318° Inbnd, 1700' within 10 miles.
 Minimum altitude over Brown Int* on final approach crs, 800'; over facility, 600'.
 Crs and distance, breakoff point to approach end of runway, 334°—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of RIC VOR, climb to 2000' on R-318 of RIO VOR within 10 miles, return to RIC VOR. Hold SW 220° Outbnd, 040° Inbnd, 1-minute right turns.
 *Brown Int: Int RIC-VOR R-138 and 090° bearing RC-LFR.

City, Richmond; State, Va.; Airport Name, Byrd Field; Elev., 167'; Fac. Class., BVOR; Ident., RIC; Procedure No. TerVOR-33, Amdt. 6; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 5; Dated, 18 May 63

				T-dn	300-1	300-1	200-1/2
				C-dn	500-1	500-1	600-1 1/2
				S-dn-5	500-1	500-1	600-1
				A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 238° Outbnd, 058° Inbnd, 2200' within 10 miles.
 Minimum altitude over facility on final approach crs, 1200'.
 Crs and distance, facility to airport, 049°—0.3 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished proceed to facility, climb to 2200' on MBS VOR R-058 and return to MBS VOR.

City, Saginaw; State, Mich.; Airport Name, Tri-City; Elev., 667'; Fac. Class., BVOR; Ident., MBS; Procedure No. TerVOR-5, Amdt. 2; Eff. Date, 7 Sept. 63; Sup. Amdt. No. VOR, 1; Dated, 2 Dec. 61

				T-dn	300-1	300-1	200-1/2
				C-dn	600-1	600-1	600-1 1/2
				S-dn-14	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 313° Outbnd, 133° Inbnd, 2200' within 10 miles.
 Minimum altitude over facility on final approach crs, 1300'.
 Crs and distance, facility to airport, 139°—0.28 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished proceed to facility, climb to 2200' on MBS VOR R-170 and return to MBS VOR.

City, Saginaw; State, Mich.; Airport Name, Tri-City; Elev., 667'; Fac. Class. BVOR; Ident., MBS; Procedure No. TerVOR-14, Amdt. 1; Eff. Date, 7 Sept. 63; Sup. Amdt. No. VOR, Orig.; Dated, 21 Dec. 57

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-dn.....	300-1	300-1	200-1/2
				C-dn.....	600-1	600-1	600-1 1/2
				S-dn-23.....	600-1	600-1	600-1
				A-dn.....	800-2	800-2	800-2

Procedure turn E side of crs, 038° Outbnd, 218° Inbnd, 2200' within 10 miles.

Minimum altitude over facility on final approach crs, 1300'.

Crs and distance, facility to airport, 229°—0.29 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished proceed to facility, climb to 2200' on MBS VOR R-218 and return to MBS VOR.

City, Saginaw, State, Mich.; Airport Name, Tri-City; Elev., 667'; Fac. Class., BVOR; Ident., MBS; Procedure No. TerVOR-23, Amdt. 2; Eff. Date, 7 Sept. 63; Sup. Amdt. No. VOR, 1; Dated, 2 Dec. 61

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Camp Int**.....	McGregor Pt RBN.....	Via S crs of ILS...	2700	T-dn#.....	300-1	300-1	200-1/2
Harpoon Int.....	Camp Int**.....	Direct.....	4000	C-dn.....	600-1	600-1	600-1 1/2
Int LNY R-096 and 230° bearing from McGregor Pt RBN.	Camp Int**.....	Direct.....	4000	S-dn-2*.....	300-3/4	300-3/4	300-3/4
				A-dn.....	700-2	700-2	700-2

Procedure turn not authorized. Straight-in from McGregor Pt RBN only.

Crs, McGregor Pt RBN to airport, 024°.

Altitude of glide slope and distance to approach end of runway at McGregor Pt RBN, 2700'—3.2 miles; at OM, 1205'—3.5 miles; at LMM, 289'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 3000' on OGG-VOR R-027, reverse course, climb to 3000' and return to VOR.

CAUTION: 1. Precipitous terrain W of McGregor Pt RBN. Turbulence of varying intensities may be encountered. 2. 570' tower 4 miles W of airport; 255' stacks 1.6 miles SW on final. 3. Approach lights not installed.

*When glide slope not utilized do not descend below 1700' until 3 miles past McGregor Pt RBN and minimums are 500-1.

#Takeoff minimums Runways 23, 20 and 17 are 600-1, and all aircraft must cross airport under VFR conditions prior to departing on course.

**Camp Int: Int LNY-VOR R-096 and S crs ILS.

City, Kahului, Maui, State, Hawaii; Airport Name, Kahului; Elev., 59'; Fac. Class., ILS; Ident., I-OGG; Procedure NO. ILS-2, Amdt. Orig.; Eff. Date, 7 Sept. 63

MKE VOR.....	Lake Park Int.....	Direct.....	2700	T-dn.....	300-1	300-1	200-1/2
MKE-RBN.....	Lake Park Int.....	Direct.....	2700	C-dn.....	600-1	600-1	600-1 1/2
MK-LOM.....	Lake Park Int.....	Direct.....	2700	S-dn-19.....	400-1	400-1	400-1
MWC VOR.....	Lake Park Int.....	Direct.....	2700	A-dn.....	800-2	800-2	800-2
Cardinal Int.....	Lake Park Int (final).....	Direct.....	2300				

Radar transitions to final approach course authorized according to approved patterns. Aircraft will be released for final approach without procedure turn on Inbnd final approach crs at least 2 miles N of Lake Park Int.

Procedure turn W side of crs, 006° Outbnd, 186° Inbnd, 2700' within 10 miles of Lake Park Int.

No glide slope, outer or middle marker, and no approach lights.

Minimum altitude over Lake Park Int on final approach crs, 2300'; over Harbor Int, 1900'.

Crs and distance, Lake Park Int to airport, 186°—7.3 miles; Harbor Int to airport, 186°—4.5 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing Harbor Int, climb to 2000' on S crs ILS within 10 miles of MK LOM.

NOTES: 1. Aircraft on missed approach may be radar controlled after radar identification. 2. This procedure authorized only for aircraft equipped to receive VOR and ILS simultaneously, unless radar controller advises passing Lake Park Int and Harbor Int.

CAUTION: 787' power line 0.5 mile N of Runway 19.

City, Milwaukee, State, Wis.; Airport Name, General Mitchell Field; Elev., 702'; Fac. Class., ILS; Ident., I-MKE; Procedure No. ILS-19, Amdt. Orig.; Eff. Date, 7 Sept. 63

Mobile VOR.....	LOM.....	Direct.....	1800	T-dn.....	300-1	300-1	200-1/2
Brookley VOR.....	LOM.....	Direct.....	1800	C-dn.....	400-1	500-1	500-1 1/2
				S-dn-14.....	200-1/2	200-1/2	200-1/2
				A-dn.....	#600-2	#600-2	#600-2

Radar vectoring authorized in accordance with approved patterns.

Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 1800' within 10 miles.

Minimum altitude at glide slope interception Inbnd, 1500'.

Altitude of glide slope and distance to approach end of runway at OM, 1500'—4.5 miles; at MM, 424'—0.6 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.5 miles after passing LOM, make right turn, climb to 1800' on 180° crs from LOM within 20 miles or, when directed by ATC, make right turn, proceed direct to MOB VOR climbing to 1800' and enter VOR holding pattern.

*400-34 required when glide slope not utilized.

#All installed components of ILS must be operating otherwise alternate minimum of 800-2 applies.

City, Mobile, State, Ala.; Airport Name, Bates Field; Elev., 217'; Fac. Class., ILS; Ident., I-MOB; Procedure No. ILS-14, Amdt. 12; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 11; Dated, 1 Sept. 62

RULES AND REGULATIONS

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Tulsa VOR	DW LOM	Direct	2200	T-dn	300-1	300-1	*200-1/2
Collinsville Int	DW LOM	Direct	2200	C-dn	400-1	500-1	500-1/2
Big Cabin Int	DW LOM	Direct	2200	S-dn-17L#	300-3/4	300-3/4	300-3/4
Will Rogers Int	DW LOM	Direct	2200	A-dn	600-2	600-2	600-2
Murnan Int	DW LOM (final)	Direct	2200				

RadAR vectoring may be used to position aircraft for a final approach within 5 miles N of DW LOM with the elimination of procedure turn. Procedure turn W side of crs, 354° Outbnd, 174° Inbnd, 2200' within 10 miles. Crs and distance, DW LOM to airport, 174°—5.6 miles; WE LMM to airport, 174°—0.6 mile. Minimum altitude at glide slope interception Inbnd, 2200'. Altitude of glide slope and distance to approach end of runway at OM, 2190'—5.6 miles; at MM, 835'—0.6 mile. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2200' on crs 174° within 20 miles of DW LOM or, when directed by ATC, climb to 2200' on TUL-VOR R-035 within 20 miles. NOTE: Glide slope angle 2.5°. *300-1 required on Runway 3L, 21R, 17R and 35L. #No approach lights.

City, Tulsa; State, Okla.; Airport Name, Municipal; Elev., 674'; Fac. Class., ILS; Ident., I-DWE; Procedure No. ILS-17L, Amdt. Orig.; Eff. Date, 7 Sept. 63

Boysds Int	Poolesville RBN (final)	Direct	2300	T-dn#	300-1	300-1	200-1/2
				C-dn	500-1	500-1	500-1/2
				S-dn-19R#	200-1/2	200-1/2	200-1/2
				A-dn	600-2	600-2	600-2

RadAR transitions and vectoring authorized in accordance with approved patterns. Procedure turn W side of crs, 066° Outbnd, 186° Inbnd, 2300' within 10 miles of PLV RBN. Minimum altitude at glide slope interception Inbnd, 2300'. Altitude of glide slope and distance to approach end of runway at Poolesville RBN, 2297'—7.3 miles; at OM, 1282'—3.6 miles; at MM, 462'—0.5 mile. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, make right climbing turn to 2000', proceed to Nokesville Int**. Hold S R-209 HRN, 029° Inbnd, 1-minute left turns. **Nokesville Int: Int R-209 HRN-VOR and R-110 LDN-VOR. #Runway visual range 2000' also authorized for takeoff on Runway 19R in lieu of 200-1/2 when 200-1/2 is authorized, provided high intensity runway lights are operational. ##Runway visual range 2000' also authorized for landing on Runway 19R, provided all components of the ILS, high intensity runway lights, approach lights, condenser discharge flashers, middle and outer compass locators, and all related airborne equipment are operating satisfactorily. Descent below 513' MSL shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of the clouds. Major change: Deletes description of Boyds Int.

City, Washington, D.C.; Airport Name, Dulles International; Elev., 313'; Fac. Class., ILS; Ident., I-DLX; Procedure No. ILS-19R, Amdt. 4; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 3; Dated, 11 May 63

Bradley Int	BD LOM	Direct	2500	T-dn**	300-1	300-1	200-1/2
New Britain Int	BD LOM	Direct	2500	C-dn	400-1	500-1	500-1/2
Tamle Int	BD LOM	Direct	2700	S-dn-6*#	200-1/2	200-1/2	200-1/2
				A-dn	600-2	600-2	600-2

RadAR vectoring authorized in accordance with approved patterns. Procedure turn S side SW crs, 238° Outbnd, 058° Inbnd, 2500' within 10 miles. Minimum altitude at glide slope Int Inbnd, 1700'. Altitude of glide slope and distance to approach end of runway at OM 1671'—4.5 miles; at MM 416'—0.6 mile. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000' on the localizer course to R-150 CTR-VOR, then SE on R-150 to Skylark Int. Hold E of Skylark Int on PUT-VOR R-276, right turns, 1-minute. CAUTION: 1. Unlighted hills 2.4 miles NW of airport approximately 768'. 2. Standard clearance not provided for straight-in minimums over ridge approximately 1 mile N of LOM. NOTE: Final approach from holding pattern not authorized. Procedure turn required. *400-1/2 required with glide slope inoperative. #Runway visual range 2600' also authorized for landing on Runway 6; provided that all components of the ILS, high intensity runway lights, approach lights, condenser discharge flashers, middle and outer compass locators and all related airborne equipment are in satisfactory operating condition. Descent below 373' MSL shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of clouds. **Runway visual range 2600' also authorized for takeoff on Runway 6 in lieu of 200-1/2 when 200-1/2 authorized; provided high intensity runway lights are operational.

City, Windsor Locks; State, Conn.; Airport Name, Bradley Field; Elev., 173'; Fac. Class., ILS; Ident., I-BDL; Procedure No. ILS-6, Amdt. 14; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 13; Dated, 23 Dec. 61

Bradley Int	DL LMM	Direct	2700	T-dn	300-1	300-1	200-1/2
				C-dn	400-1	500-1	500-1/2
				S-dn-24*	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

RadAR vectoring authorized in accordance with approved patterns. Procedure turn S side of crs, 058° Outbnd, 238° Inbnd, 2700' within 13 miles of DL LMM, but NE of Thompson Int.** Minimum altitude crossing Thompson Int on final approach crs, 1900'. No glide slope. No outer marker or middle marker. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.0 miles after passing Thompson Int, climb straight ahead to 2500' direct to BD LOM. Hold SW of BD LOM, 058° Inbnd, 1-minute left turns. NOTE: Procedure authorized only for aircraft equipped to receive ILS and VOR simultaneously. CAUTION: Unlighted hills 2.4 miles NW of airport, approximately 768'. *Descent to published minimums authorized after passing Thompson Int on final approach. **Thompson Int: Int NE course BDL/ILS and BAF/VOR R-163.

City, Windsor Locks; State, Conn.; Airport Name, Bradley Field; Elev., 173'; Fac. Class., ILS; Ident., I-BDL; Procedure No. ILS-24, Amdt. 2; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 1; Dated, 1 Dec. 62

6. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
070°	200°	Within: 15 miles	2500	Precision approach			
200°	070°	15 miles	3000	S-dn-9#	200-1/2	200-1/2	200-1/2
000°	360°	15-25 miles	3000	A-dn-9	600-2	600-2	600-2
				Surveillance approach			
				T-dn#	300-1	300-1	200-1/2
				C-dn*	400-1	500-1	500-1 1/2
				C-dn-15, 9	500-1	500-1	500-1 1/2
				S-dn*	400-1	400-1	400-1
				S-dn-15, 9	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Radar azimuths are clockwise with distance and altitudes based on antenna located on Atlanta Municipal Airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished 9 and 3: climb to 3000' and proceed to Conyers Int via E crs ILS or, when directed by ATC, climb to 3000' on 056° magnetic bearing from ATL RBN within 20 miles.
15: climb to 2200', turn right and proceed to ATL VOR or, when directed by ATC, climb to 2200' on 145° magnetic bearing from ATL RBN within 20 miles.
27 and 33: climb to 3000' and proceed to Chattahoochee Int via W crs ILS or, when directed by ATC, turn left, climb to 3000' on 231° magnetic bearing from ATL RBN within 20 miles.

*Runways 27, 33, 3.

#Runway visual range 2600' also authorized for landing on Runway 9, provided all components of the PAR, high intensity runway lights, approach lights, condenser discharge flashers, middle and outer compass locators and all related airborne equipment are operating satisfactorily. Descent below 1224' MSL shall not be made unless visual contact with the approach lights has been established or the aircraft is clear of clouds.

#Runway visual range 2600' also authorized for takeoff on Runway 9 in lieu of 200-1/2 when 200-1/2 is authorized, provided high intensity runway lights are operational.

City, Atlanta; State, Ga.; Airport Name, Atlanta; Elev., 1024'; Fac. Class. and Ident., Atlanta Radar; Procedure No. 1, Amdt. 8; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 7; Dated, 24 Aug. 63

				Surveillance approach			
000°	360°	Within: 30 miles	2500	T-dn	300-1	300-1	200-1/2
106°	022°	10 miles	2000	C-dn*	400-1	500-1	500-1 1/2
				C-dn**	700-1	700-1	700-1 1/2
				S-dn*	400-1	400-1	400-1
				S-dn**	700-1	700-1	700-1
				A-dn	800-2	800-2	800-2

Radar terminal area transition altitudes—all bearings are from the radar site with sector azimuths progressing clockwise.

Radar control will provide 1000' vertical clearance within a 3-mile radius or 500' vertical clearance within a 3- to 5-mile (inclusive) radius of 1746' obstruction 9 miles ENE of airport, and a 1550' obstruction 24 miles NE of airport.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished Runways 4 and 36: Climb to 2500' and proceed to New Baltimore Int. Hold N 1-minute right turns, 186° Inbnd. Runways 9, 18, 22, and 27: Climb to 2000' and proceed to CV LOM. Hold S 1-minute right turns, 360° Inbnd.

*Runways 4, 9, 18, 36.

**Runways 22 and 27.

City, Covington; State, Ky.; Airport Name, Greater Cincinnati; Elev., 890'; Fac. Class. and Ident., Cincinnati Radar; Procedure No. 1, Amdt. 4; Eff. Date, 7 Sept. 63; Sup. Amdt. No. 3; Dated, 7 July 62

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Radar terminal area maneuvering sectors and altitudes	Ceiling and visibility minimums			
	Condition	2-engine or less		More than 2-engine, more than 65 knots
		65 knots or less	More than 65 knots	
Within 5 miles: 012°—238°, 1800'. 238°—012°, 2200'. Within 10 miles: 012°—192°, 2000'. 192°—238°, 2500'. 238°—012°, 2700'. Within 15 miles: 012°—058°, 2200'. 058°—148°, 2600'. 148°—238°, 2500'. 238°—012°, 3000'. Within 20 miles: 012°—148°, 2700'. 148°—238°, 2500'. 238°—012°, 3200'. Within 25 miles: 012°—148°, 2700'. 148°—238°, 2500'. 238°—012°, 3300'. Within 30 miles: 012°—148°, 2700'. 148°—238°, 2500'. 238°—012°, 3600'. Within 35 miles: 012°—058°, 2800'. 058°—148°, 2700'. 148°—192°, 2500'. 192°—238°, 2600'. 238°—328°, 4100'. 328°—012°, 3800'. Within 50 miles: All directions, 5300'.	Surveillance approach			
	T-dn.....	300-1	300-1	200-1/2
	C-dn.....	400-1	500-1	500-1 1/2
	S-dn-1, 33, 19 and 24.	400-1	400-1	400-1
	A-dn.....	800-2	800-2	800-2

All bearings are from radar site with sector azimuths progressing clockwise.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, Runways 1 and 33: Make a climbing left turn to 2500' direct to BD LOM. Hold SW of BD LOM, 058° Inbnd, 1-minute left turns. Runway 19: Make a climbing right turn to 2500' direct to BD LOM. Hold SW of BD LOM, 058° Inbnd, 1-minute left turns. Runway 24: Climb straight ahead to 2500' direct to BD LOM. Hold SW of BD LOM, 058° Inbnd, 1-minute left turns.
 CAUTION: Unlighted hills 2.4 miles NW of airport approximately 768'.

City, Windsor Locks; State, Conn.; Airport Name, Bradley Field; Elev., 173'; Fac. Class. and Ident., Bradley Radar; Procedure No. 1, Amdt. Orig.; Eff. Date, 7 Sept. 63

These procedures shall become effective on the dates specified therein.
 (Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))
 Issued in Washington, D.C., on August 5, 1963.

WILLARD LANE,
 Acting Director, Flight Standards Service.

[F.R. Doc. 63-8665; Filed, Sept. 5, 1963; 11:50 a.m.]

[Reg. Docket No. 1903; Amdt. 337]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to standard instrument approach procedures contained herein are being adopted to become effective when indicated in order to promote safety. The revised procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the revised procedures specify the complete procedure and indicate the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice, procedure and effective date provisions of section 4 of the Administrative Procedure Act would be contrary to the public interest and is therefore not required.

Pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 609 is amended as follows:
 1. The automatic direction finding procedures prescribed in § 609.100(b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

From—	Transition	To—	Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
						2-engine or less		More than 2-engine, more than 65 knots
						65 knots or less	More than 65 knots	
CSG VOR	CSG RBn		Direct	2000	T-dn	300-1	300-1	200-1/2
CSG LOM	CSG RBn		Direct	2000	C-dn	600-1	600-1	600-1 1/2
Marvyn Int	CSG RBn		Direct	2000	S-dn-2	500-1	500-1	500-1
					A-dn	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn E side of crs, 204° Outbnd, 024° Inbnd, 1900' within 10 miles.
 Minimum altitude over facility on final approach crs, 1100'.
 Crs and distance, facility to airport, 022°—2.9 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.9 miles after passing CSG RBn, turn left, climb to 2000' and return to CSG RBn. Hold SW, 1-minute left turns.
 CAUTION: Jump towers 574' 1 1/2 miles NE. R-3002 E and SE of Lawson AAF.
 NOTE: Authorized for military use only except by prior arrangement.

City, Columbus; State, Ga.; Airport Name, Lawson AAF; Elev., 232'; Fac. Class., SBH; Ident., CSG; Procedure No. 1, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 12 Jan. 63

Enterprise RBn	LOR RBn		Direct	2000	T-dn	300-1	300-1	200-1/2
Cairns LOM (RBn)	LOR RBn		Direct	2000	C-dn	500-1	500-1	500-1 1/2
Abbeville Int	LOR RBn		Direct	2000	A-dn	800-2	800-2	800-2
Dothan VOR	LOR RBn		Direct	2000				
Hartford Int	LOR RBn		Direct	2000				
Darlington Int	LOR RBn		Direct	2000				

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn N side of crs, 245° Outbnd, 065° Inbnd, 1600' within 10 miles. Nonstandard due traffic Cairns AAF.
 Minimum altitude over facility on final approach crs, 1100'.
 Crs and distance, facility to airport, 065°—1.5 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.5 miles after passing LOR RBn, turn right, climb to 2000', proceed direct to Enterprise RBn.
 NOTE: Authorized for military use only except by prior arrangement.

City, Fort Rucker; State, Ala.; Airport Name, Lowe AAF; Elev., 224'; Fac. Class., MHW; Ident., LOR; Procedure No. 1, Amdt. Orig.; Eff. Date, 14 Sept. 63

DHN VOR	OZ LOM		Direct	2000	T-dn	300-1	300-1	200-1/2
Hartford Int	OZ LOM		Direct	2000	C-dn	500-1	500-1	500-1 1/2
ETP RBn	OZ LOM		Direct	2000	S-dn-6	400-1	400-1	400-1
Abbeville Int	LOM		Direct	2000	A-dn	800-2	800-2	800-2
Opp Int*	LOM		Direct	2000				
Darlington Int	LOM		Direct	2000				

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn W side of crs, 238° Outbnd, 058° Inbnd, 2000' within 10 miles. Nonstandard due to airway S.
 Minimum altitude over facility on final approach crs, 2000'.
 Crs and distance, facility to airport, 058°—5.8 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing LOM, turn left, climb to 2000' and proceed direct to ETP RBn or, when directed by ATC, turn left and return to OZ LOM at 2000'.
 NOTES: 1. Authorized for military use only except by prior arrangement. 2. Teardrop procedure turn authorized, same altitude utilizing crs of 256° Outbnd, 058° Inbnd.
 *Opp Int: Int OZR VOR R-267 and CEW R-040.

City, Fort Rucker; State, Ala.; Airport Name, Cairns AAF; Elev., 305'; Fac. Class., LOM; Ident., OZ; Procedure No. 1, Amdt. 5; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 4; Dated, 19 Jan. 63

DHN VOR	LOM		Direct	2000	T-dn	300-1	300-1	200-1/2
ETP RBn	LOM		Direct	2000	C-dn	500-1	500-1	500-1 1/2
Hartford Int	LOM		Direct	2000	S-dn-6	400-1	400-1	400-1
Abbeville Int	LOM		Direct	2000	A-dn	800-2	800-2	800-2
Opp Int*	LOM		Direct	2000				
Darlington Int	LOM		Direct	2000				

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn teardrop, 261° Outbnd, 058° Inbnd. Initial penetration 15,000' or below; penetration turn left, 8000', complete at 2000' within 20 miles.
 Minimum altitude over facility on final approach crs, 2000'.
 Crs and distance, facility to airport, 058°—5.8 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.8 miles after passing LOM, turn left, climb to 2000' and proceed direct to ETP RBn.
 NOTES: 1. Rate of descent not to exceed 4000 feet per minute and 200 K. 2. Direction of penetration turn nonstandard due ATC requirements. 3. Authorized for military use only except by prior arrangement.
 *Opp Int: Int OZR R-267 and CEW R-040.

City, Fort Rucker; State, Ala.; Airport Name, Cairns AAF; Elev., 305'; Fac. Class., MHW; Ident., OZ; Procedure No. 2, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 8 July 61

MLS VOR	MLS RBn		Direct	4500	T-dn	300-1	300-1	200-1/2
					C-dn	400-1	500-1	500-1 1/2
					A-dn	800-2	800-2	800-2

Procedure turn S side crs, 236° Outbnd, 056° Inbnd, 4500' within 10 miles.
 Minimum altitude over facility on final approach crs, 3300'.
 Crs and distance, facility to airport, 056°—1.9 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.9 miles after passing RBn, climb to 4500' on 056° crs of RBn within 10 miles.
 NOTE: Final approach from holding pattern at RBn not authorized. Procedure turn required.

City, Miles City; State, Mont.; Airport Name, Municipal; Elev., 2628'; Fac. Class., SABH; Ident., MLS; Procedure No. 1, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 27 Oct. 62

RULES AND REGULATIONS

ADF STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Patterson RBn	TEB LMM	Direct	1800	T-dn	300-1	300-1	200-1/2
TEB LMM	AR LOM (final)	Direct	1200	C-dn	900-1	900-1	900-1 1/2
				S-dn-22	900-1	900-1	900-1
				A-dn	1000-2	1000-2	1000-2

Radar transitions authorized in accordance with approved patterns.
 Procedure turn W side of crs, 037° Outbnd, 217° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 1200'.
 Crs and distance, facility to airport, 217°—6.1 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.1 miles after passing LOM, climb to 2000' on crs 217°, intercept R-069 ARD-VOR, then make right turn, proceed to Kilmer Int at 2000'. Hold SW, 1-minute right turns, Inbnd crs 069°.
 City, Newark; State, N.J.; Airport Name, Newark; Elev., 18'; Fac. Class., LOM; Ident., AR; Procedure No. 2, Amdt. 2; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 1; Dated, 20 July 63

Billings Int	LOM	Direct	2800	T-dn	300-1	300-1	200-1/2
Sparta Int	LOM	Direct	3000	C-dn	400-1	500-1	500-1 1/2
SGF VOR	LOM	Direct	2600	S-dn-1	400-1	400-1	400-1
SGF RBn	LOM	Direct	2600	A-dn	800-2	800-2	800-2
Miller Int	LOM	Direct	3000				
Plano Int	LOM	Direct	2800				

Procedure turn E side of crs, 195° Outbnd, 015° Inbnd, 2600' within 10 miles.
 Minimum altitude over facility on final approach crs, 2300'.
 Crs and distance, facility to airport, 015°—3.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing LOM, climb to 2800' on crs 015°, proceed to SGF-VOR.
 City, Springfield; State, Mo.; Airport Name, Springfield Municipal; Elev., 1267'; Fac. Class., LOM; Ident., SG; Procedure No. 1, Amdt. 4; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 3; Dated, 9 Mar. 63

SGF VOR	SGF RBn	Direct	2800	T-dn	300-1	300-1	200-1/2
				C-dn	400-1	500-1	500-1 1/2
				S-dn-13	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 317° Outbnd, 137° Inbnd, 2800' within 10 miles.
 Minimum altitude over facility on final approach crs, 2300'.
 Crs and distance, facility to airport, 137°—3.6 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.6 miles after passing RBn, climb to 3000' on 137° bearing from SGF RBn within 15 miles.
 NOTE: Final approach from holding pattern not authorized. Procedure turn required.
 City, Springfield; State, Mo.; Airport Name, Municipal; Elev., 1267'; Fac. Class., H5AB; Ident., SGF; Procedure No. 2, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 26 Jan. 63

HUF-VOR	HUF RBn	Direct	2000	T-dn	300-1	300-1	200-1/2
Clinton Int	HUF RBn	Direct	2200	C-dn	400-1	500-1	500-1 1/2
				S-dn-23	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Procedure turn N side of crs, 045° Outbnd, 225° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 1500'.
 Crs and distance, facility to airport, 225°—4.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.0 miles after passing HUF RBn, climb to 2000' on crs of 225° and return to HUF RBn or, when directed by ATC, make left turn and proceed to Lewis VOR at 2200'.
 City, Terre Haute; State, Ind.; Airport Name, Hulman Field; Elev., 585'; Fac. Class., BH; Ident., HUF; Procedure No. 1, Amdt. 2; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 1; Dated, 11 Feb. 61

HUF RBn	LOM	Direct	2100	T-dn	300-1	300-1	200-1/2
HUF VOR	LOM	Direct	2100	C-dn	400-1	500-1	500-1 1/2
LEU VOR	LOM	Direct	2200	S-dn-5	400-1	400-1	400-1
Fairbanks Int	LOM (final)	Direct	2000	A-dn	800-2	800-2	800-2
Sanford Int	LOM	Direct	2200				
Clinton Int	LOM	Direct	2200				
Spencer Int	LOM	Direct	2200				

Procedure turn S side of crs, 225° Outbnd, 045° Inbnd, 2100' within 10 miles.
 Minimum altitude over facility on final approach crs, 1900'.
 Crs and distance, facility to airport, 045°—4.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing LOM, proceed direct to HUF RBn, climbing to 2000' or, when directed by ATC, make climbing right turn to 2200' and proceed direct to LEU-VOR.
 City, Terre Haute; State, Ind.; Airport Name, Hulman Field; Elev., 585'; Fac. Class., LOM; Ident., HU; Procedure No. 2, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 16 Dec. 61

2. The very high frequency omnirange (VOR) procedures prescribed in § 609.100(c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.
 If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Miles City RBN	MLS-VOR	Direct	4500	T-dn C-dn S-dn-runway 4 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-1/2 500-1 1/2 400-1 800-2

Procedure turn S side of crs 211° Outbnd, 031° Inbnd, 4500' within 10 miles.
 Minimum altitude over VOR on final approach crs, 3500'; over Fort Int, * 3100'.
 Crs and distance, Fort Int to airport, 031°—2.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.5 miles after passing MLS-VOR, climb to 4500' on R-062 within 10 miles.
 CAUTION: RBN tower 2800'.
 NOTE: Final approach from holding pattern at VOR not authorized. Procedure turn required.
 *Fort Int: Int MLS-VOR R-031 and 300° bearing to MLS RBN or 1.5-mile DME-fix R-031.

City, Miles City; State, Mont.; Airport Name, Municipal; Elev., 2628'; Fac. Class., BVORTAC; Ident., MLS; Procedure No. 1, Amdt. 5; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 4; Dated, 27 Oct. 62

SGF RBN	SGF-VOR	Direct	2800	T-dn C-dn C-n S-d-19 S-n-19 A-dn	300-1 500-1 500-2 500-1 500-2 800-2	300-1 500-1 500-2 500-1 500-2 800-2	200-1/2 500-1 1/2 500-2 500-1 500-2 800-2
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Procedure turn W side of crs, 013° Outbnd, 193° Inbnd, 2800' within 10 miles.
 Minimum altitude over facility on final approach crs, 2800'.
 Crs and distance, facility to airport, 193°—6.8 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 miles after passing SGF-VOR, climb to 3200' on R-203 SGF-VOR and proceed to Billings Int.

City, Springfield; State, Mo.; Airport Name, Springfield Municipal; Elev., 1267'; Fac. Class., BVORTAC; Ident., SGF; Procedure No. 1, Amdt. 6; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 5; Dated, 9 Mar. 63

				T-dn C-dn A-dn	300-1 1000-1 NA	300-1 1000-1 NA	NA NA NA
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Radar vectoring authorized in accordance with approved patterns by Boston Approach Control.
 Procedure turn E side of crs, 022° Outbnd, 202° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 2000'.
 Crs and distance, facility to airport, 202°—11.5 miles.
 Minimum altitude 1000' within 6 miles after passing HTM VOR.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.0 miles after passing HTM VOR, make right climbing turn to 2000' return to HTM VOR, hold SW on R-240, 1-minute right turns. 060° crs Inbnd.

City, Taunton; State, Mass.; Airport Name, Municipal; Elev., 40'; Fac. Class., LVOR; Ident., HTM; Procedure No. 1, Amdt. Orig.; Eff. Date, 14 Sept. 63

Lena Int*	HUF VOR (final)	Direct	1500	T-dn	300-1	300-1	200-1/2
Brazil Int**	HUF VOR (final)	Direct	1500	C-dn	400-1	500-1	500-1 1/2
HUF-BH	HUF VOR	Direct	2000	S-dn-23	400-1	400-1	400-1
Clinton Int	HUF VOR	Direct	2200	A-dn	800-2	800-2	800-2
Spencer Int	HUF VOR	Direct	2200				

Procedure turn N side of final approach crs, 049° Outbnd, 229° Inbnd, 2000' within 10 miles.
 Minimum altitude over facility on final approach crs, 1500'.
 Crs and distance, facility to airport, 229°—3.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.0 miles after passing HUF VOR, make climbing left turn to 2200' and proceed direct to Lewis VOR or, when directed by ATC, make climbing right turn and return to HUF VOR.

*Lena Int: Int HUF VOR R-047 and LEU VOR R-022.
 **Brazil Int: Int HUF VOR R-062 and LEU VOR R-022.
 City, Terre Haute; State, Ind.; Airport Name, Hulman Field; Elev., 585'; Fac. Class., BVOR; Ident., HUF; Procedure No. 1, Amdt. 2; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 1; Dated, 26 Aug. 61

HUF BH	BUF VOR	Direct	2100	T-dn	300-1	300-1	200-1/2
LEU VOR	Riley Int*	Direct	2200	C-dn	400-1	500-1	500-1 1/2
HUF VOR	Riley Int*	Direct	2100	S-dn-5	400-1	400-1	400-1
Sanford Int	Riley Int*	Direct	2200	A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 228° Outbnd, 048° Inbnd, 2100' within 10 miles of Riley Int.*
 Minimum altitude over Riley Int* on final approach crs, 1600'.
 Crs and distance, facility to airport, 048°—4.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles after passing Riley Int,* climb to 2500' and proceed to Manhattan Int or, when directed by ATC, make climbing right turn to 2200' and proceed direct to LEU VOR.

NOTE: Procedure restricted to aircraft equipped with dual omni.
 *Riley Int: Int HUF VOR R-228 and LEU VOR R-315.
 City, Terre Haute; State, Ind.; Airport Name, Hulman Field; Elev., 585'; Fac. Class., BVOR; Ident., HUF; Procedure No. 2, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 8 July 61

3. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums			
From—	To—			Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				T-d.....	400-1	400-1	400-1
				n.....	500-1	500-1	500-1
				C-d.....	800-1	800-1	800-1½
				n.....	800-1½	800-1½	800-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn W side of crs, 348° Outbnd, 168° Inbnd, 2300' within 10 miles.
 Minimum altitude over facility on final approach crs, 1200'.
 Crs and distance, breakoff point to approach end of Runway 17, 171°—1.0 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, make a climbing right turn to 2300' on R-232 within 10 miles, return to AUG-VOR. Hold R-232 AUG-VOR, right turns, 1-minute.
 Other change: Deletes straight-in minimums.

City, Augusta; State, Maine; Airport Name, Augusta-State; Elev., 357'; Fac. Class., BVOR; Ident., AUG; Procedure No. Ter VOR-17, Amdt. 3; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 2; Dated, 29 Sept. 62

				T-d.....	400-1	400-1	400-1
				T-n.....	500-1	500-1	500-1
				C-d.....	600-1	600-1	600-1½
				C-n.....	600-1½	600-1½	600-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 086° Outbnd, 266° Inbnd, 2100' within 10 miles.
 Minimum altitude over facility on final approach crs, 1000'.
 Crs and distance, breakoff point to approach end of Runway 26, 260°—1.0 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, make climbing left turn to 2300' on R-232 within 10 miles. Hold R-232 Augusta VOR, 1-minute right turns.
 Other change: Deletes straight-in minimums.

City, Augusta; State, Maine; Airport Name, Augusta-State; Elev., 357'; Fac. Class., BVOR; Ident., AUG; Procedure No. Ter VOR-26, Amdt. 3; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 2; Dated, 29 Sept. 62

				T-d.....	400-1	400-1	400-1
				T-n.....	500-1	500-1	500-1
				C-d.....	600-1	600-1	600-1½
				C-n.....	600-1½	600-1½	600-1½
				A-dn.....	800-2	800-2	800-2

Procedure turn E side of crs, 174° Outbnd, 354° Inbnd, 2100' within 10 miles.
 Minimum altitude over facility on final approach crs, 1000'.
 Crs and distance, breakoff point to approach end of Runway 35, 351°—1.0 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, make left climbing turn to 2300', return to AUG VOR. Hold SW, R-232, right turns, 1-minute.
 Other change: Deletes straight-in minimums.

City, Augusta; State, Maine; Airport Name, Augusta-State; Elev., 357'; Fac. Class., BVOR; Ident., AUG; Procedure No. TerVOR-35, Amdt. 4; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 3; Dated, 29 Sept. 62

CSG VOR.....	LSF VOR.....	Direct.....	2200	T-dn.....	300-1	300-1	200-½
				C-dn.....	600-1	600-1	600-1½
				S-dn-2.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn E side of crs 204° Outbnd, 024° Inbnd, 1900' within 10 miles of CSG RBN.
 Minimum altitude over CSG RBN on final approach crs, 1100'.
 Crs and distance, CSG RBN to Runway 2, 024°—2.9 miles.
 Crs and distance, breakoff point to Runway 2, 022°—1.0 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile after passing LSF VOR, turn left, climb to 2000' on R-205 LSF VOR within 15 miles.
 NOTES: (1) Authorized for military use only except by prior arrangement. (2) This procedure to be utilized only by aircraft having operating VOR and ADF receivers.
 CAUTION: Jump towers 580' 1½ miles NE, R-3002 E and SE of Lawson AAF.

City, Columbus; State, Ga.; Airport Name, Lawson AAF; Elev., 232'; Fac. Class., VOR; Ident., LSF; Procedure No. TerVOR-2, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 25 Aug. 62

CSG VOR.....	LSF VOR.....	Direct.....	2200	T-dn.....	300-1	300-1	200-½
				C-dn.....	800-1	800-1	800-1½
				S-dn-14.....	800-1	800-1	800-1
				A-dn.....	800-2	800-2	800-2
				If aircraft equipped with VOR and ADF receivers and Crawford Int* received, minimums become:			
				C-dn.....	600-1	600-1	600-1½
				S-dn-14.....	600-1	600-1	600-1

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn W side of crs, 339° Outbnd, 159° Inbnd, 2200' within 10 miles of CSG LOM.
 Minimum altitude over CSG LOM on final approach crs, 2100'.
 Crs and distance, CSG LOM to Runway 14, 159°—6.9 miles; Crawford Int* to Runway 14, 159°—4.0 miles.
 Crs and distance, breakoff point to Runway 14, 143°—0.7 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of LSF VOR, turn right, climb to 2000' on R-205 LSF VOR within 15 miles.

CAUTION: Jump towers 580' 1½ miles NE, R-3002 E and SE of Lawson AAF.
 NOTES: (1) Authorized for military use only except by prior arrangement. (2) This procedure to be utilized only by aircraft having operating VOR and ADF receivers.
 *Crawford Int: Int R-339 LSF VOR and 204° bearing from CSG LMM.

City, Columbus; State, Ga.; Airport Name, Lawson AAF; Elev., 232'; Fac. Class., VOR; Ident., LSF; Procedure No. TerVOR-14, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 25 Aug. 62

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition		Course and distance	Minimum altitude (feet)	Ceiling and visibility minimums			
From—	To—			Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Enterprise RBN.....	OZR VOR.....	Direct.....	2000	T-dn.....	300-1	300-1	200-1/4
DHN VOR.....	OZR VOR.....	Direct.....	2000	C-dn.....	500-1	500-1	500-1 1/2
Skipperville Int.....	OZR VOR.....	Direct.....	2000	S-dn-6.....	500-1	500-1	500-1 1/2
Hartford Int.....	OZR VOR.....	Direct.....	2000	A-dn.....	800-2	800-2	800-2
Abbeville Int.....	OZR VOR.....	Direct.....	2000	If aircraft equipped with VOR and ADF, and Bellwood Int* received, the following minimum applies:			
				S-dn-6.....	400-1	400-1	400-1

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn N side of crs, 230° Outbnd, 050° Inbnd, 1700' within 10 miles.
 Minimum altitude over facility on final approach crs, 800' (700' if Bellwood Int identified).
 Crs and distance, breakoff point to end of Runway 6, 058°—1.0 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of VOR, turn left, climb to 2000' on R-280 OZR-VOR within 20 miles.
 Note: Authorized for military use only except by prior arrangement.
 *Bellwood Int: Int 320° bearing to OZ RBN and R-230 OZR VOR.

City, Fort Rucker; State, Ala.; Airport Name, Cairns AAF; Elev., 305'; Fac. Class., VOR; Ident., OZR; Procedure No. TerVOR-6, Amdt. 4; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 3; Dated, 3 Sept. 60

Abbeville Int.....	OZR VOR.....	Direct.....	2000	T-dn.....	300-1	300-1	200-1/4
DHN VOR.....	OZR VOR.....	Direct.....	2000	C-dn.....	800-1	800-1	800-1 1/2
Skipperville Int.....	OZR VOR.....	Direct.....	2000	S-dn-24.....	800-1	800-1	800-1
Hartford Int.....	OZR VOR.....	Direct.....	2000	A-dn.....	800-2	800-2	800-2
Enterprise RBN.....	OZR VOR.....	Direct.....	2000	If aircraft equipped with dual VOR and Newton Int* received, minimums become:			
Darlington Int.....	OZR VOR.....	Direct.....	2000	C-dn.....	500-1	500-1	500-1 1/2
				S-dn-24.....	400-1	400-1	400-1

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn S side of crs, 060° Outbnd, 240° Inbnd, 1700' within 10 miles.
 Minimum altitude over facility on final approach crs, 1100' (700' if Newton Int identified).
 Crs and distance, breakoff point to end of Runway 24, 238°—1.0 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile of VOR, turn right, climb to 2000' on R-280 OZR VOR within 20 miles.
 Note: Authorized for military use only except by prior arrangement.
 *Newton Int: Int R-160 HEY VOR and R-060 OZR VOR.

City, Fort Rucker; State, Ala.; Airport Name, Cairns AAF; Elev., 305'; Fac. Class., TerVOR; Ident., OZR; Procedure No. TerVOR-24, Amdt. Orig.; Eff. Date, 14 Sept 63

Goffs VOR.....	Crescent Int*.....	Direct.....	9000	T-dn.....	300-1	300-1	200-1/4
Boulder VOR.....	Sloan Int**.....	Direct.....	8000	C-dn.....	500-1	500-1	500-1 1/2
Goodsprings RBN.....	Sloan Int**.....	Direct.....	8000	A-dn.....	800-2	800-2	800-2
Crescent Int*.....	Sloan Int**.....	Direct.....	6300				
Sloan Int**.....	Arden Int*** (final).....	Direct.....	3500				

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn E side of crs, 165° Outbnd, 345° Inbnd, 8000' within 16 miles of Sloan Int**.
 Minimum altitude over Sloan Int** on final approach crs, 6300'; over Arden Int***, 3500'; over VOR, 2700'; VOR on airport.
 Crs and distance, Arden Int*** to airport, 345°—3.3 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, turn right, climb to 5000' on R-065 to Kids Int.
 *Crescent Int: Int LAS R-165 and BLD R-212.
 **Sloan Int: Int LAS R-165 and BLD R-238.
 ***Arden Int: Int LAS R-165 and BLD R-250.

City, Las Vegas; State, Nev.; Airport Name, McCarran Field; Elev., 2171'; Fac. Class., BVORTAC; Ident., LAS; Procedure No. TerVOR R-165, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 20 July 63

SCK-VOR.....	MOD-VOR.....	Direct.....	2000	T-dn.....	300-1	300-1	200-1/4
Woodward Int.....	MOD-VOR.....	Direct.....	2000	C-dn.....	500-1	500-1	500-1 1/2
SCK-VOR.....	Salida Int**.....	Direct.....	2000	S-dn-29R.....	500-1	500-1	500-1
Salida Int**.....	MOD VOR.....	Direct.....	2000	A-dn.....	NA	NA	NA
				*If 5-mile radar fix received, the following minimum will apply:			
				S-dn-29R.....	400-1	400-1	400-1

Radar vectoring authorized in accordance with approved patterns.
 Procedure turn S side of crs, 102° Outbnd, 282° Inbnd, 1600' within 10 miles. Nonstandard to provide separation from Castle AFB traffic.
 Minimum altitude over 5-mile radar fix on final approach crs, 600'; over facility, 500'.
 Facility on airport. Crs and distance, breakoff point to approach end of runway, 282°—0.2 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 mile, climb to 2000' or R-274 within 20 miles.
 *Descent below 600' not authorized until past 5-mile radar fix.
 **Salida Int: Int SCK VOR R-147 and MOD VOR R-274.

City, Modesto; State, Calif.; Airport Name, Modesto City-County; Elev., 96'; Fac. Class., BVOR; Ident., MOD; Procedure No. TerVOR-29R, Amdt. Orig; Eff. Date, 14 Sept. 63

RULES AND REGULATIONS

4. The very high frequency omnirange-distance measuring equipment (VOR/DME) procedures prescribed in § 609.300 are amended to read in part:

VOR-DME STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
15-mile DME Fix R-211.....	10-mile Fix DME R-211.....	Direct.....	4500	T-dn.....	300-1	300-1	200-1/4
10-mile DME Fix R-211.....	0-mile DME Fix R-211.....	Direct.....	3500	C-dn.....	400-1	500-1	500-1 1/2
0-mile DME Fix R-031.....	1.5-mile DME Fix R-031.....	Direct.....	3100	S-dn-4.....	400-1	400-1	400-1
1.5-mile DME Fix R-031.....	3.5-mile DME Fix R-031.....	Direct.....	3000	A-dn.....	800-2	800-2	800-2

Procedure turn S side of crs, 211° Outbnd, 031° Inbnd, 4500' within 10 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 3.5-mile DME Fix R-031, climb to 4500' on R-062 within 10 miles.

NOTES: (1) When authorized by ATC, MLS DME may be used to position aircraft for straight-in approach at 5500' between R-097 clockwise to R-271 via 15-mile DME with the elimination of procedure turn. (2) Final approach from holding pattern at VOR not authorized. Procedure turn required.

City, Miles City; State, Mont.; Airport Name, Miles City Municipal; Elev., 2628'; Fac. Class., BVORTAC; Ident., MLS; Procedure No. VOR/DME No. 1, Amdt. 2; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 1; Dated, 27 Oct. 62

MLS VOR.....	10-mile DME Fix R-033.....	Direct.....	4500	T-dn.....	300-1	300-1	200-1/4
20-mile DME Fix R-033.....	10-mile DME Fix R-033.....	Direct.....	4500	C-dn.....	400-1	500-1	500-1 1/2
10 mile DME Fix R-033.....	4.5-mile DME Fix R-033.....	Direct.....	3000	S-dn-22.....	400-1	400-1	400-1
				A-dn.....	800-2	800-2	800-2

Procedure turn N side of crs, 033° Outbnd, 213° Inbnd, 4500' between 10 and 20 miles. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 4.5-mile DME Fix R-033, climb to 4500' on R-213 within 10 miles of MLS VOR.

NOTE: When authorized by ATC, MLS DME may be used to position aircraft for straight-in approach at 5500' between R-271 clockwise to R-097 via 15-mile DME with the elimination of procedure turn.

City, Miles City; State, Mont.; Airport Name, Miles City Municipal; Elev., 2628'; Fac. Class., BVORTAC; Ident., MLS; Procedure No. VOR/DME No. 2, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 7 July 62

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Ventura VOR.....	ILS W crs.....	057°—16.9 miles.....	5000	T-dn#.....	300-1	300-1	#300-1
Saugus Int.....	LOM.....	Direct.....	5600	C-d*.....	900-1 1/2	900-1 1/2	900-1 1/2
Malibu Int.....	LOM.....	Direct.....	5000	C-n*.....	900-2	900-2	900-2
Filmore VOR.....	Woodland Int.....	Direct.....	5000	S-dn-7**.....	300-3/4	300-3/4	300-3/4
Int LAX-VOR R-276 and Lake Hughes VOR R-169.....	Woodland Int.....	Direct.....	5000	A-dn.....	900-2	900-2	900-2
Twin Lakes Int.....	Woodland Int.....	Direct.....	5000				
Woodland Int.....	LOM (final).....	Direct.....	2800				

Radar transitions and vectoring using Burbank Radar authorized in accordance with approved radar patterns. Procedure turn S side of crs, 256° Outbnd, 076° Inbnd, 4000' within 10 miles of LOM. Beyond 10 miles not authorized. Minimum altitude at glide slope interception Inbnd, 2800'.

Altitude of glide slope and distance to approach end of runway at OM, 2738'—6.0 miles; at MM, 1355'—1.7 miles; at inner compass locator, 924'—0.4 mile.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make immediate right climbing turn to 4000' on W crs BUR ILS within 10 miles W of LOM or, when directed by ATC, (1) climb direct to Glendale RBn, climb via 098° bearing from Glendale RBn to 3000', turn right, climb to re-cross Glendale RBn not below 4500', then proceed direct to BUR ILS LOM or, (2) climb direct to Glendale RBn, then climb via 098° bearing of Glendale RBn to 4000' within 12.0 miles.

Major change: Deletes transitions from Point Dume Int and Newhall LFR. CAUTION: High terrain NE and E of airport. AIR CARRIER NOTES: Sliding scale prohibited below 3/4 mile for takeoff on Runways 7, 15, 33, and for straight-in landing minimums. Sliding scale not authorized for circling minimums.

NOTES: Nonstandard installation. Localizer antenna at approach end of runway. #200-1/2 authorized for takeoff on Runway 25 only. *Maneuvering NE and E of airport not authorized.

**For minimums of 300-3/4, all components of ILS must be utilized. If glide slope not received, then minimums of 400-1 apply. City, Burbank; State, Calif.; Airport Name, Lockheed Air Terminal; Elev., 775'; Fac. Class., ILS; Ident., I-BUR; Procedure No. ILS-7, Amdt. 19; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 18; Dated, 15 June 63

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Berners Int.....	CGL RBN.....	Direct.....	7000	T-d#.....	700-2	1000-2	1000-2
Thane Int.....	CGL RBN.....	Direct.....	6000	T-n.....	NA	NA	NA
SSR-VOR.....	CGL RBN.....	Direct.....	5000	C-d.....	2500-4	2500-4	2500-4
SSR-VOR.....	Rockledge Int*	Direct.....	5000	C-n.....	NA	NA	NA
Rockledge Int*	CGL RBN (final)	Direct.....	2500	S-d-07.....	2500-4	2500-4	2500-4
Point Retreat RBN	Barlow Int.....	Direct.....	5000	S-n-07.....	2500-10	2500-10	2500-10
				A-d.....	3000-5	3000-5	3000-5
				A-n.....	NA	NA	NA

Procedure turn S side of crs, 241° Outbnd, 061° Inbnd, 4000' within 10 miles of CGL RBN (not authorized beyond 10 miles—3500' terrain 15 miles W of CGL RBN).
 Minimum altitude over CGL RBN on final approach crs, 2500'.
 Crs and distance, CGL RBN to airport, 061°—3.2 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over Coghlan Island RBN, immediately turn right and climb to 3000' to Sisters Island VOR via Barlow Int.** Cross Barlow** at or above 3000'.
CAUTION: 1. Mountainous terrain all quadrants. 2. Terrain to 3115' within 4.7 miles SE of CGL RBN. Do not exceed a ground tract radius of turn of 1.25 miles on missed approach. 3. LTDA reliable only within 30° N and 45° S of approach crs. Disregard localizer fluctuations in vicinity of Sisters Island VOR. 4. Strong northerly cross winds and turbulence may be encountered on final approach during winter months.
NOTES: 1. Visual flight required for CGL RBN to airport. 2. Sliding scale not authorized. 3. Shuttle descent from CGL RBN holding pattern not authorized. 4. If Juneau Airport lights not visible over CGL RBN at night, execute missed approach. 5. This procedure not authorized unless CGL RBN received and identified throughout transitions and approach.
 #When departing Runway 07, maintain visual flight until over airport westbound on course.
 #LTDA—Localizer Type Directional Aid (not associated with runway; no glide slope, no back crs.)
 *Rockledge Int: Int SSR-VOR R-006 and LTDA W crs.
 **Barlow Int: Int SSR-VOR R-015 and LTDA W crs.

City, Juneau; State, Alaska; Airport Name, Municipal; Elev., 26'; Fac. Class., LTDA#; Ident., JDL; Procedure No. 1, Amdt. 1; Eff. Date, 14 Sept. 63; Sup. Amdt. No. Orig.; Dated, 7 July 62

Greensburg Int.....	McKeesport RBN (final)	Direct.....	3000	T-dn.....	300-1	300-1	200-1/2
Scottdale Int.....	McKeesport RBN	Direct.....	3000	C-dn.....	500-1	500-1	500-1 1/2
Pittsburgh VOR.....	McKeesport RBN	Direct.....	3000	S-dn-27%.....	300-3/4	300-3/4	300-3/4
GP LOM.....	McKeesport RBN	Direct.....	3000	A-dn*.....	600-2	600-2	600-2
McKeesport RBN.....	ILS OM (final)	Direct.....	2700				
Imperial VOR.....	McKeesport RBN	IRL R-116	3000				

Radar vectoring authorized in accordance with approved radar patterns.
 Procedure turn S side of crs, 095° Outbnd, 275° Inbnd, 3000' within 10 miles. Nonstandard due to traffic.
 Minimum altitude at glide slope Int Inbnd, 2700'. Glide slope may be intercepted at 3000' over MKP-RBN or 2700' between MKP-RBN and the ILS-OM.
 Altitude of glide slope and distance to approach end of runway at OM, 2615'—4.2 miles; at MM, 1480'—0.6 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 3000' proceeding to PIT RBN. Hold W right turns, 1-minute pattern, 082° Inbnd.
 Other change: Deletes Butler RBN and River RBN transitions.
 *All installed components of the ILS must be operating, otherwise alternate minimums of 800-2 will apply.
 †400-3/4 with glide slope inoperative.

City, Pittsburgh; State, Pa.; Airport Name, Allegheny County; Elev., 1252'; Fac. Class., ILS; Ident., I-AGC; Procedure No. ILS-27, Amdt. 11; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 10; Dated, 15 Sept. 62

Billings Int.....	LOM.....	Direct.....	2800	T-dn.....	300-1	300-1	200-1/2
Sparia Int*	LOM.....	Direct.....	3000	C-dn.....	400-1	500-1	500-1 1/2
SGF VOR.....	LOM.....	Direct.....	2600	S-dn-1.....	200-1/2	200-1/2	200-1 1/2
Miller Int.....	LOM.....	Direct.....	3000	A-dn.....	600-2	600-2	600-2
Piano Int.....	LOM.....	Direct.....	2800				
SGF RBN.....	LOM.....	Direct.....	2600				

Procedure turn E side of crs, 195° Outbnd, 015° Inbnd, 2600' within 10 miles.
 Minimum altitude of glide slope Int Inbnd, 2500'.
 Altitude of glide slope and distance to approach end of runway at OM, 2440'—3.6 miles; at MM, 1465'—0.5 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished climb to 2800' on N crs of ILS. Proceed to the SGF VOR.
 City, Springfield; State, Mo.; Airport Name, Municipal; Elev., 1267'; Fac. Class., ILS; Ident., I-SGF; Procedure No. ILS-1, Amdt. 3; Eff. Date, 14 Sept. 63, Sup. Amdt. No. 2; Dated, 9 Mar. 63

SGF-VOR.....	Spring Int.....	Direct.....	2800	T-dn.....	300-1	300-1	200-1/2
				C-dn.....	500-1	500-1	500-1 1/2
				S-dn-19.....	500-1	500-1	500-1
				A-dn.....	800-2	800-2	800-2
				The following minimum applies for aircraft having ADF receiver and Glidewell Int identified:			
				S-dn-19.....	400-1	400-1	400-1

Procedure turn W of N crs, 015° Outbnd, 195° Inbnd, 2800' within 10 miles of Spring Int.*
 Minimum altitude over Spring Int on final approach crs, 2800'; over Glidewell Int, 1800'.
 Crs and distance, Spring Int to Runway 19, 195°—6.8 miles; Glidewell Int to Runway 19, 195°—2.7 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.8 miles after passing Spring Int, climb to 3200' on R-203 SGF-VOR and proceed to Billings Int or, when directed by ATC, climb to 2600' on S crs ILS and proceed to LOM.
 City, Springfield; State, Mo.; Airport Name, Springfield Municipal; Elev., 1267'; Fac. Class., ILS; Ident., I-SGF; Procedure No. ILS-19, Amdt. 4; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 3; Dated, 9 Mar. 63

RULES AND REGULATIONS

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Bainbridge Int.....	Carbon Int#.....	Via R-259 Int and NE crs.	2400	T-dn.....	300-1	300-1	200-1/2
Int HUF R-009 and SCJ R-339.....	Carbon Int#.....	HUF ILS via SCJ R-339.	2000	C-dn.....	400-1	500-1	500-1 1/2
Carbon Int#.....	HUF RBn (final).....	Direct.....	1500	S-dn-23.....	400-1	400-1	400-1
Carbon Int#.....	HUF VOR (final).....	Direct.....	1500	A-dn.....	800-2	800-2	800-2
Clinton Int.....	HUF VOR or HUF RBn.....	Direct.....	2200				
Spencer Int.....	HUF VOR or HUF RBn.....	Direct.....	2200				
Sanford Int.....	HUF VOR or HUF RBn.....	Direct.....	2200				
Fairbanks Int.....	HUF VOR or HUF RBn.....	Direct.....	2200				
Manhattan Int.....	HUF VOR or HUF RBn.....	Direct.....	2200				
LEU VOR.....	HUF VOR or HUF RBn.....	Direct.....	2000				
HUF LOM.....	HUF VOR or HUF RBn.....	Direct.....	2000				

Procedure turn N side localizer crs, 045° Outbnd, 225° Inbnd, 2000' within 10 miles of HUF RBn* or HUF VOR**.
 Minimum altitude over HUF RBn, 1500'; over HUF VOR, 1500'.
 Crs and distance, HUF RBn to airport, 225°—4 miles; HUF VOR to airport, 225°—3 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles after passing HUF RBn or 3 miles after passing HUF VOR, climb to 2200' south westbound on SW crs HUF ILS to Prairie Creek Int# or, when directed by ATC, make climbing left turn to 2200' and proceed direct to LEU VOR.

NOTES: 1. No glide slope. 2. No approach lights. 3. This procedure not authorized unless aircraft equipped to receive ILS and ADF or ILS and VOR simultaneously.
 #Carbon Int: Int NE crs HUF ILS and LEU R-013.
 ##Prairie Creek Int: Int HUF ILS SW crs and LEU R-280.

City, Terre Haute; State, Ind.; Airport Name, Hulman Field; Elev., 585'; Fac. Class., ILS; Ident., I-HUE; Procedure No. ILS-23, Amdt. 2; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 1; Dated, 24 Feb. 62

6. The radar procedures prescribed in § 609.500 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach, except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				Surveillance approach			
All directions.....		Within— 15 miles.....	3500	T-dn.....	300-1	300-1	200-1/2
All directions.....		25 miles.....	5000	C-dn.....	600-1	600-1	600-1 1/2
160°.....	210°.....	10 miles.....	3000	S-dn-5, 14 & 23.....	600-1	600-1	600-1
210°.....	160°.....	10 miles.....	2600	A-dn.....	800-2	800-2	800-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 5: Climb straight ahead to 2500', proceed to LOM hold NE 1-minute right turn Inbnd crs 230°. Runways 14 and 23: Climb straight ahead to 3000', then proceed direct to CRW VOR, maintain 3000', hold CRW VOR R-261 1-minute right turns, 081° Inbnd.

City, Charleston; State, W. Va.; Airport Name, Kanawha County; Elev., 982'; Fac. Class., Charleston Radar; Procedure No. 1, Amdt. 2; Eff. Date, 14 Sept 63; Sup. Amdt. No. 1; Dated, 15 Sept. 62

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
				Precision approach			
000°.....	360°.....	Within 17-20 miles.....	3000	T-dn.....	300-1	300-1	200-1/2
175°.....	095°.....	Within 7-17 miles.....	2200	C-dn.....	600-1	600-1	600-1 1/2
000°.....	360°.....	Within 0-7 miles.....	2000	S-d-2.....	300-1/2	300-1/2	300-1/2
				S-n-2.....	400-1	400-1	400-1
				S-d-20.....	400-1/2	400-1/2	400-1/2
				S-n-20.....	400-1 1/2	400-1 1/2	400-1 1/2
				A-dn.....	800-2	800-2	800-2
				Surveillance approach			
				S-dn-14.....	600-1	600-1	600-1

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 2: Turn left, climb to 2000' on 202° crs from CSG RBn within 20 miles. Runway 20: Climb to 2000' on 202° crs from CSG RBn within 20 miles. Runway 14: Immediate right turn, climb to 2000' on 202° crs from CSG RBn within 20 miles.

CAUTION: Jump towers 580' 1 1/2 miles NE, R-129 E and SE of Lawson AAF.
 NOTE: Authorized for military use only except by prior arrangement.

City, Columbus; State, Ga.; Airport Name, Lawson AAF; Elev., 232'; Fac. Class., Lawson AAF, Radar; Procedure No. 1, Amdt. 1; Eff. Date, 14 Sept. 63, Sup. Amdt. No. Orig.; Dated, 7 Nov. 59

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
000°	360°	Within 20 miles	2000	Precision approach			
045°	345°	20-40 miles	3000	S-dn-6	200-1/2	200-1/2	200-1/2
145°	045°	20-40 miles	4000	S-dn-18, 36	300-3/4	300-3/4	300-3/4
				Surveillance approach			
				T-dn	300-1	300-1	200-1/2
				C-dn-6, 24, 36	500-1	500-1	500-1 1/2
				C-dn-18	600-1	600-1	600-1 1/2
				S-dn-6, 24, 36	400-1	400-1	400-1
				S-dn-18	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2

All bearings and distances are from radar antenna with sector and azimuth progressing clockwise. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished; Runway 6 or 36, turn left (Runway 18 or 24, turn right), climb to 2000' on R-280 OZR-VOR within 20 miles or, when directed by ATC, proceed direct to ETP RBN or climb to 2000' on R-330 OZR-VOR within 20 miles.
 Note: Authorized for military use only except by prior arrangement.

City, Fort Rucker; State, Ala.; Airport Name, Cairns AAF; Elev., 305'; Fac. Class., Cairns Radar; Procedure No. 1, Amdt. 4; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 3; Dated, 1 Apr. 61

From—	To—	Course and distance	Minimum altitude (feet)	Condition	Surveillance approach		
					65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
105° clockwise	130°	0-3 miles	2000	Surveillance approach			
105° clockwise	130°	3-25 miles	3700	T-dn	300-1	300-1	200-1/2
120° clockwise	240°	0-25 miles	1500	C-dn*	500-1	500-1	500-1 1/2
120° clockwise	265°	0-6 miles	1500	S-dn-4L	400-1	400-1	400-1
120° clockwise	265°	6-7 miles	2000	A-dn	800-2	800-2	800-2
120° clockwise	265°	7-11 miles	3000				
120° clockwise	265°	11-20 miles	2000				
120° clockwise	270°	0-6 miles	1500				
120° clockwise	270°	6-8 miles	3100				
120° clockwise	270°	8-25 miles	3600				

Radar vectoring authorized in accordance with approved patterns. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished make climbing right turn, intercept HNL-VOR R-168 and proceed to Southgate Int at 2000'.

CAUTION: 1. *Circling N of airport not authorized due 385' terrain 1.5 miles and 524' 2 miles NE of airport. 2. 181' water tower 1 mile NNW of approach end Runway 8.
 City, Honolulu; State, Hawaii; Airport Name, International; Elev., 13'; Fac. Class., Honolulu Radar; Procedure No. 1, Amdt. 5; Eff. Date, 14 Sept. 63; Sup. Amdt. No. 4; Dated, 1 June 63

These procedures shall become effective on the dates specified therein.

(Secs. 313(a), 307(c), 72 Stat. 752, 749; 49 U.S.C. 1354(a), 1348(c))

Issued in Washington, D.C., on August 9, 1963.

G. S. MOORE,
 Director, Flight Standards Service.

[F.R. Doc. 63-8755; Filed, Sept. 5, 1963; 11:50 a.m.]

Title 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

SUBCHAPTER A—INCOME TAX

[T.D. 6874]

PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

Consolidated Returns

On August 8, 1963, notice of proposed rule making with respect to the amendment of the Income Tax Regulations (26 CFR Part 1) under subchapter A of chapter 6 of the Internal Revenue Code of 1954 (relating to consolidated returns) to conform the regulations to certain provisions of the Revenue Act of 1962 (76 Stat. 960), the Trade Expansion Act of 1962 (76 Stat. 889), the Act of September 27, 1962 (Public Law 87-710; 76 Stat. 648), and the Act of September 14, 1960 (Public Law 86-780; 74 Stat. 1010) was published in the FEDERAL REGISTER (28 F.R. 8148). After consideration of all such relevant matter as was presented by interested persons regarding the rules proposed, the amendment of the regulations as proposed is hereby adopted.

This Treasury decision is issued under the authority contained in section 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

[SEAL] MORTIMER M. CAPLIN,
Commissioner of Internal Revenue.

Approved: September 4, 1963.

STANLEY S. SURREY,
Assistant Secretary
of the Treasury.

In order to conform the Income Tax Regulations (26 CFR Part 1) under subchapter A of chapter 6 of the Internal Revenue Code of 1954, relating to consolidated returns, to certain provisions of the Revenue Act of 1962 (76 Stat. 960), the Trade Expansion Act of 1962 (76 Stat. 889), the Act of September 27, 1962 (Public Law 87-710; 76 Stat. 648), and the Act of September 14, 1960 (Public Law 86-780; 74 Stat. 1010), such regulations are amended as follows:

PARAGRAPH 1. Section 1.1502-31 is amended by revising paragraph (a) (1) (i) (g) and (h), by adding a new (i) and (j) to paragraph (a) (1) (i), by revising paragraph (a) (3), by revising paragraph (a) (4) (i), by revising paragraph (a) (5), by revising paragraph (a) (18) (i), by revising paragraph (a) (23) (i), by adding a new subparagraph (38) to paragraph (a), by revising paragraph (b) (1), by revising paragraph (b) (2) (ix) (a), by revising paragraph (b) (3), and by revising paragraph (b) (6). These revised and added provisions read as follows:

§ 1.1502-31 Basis of tax computation.

- * * * * *
- (a) *Definitions*—(1) *Consolidated taxable income.* * * *
- (i) * * *
- (g) Any consolidated section 247 deduction,
- (h) Any consolidated section 582(c) net loss, and
- (i) [Reserved]
- (j) Any consolidated section 181 deduction,
- * * * * *

(3) *Consolidated net operating loss carryovers.* (i) The consolidated net operating loss carryovers to the taxable year shall consist of—

(a) The consolidated net operating losses, if any, for the five preceding taxable years (and the consolidated net operating losses, if any, for the sixth and seventh preceding taxable years (not including as a sixth or seventh preceding taxable year any taxable year ending on or before December 31, 1955) to the extent attributable to members of the affiliated group which are, and were in the taxable year in which the loss originated, regulated transportation corporations as defined in section 172(j) (1)), but only to the extent that the consolidated net operating loss for any such preceding taxable year was not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year and was not absorbed as a carryover or carryback for preceding or intervening taxable years,

and, with respect to a net operating loss sustained by a corporation in a taxable year for which a separate return was filed, or for which such corporation joined in a consolidated return filed by another affiliated group, but subject to the limitation prescribed in paragraph (b) (3) of this section,

(b) The amount of the net operating losses, if any, of such corporation for the five preceding taxable years (and the net operating losses, if any, for the sixth and seventh preceding taxable years (not including as a sixth or seventh preceding taxable year any taxable year ending on or before December 31, 1955) if such corporation is, and was in the taxable year in which the loss was sustained, a regulated transportation corporation as defined in section 172(j) (1)), to the extent that the net operating loss for any such preceding taxable year was not absorbed as a carryover or carryback for preceding or intervening taxable years.

(ii) For purposes of subdivision (i) of this subparagraph, there shall not be included as a fifth preceding taxable year any taxable year beginning prior to 1950, unless such preceding taxable year began in 1949 and ended in 1950, and

unless all members of the group for such preceding taxable year (or the corporation filing a separate return or joining in a consolidated return filed by another affiliated group) commenced business in 1949; and in such case the amount of the consolidated net operating loss (or net operating loss) for such fifth year shall not be treated as a carryover except to the extent that such loss is allocable to 1950.

(iii) For purposes of this section, a net operating loss attributable to a regulated transportation corporation shall not be a net operating loss carryover to the sixth taxable year following the year in which the loss originated unless, for such sixth taxable year, the corporation to which the loss is attributable is a regulated transportation corporation; and shall not be a carryover to the seventh taxable year following the year in which the loss originated unless for both such sixth and seventh years the corporation to which the loss is attributable is such a regulated transportation corporation.

(iv) In the case of a net operating loss for a taxable year beginning in 1955 and ending in 1956, attributable to a regulated transportation corporation, the amount of such loss which may be carried to—

(a) The sixth taxable year following the loss year shall be the amount which bears the same ratio to the amount which would (without regard to the limitation prescribed in paragraph (b) (3) of this section for such sixth taxable year) be carried to such sixth taxable year as the number of days in the loss year after December 31, 1955, bears to the total number of days in the loss year, and

(b) The seventh taxable year following the loss year shall be the amount which bears the same ratio to the amount which would (without regard to the limitation prescribed in paragraph (b) (3) of this section for such seventh taxable year) be carried to such seventh taxable year as the number of days in the loss year after December 31, 1955, bears to the total number of days in the loss year.

The amounts determined under (a) and (b) of this subdivision shall be subject to the limitation prescribed in paragraph (b) (3) of this section.

(v) See paragraph (b) (21) of this section in any case in which a member of the group is an acquiring corporation in a transaction described in section 381(a) or any member of the group is subject to the limitations provided in section 382.

(4) *Consolidated net operating loss carrybacks.* (i) The consolidated net operating loss carrybacks to the taxable year with respect to net operating losses sustained in taxable years ending after December 31, 1957, shall consist of—

(a) The amount of the consolidated net operating loss, if any, for the first succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year) reduced to the extent absorbed as a carryback, consolidated or separate, as the case may be, for the first two preceding taxable years (and for the third and fourth preceding years with respect to that portion of the consolidated net operating loss attributable to the net operating losses of members for which certifications have been issued under section 317 of the Trade Expansion Act of 1962 and with respect to which the requirements of section 172(b)(3)(A) have been met),

(b) The amount of the consolidated net operating loss, if any, for the second succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year) reduced to the extent absorbed as a carryback, consolidated or separate, as the case may be, for the first preceding taxable year (and for the second and third preceding years with respect to that portion of the consolidated net operating loss attributable to the net operating losses of members for which certifications have been issued under section 317 of the Trade Expansion Act of 1962 and with respect to which the requirements of section 172(b)(3)(A) have been met),

(c) The amount of the consolidated net operating loss, if any, for the third succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group) reduced to the extent absorbed as a carryback, consolidated or separate, as the case may be, for the first two preceding taxable years with respect to that portion of the consolidated net operating loss attributable to the net operating losses of members for which certifications have been issued under section 317 of the Trade Expansion Act of 1962 and with respect to which the requirements of section 172(b)(3)(A) have been met,

(d) That portion of the consolidated net operating loss for the fourth succeeding taxable year which is attributable to the net operating losses of members for which certifications have been issued under section 317 of the Trade Expansion Act of 1962 and with respect to which the requirements of section 172(b)(3)(A) have been met (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year), reduced to the extent absorbed as a carryback, consolidated or separate, as the case may be, for the first preceding taxable year,

(e) That portion of the consolidated net operating loss for the fifth succeeding taxable year which is attributable to the net operating losses of members for which certifications have been issued under section 317 of the Trade Expansion

Act of 1962 and with respect to which the requirements of section 172(b)(3)(A) have been met (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year),

and, with respect to a net operating loss sustained by a corporation which, for any of the five succeeding taxable years, files a separate return or joins in a consolidated return filed by another affiliated group, but subject to the limitation prescribed in paragraph (b)(3) of this section,

(f) The amount of the net operating loss, if any, sustained by such corporation for the first succeeding taxable year, reduced to the extent absorbed in a separate return (or in a consolidated return) for the first two preceding taxable years (and for the third and fourth preceding taxable years if a certification of such loss has been issued under section 317 of the Trade Expansion Act of 1962, and the requirements of section 172(b)(3)(A) have been met),

(g) The amount of the net operating loss, if any, sustained by such corporation for the second succeeding taxable year, reduced to the extent absorbed in a separate return (or in a consolidated return) for the first preceding taxable year (and for the second and third preceding taxable years if a certification of such loss has been issued under section 317 of the Trade Expansion Act of 1962, and the requirements of section 172(b)(3)(A) have been met),

(h) The amount of the net operating loss, if any, sustained by such corporation for the third succeeding taxable year, reduced to the extent absorbed in a separate return (or in a consolidated return) for the first and second preceding taxable years if a certification of such loss has been issued under section 317 of the Trade Expansion Act of 1962, and the requirements of section 172(b)(3)(A) have been met,

(i) [Reserved]

(j) The amount of the net operating loss, if any, sustained by such corporation for the fourth succeeding taxable year (but only if a certification of such loss for such year has been issued under section 317 of the Trade Expansion Act of 1962, and the requirements of section 172(b)(3)(A) have been met), reduced to the extent absorbed in a separate return (or in a consolidated return) for the first preceding taxable year, and

(k) The amount of the net operating loss, if any, sustained by such corporation for the fifth succeeding taxable year (but only if a certification of such loss for such year has been issued under section 317 of the Trade Expansion Act of 1962, and the requirements of section 172(b)(3)(A) have been met).

If the taxable year in which the net operating loss or consolidated net operating loss was sustained is a year beginning in 1957 and ending in 1958, the carryback is subject to section 172(i) or paragraph (b)(4)(v) of this section, respectively. See also paragraph (b)(21) of this section in any case in which a

member of the group is an acquiring corporation in a transaction described in section 381(a), or any member of the group is subject to the limitations provided in section 382.

(5) *Consolidated net operating loss.* The consolidated net operating loss shall be an amount equal to the excess of the sum of:

(i) The combined net operating losses of the several affiliated corporations having net operating losses,

(ii) The consolidated section 175 deduction, but not in excess of 25 percent of the consolidated section 175 gross income,

(iii) The consolidated section 181 deduction,

(iv) The consolidated section 1231 net loss,

(v) The aggregate of the deductions of the several affiliated corporations under sections 243, 244, and 245 (computed without regard to the limitation contained in section 246(b)) and under section 247 (computed without regard to the limitation of subsection (a)(1)(B) of such section), and

(vi) The consolidated section 582(c) net loss,

over the sum of—

(vii) The combined taxable income of the several affiliated corporations having taxable income, computed without regard to any deductions under section 242 (relating to partially tax-exempt interest), and

(viii) The consolidated net capital gain.

(18) *Consolidated accumulated taxable income.* * * *

(i) The combined Federal income and excess profits taxes (other than the excess profits tax imposed by subchapter E, chapter 2 of the Internal Revenue Code of 1939, for taxable years beginning after December 31, 1940) and income, war profits and excess profits taxes of foreign countries and possessions of the United States (to the extent not allowable as a deduction under section 164(b)(6)), accrued during the taxable year by the several affiliated corporations or deemed to be paid by the several domestic affiliates under section 902(a)(1) or 960(a)(1)(C) for the taxable year, but not including the accumulated earnings tax imposed by section 531, the personal holding company tax imposed by section 541, or the taxes imposed by corresponding sections of a prior income tax law,

(23) *Consolidated undistributed personal holding company income.* * * *

(i) The combined Federal income and excess profits taxes (other than the excess profits tax imposed by subchapter E, chapter 2 of the Internal Revenue Code of 1939 for taxable years beginning after December 31, 1940) and income, war profits and excess profits taxes of foreign countries and possessions of the United States (to the extent not allowable as a deduction under section 164(b)(6)) accrued during the taxable year by the several affiliated corporations or

deemed to be paid by the several domestic affiliates under section 902(a)(1) or 960(a)(1)(C) for the taxable year, but not including the accumulated earnings tax imposed by section 531, the personal holding company tax imposed by section 541, or the taxes imposed by the corresponding sections of prior income tax law;

(38) *Consolidated section 181 deduction.* The consolidated section 181 deduction for the taxable year shall be the sum of—

(i) With respect to the portion of a consolidated unused credit not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for such taxable year, the amount determined under the provisions of section 181, and

(ii) With respect to unused credits arising in unused credit years for which a corporation filed a separate return or joined in a consolidated return filed by another affiliated group, the amount determined under the provisions of section 181.

(b) *Computations.* * * *

(1) *Taxable income.* * * *

(xii) No deductions under section 175 (relating to soil and water conservation expenditures) shall be taken into account by a member of an affiliated group to which the consolidated section 175 deduction is applicable;

(xiii) In the case of a bank, for taxable years beginning after December 31, 1958, there shall be disregarded all gains and losses from sales and exchanges of property described in section 582(c); and

(xiv) No deduction under section 181 (relating to deduction for certain unused investment credit) shall be taken into account.

Intercompany profits and losses which have been realized by the group through final transactions with persons other than members of the group, and intercompany transactions which do not affect the consolidated taxable income shall not be eliminated. For the purpose of this subparagraph, gain includible in income pursuant to section 357(c) with respect to transfers of assets other than capital assets and other than assets to which section 1231 is applicable, and gain includible in income by reason of the application of paragraph (a)(1)(iii) of § 1.1502-37, shall not be eliminated. For the purpose of the regulations under section 1502, a transaction not involving a sale or exchange of a capital asset or of property subject to the provisions of section 1231 shall not be considered an intercompany transaction if such transaction occurs in the regular course of the trade or business of the members of the group and if such members adopt, with the consent of the Commissioner and subject to such conditions as he deems proper, a consistent accounting practice of taking into account in the computation of consolidated taxable income the gains and losses reflected in such transactions. As used in this paragraph, the term "taxable income" includes the case in which the allowable

deductions of a member (not including any net operating loss deduction) exceed its gross income. For purposes of section 593(b)(2) (relating to addition to reserve for bad debts), taxable income of an organization to which section 593 applies shall be computed as if such organization filed a separate return for the taxable year.

(2) *Other computations on separate basis.* * * *

(ix) *Mutual savings banks, domestic building and loan associations, and cooperative banks.* * * *

(a) In the computation of total deposits or withdrawable accounts at the close of the taxable year for the purpose of section 593 (relating to the deduction for bad debts), there shall be excluded the total deposits or withdrawable accounts of other members of the group, and

(3) *Limitation on net operating loss carryovers and carrybacks from separate return years.* In no case shall there be included in the consolidated net operating loss deduction for the taxable year as consolidated net operating loss carryovers or carrybacks under paragraphs

(a)(3)(i)(b), (a)(4)(i)(f), (g)(h), (j), and (k), and (a)(4)(ii)(c) and (d) of this section (relating to net operating losses sustained by a corporation in years for which separate returns were filed, or for which such corporation joined in a consolidated return filed by another affiliated group), an amount exceeding in the aggregate the taxable income of such corporation included in the computation of the consolidated taxable income for the taxable year decreased by its deductions under sections 181, 243, 244, 245, 247, and 922 (and in the case of a member of an affiliated group to which the consolidated section 175 deduction is applicable, the section 175 deduction), increased by its separate net capital gain, and increased or decreased, as the case may be, with respect to its separate gains and losses from involuntary conversions subject to the provisions of section 1231, and from sales or exchanges of property subject to the provisions of section 1231. This subparagraph shall not be applicable to a carryover under paragraph (a)(3)(i)(b) of this section of a net operating loss of a corporation attributable to a period for which it was included in a consolidated return filed by another affiliated group for a taxable year beginning prior to January 1, 1954, all of whose members are included in the consolidated return filed for the taxable year if all of the members of such other affiliated group would have been members of the affiliated group if the law applicable to the taxable year had been applicable to such prior taxable year.

(6) *Apportionment of consolidated net operating loss.* If an affiliated group filing a consolidated return sustains a consolidated net operating loss for the taxable year within the provisions of section 172, relating to the net operating loss deduction, and if—

(i) There are included as members of such group one or more corporations which made separate returns, or joined

in a consolidated return filed by another affiliated group, either in a preceding taxable year or in a succeeding taxable year, or

(ii) There are included as members of such group one or more corporations which sustain a net operating loss for the taxable year for which a certification is issued under section 317 of the Trade Expansion Act of 1962 and with respect to which the requirements of section 172(b)(3)(A) are met, or

(iii) In the case of a taxable year ending after December 31, 1955, there are included as members of such group one or more corporations which are regulated transportation corporations for the taxable year (within the meaning of section 172(j)(1)),

then the portion of such consolidated net operating loss attributable to such corporations severally shall be determined, such portion in the case of any such corporation being determined in an amount proportionate to the net losses (capital net losses and ordinary net losses alike) of the several affiliated corporations having net losses, to the extent that such losses were taken into account in the computation of the consolidated net operating loss.

PAR. 2. Section 1.1502-37 is amended by revising paragraph (a)(1)(i) and (ii) and by adding a new subdivision (iii) to paragraph (a)(1). These revised and added provisions read as follows:

§ 1.1502-37 *Liquidations; recognition of gain or loss.*

(a) *During consolidated return period.*
(1) * * *

(i) Where such distribution is in complete liquidation and redemption of all of its stock (whether in one distribution or a series) and of its bonds and other indebtedness, if any, and falls without the provisions of section 332, and is the result of a bona fide termination of the business and operations of such member of the group, in which case the adjustments specified in §§ 1.1502-34 and 1.1502-35 shall be made, and § 1.1502-36 shall be applicable;

(ii) Where such a distribution without the provisions of section 332 is one made in cash in an amount in excess of the adjusted basis of the stock, and bonds and other indebtedness, in which case gain shall be recognized to the extent of such excess; or

(iii) Where the basis of the property distributed in the hands of the distributee is determined by reference to section 334(b)(2), in which case gain shall be recognized as provided in section 1245(a)(1).

PAR. 3. Section 1.1502-38 is amended by revising paragraph (c)(2)(ii) to read as follows:

§ 1.1502-38 *Basis of property.*

(c) *Basis after liquidation.* * * *

(ii) If the basis of such property is determined by reference to section 334(b)(2), such section (and, if applicable, section 1245(c)) shall be applicable in

determining the basis of property received on the liquidation (except property received by the liquidating corporation from other members of the affiliated group during a consolidated return period) and to any property transferred by the liquidating corporation to other members of the group during a consolidated return period as if such property had not been transferred and was received in such liquidation. In addition, proper adjustment shall be made with respect to the effect of any other transactions between members of the group during a consolidated return period which creates a distortion of income or a substantial variation in basis of property from the basis such property would have had if there had been no such transactions.

PAR. 4. Section 1.1502-43 is amended to read as follows:

§ 1.1502-43 Credit for foreign taxes.

(a) *In general*—(1) *Choice of credit or deduction.* The credit under section 901 for taxes paid or accrued to any foreign country or possession of the United States shall be allowed to an affiliated group filing a consolidated return only if the common parent corporation chooses to use such credit in the computation of the tax liability of the group for the taxable year. If this choice is made, no deduction may be taken under section 164 on the consolidated return for such taxes paid or accrued by any member of the group.

(2) *Amount of credit.* If the per-country limitation on the credit provided in section 904(a)(1) applies in computing the tax liability of the group for the taxable year, the amount of the credit shall be determined under paragraph (b) of this section; if the overall limitation provided in section 904(a)(2) applies, the amount of the credit shall be determined under paragraph (c) of this section. If any member of the group receives "interest income" from sources within any foreign country or any possession, the credit for taxes paid or accrued to such foreign country or possession with respect to such income shall be determined separately under paragraph (d) of this section.

(3) *Definitions.* For purposes of this section—

(i) The term "taxes paid or accrued" includes the amount of taxes deemed paid pursuant to sections 902 and 960(a), and

(ii) The term "interest income" means interest income described in section 904(f)(2) for taxable years beginning after October 16, 1962, but only if such interest income results from transactions consummated after April 2, 1962, and the term "consolidated taxable interest income" means the aggregate interest income of the several members of the affiliated group.

(b) *Amount of credit with respect to noninterest income where per-country limitation applies*—(1) *Taxes allowed as a credit.* Subject to the limitation provided in subparagraph (2) of this paragraph, the credit allowable to an affiliated group filing a consolidated return for taxes paid or accrued with respect to in-

come other than interest income for a taxable year for which the per-country limitation applies shall be an amount equal to the sum of—

(i) The aggregate of the taxes paid or accrued for the taxable year by the several members of the affiliated group to any foreign country or any possession with respect to income other than interest income, and

(ii) The aggregate of the consolidated excess tax paid carryovers and carrybacks to the taxable year under section 904(d) for taxes paid or accrued to such country or possession with respect to income other than interest income.

(2) *Limitation.* The credit allowable under subparagraph (1) of this paragraph for taxes paid or accrued to any foreign country or any possession shall not exceed an amount which bears the same ratio to the total tax of the affiliated group against which the credit is taken as the consolidated taxable income of the group (computed by excluding any consolidated taxable interest income) from sources within such country or possession (but not in excess of the entire consolidated taxable income of the group) bears to the entire consolidated taxable income. The amount computed under the preceding sentence shall be increased as provided in section 960(b), where applicable.

(3) *Consolidated excess tax paid carryovers.* The consolidated excess tax paid carryovers to the current taxable year for taxes paid or accrued to any foreign country or any possession with respect to income other than interest income shall consist of—

(i) The consolidated excess tax paid, with respect to such income, to such country or possession for the five preceding taxable years (not including as a preceding taxable year any taxable year beginning before January 1, 1958) to the extent that such consolidated excess tax paid for any such preceding taxable year was not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the current taxable year and was not absorbed pursuant to section 904(d) in years preceding the current taxable year (whether or not taken as a credit), and

with respect to the excess tax paid, with respect to income other than interest income, by a corporation in a taxable year for which a separate return was filed, or for which such corporation joined in a consolidated return filed by another affiliated group, but subject to the limitation prescribed in paragraph (g) of this section—

(ii) The amount of such excess tax paid by such corporation to such country or possession for the five preceding taxable years (not including as a preceding taxable year any taxable year beginning before January 1, 1958) to the extent that such excess tax paid for any such preceding taxable year was not absorbed pursuant to section 904(d) in years preceding the current taxable year (whether or not taken as a credit).

(4) *Consolidated excess tax paid carrybacks.* The consolidated excess tax paid carrybacks to the current taxable

year for taxes paid or accrued to any foreign country or any possession with respect to income other than interest income shall consist of—

(i) The consolidated excess tax paid, with respect to such income, to such country or possession for the first succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the current taxable year) reduced to the extent absorbed pursuant to section 904(d) in the first preceding taxable year (whether or not taken as a credit), and

(ii) The consolidated excess tax paid, with respect to such income, to such country or possession for the second succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the current taxable year), and

with respect to the excess tax paid, with respect to income other than interest income, to such country or possession by a corporation which, for either of the two succeeding taxable years, files a separate return or joins in a consolidated return filed by another affiliated group, but subject to the limitation prescribed in paragraph (g) of this section—

(iii) The amount of such excess tax paid by such corporation for the first succeeding taxable year reduced to the extent absorbed pursuant to section 904(d) by such corporation for the first preceding taxable year (whether or not taken as a credit), or if the income of such corporation is included in a consolidated return for the first preceding taxable year, reduced to the extent absorbed pursuant to section 904(d) by such consolidated return (whether or not taken as a credit), and

(iv) The amount of such excess tax paid by such corporation for the second succeeding taxable year.

(c) *Amount of credit with respect to noninterest income where overall limitation applies*—(1) *Taxes allowed as a credit.* Subject to the limitation provided in subparagraph (2) of this paragraph, the credit allowable to an affiliated group filing a consolidated return for taxes paid or accrued with respect to income other than interest income for a taxable year for which the overall limitation applies shall be equal to the sum of—

(i) The aggregate of the taxes paid or accrued for the taxable year by the several members of the affiliated group to all foreign countries and possessions with respect to income other than interest income, and

(ii) The aggregate of the consolidated excess tax paid carryovers and carrybacks to the taxable year under section 904(d) for taxes paid or accrued to all foreign countries and possessions with respect to income other than interest income.

(2) *Limitation.* The credit allowable under subparagraph (1) of this paragraph for taxes paid or accrued to all foreign countries and possessions shall not exceed an amount which bears the same ratio to the total tax of the affli-

ated group against which the credit is taken as the consolidated taxable income of the group (computed by excluding any consolidated taxable interest income) from sources without the United States (but not in excess of the entire consolidated taxable income of the group) bears to the entire consolidated taxable income. The amount computed under the preceding sentence shall be increased as provided in section 960(b), where applicable.

(3) *Consolidated excess tax paid carryovers.* The consolidated excess tax paid carryovers to the current taxable year for taxes paid or accrued to all foreign countries and possessions with respect to income other than interest income shall consist of—

(i) The consolidated excess tax paid, with respect to such income, to all such countries and possessions for the five preceding taxable years (not including as a preceding taxable year any taxable year beginning before January 1, 1961) to the extent that such consolidated excess tax paid for any such preceding taxable year was not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the current taxable year and was not absorbed pursuant to section 904(d) in years preceding the current taxable year (whether or not taken as a credit), and

with respect to the excess tax paid, with respect to income other than interest income, by a corporation in a taxable year for which a separate return was filed, or for which such corporation joined in a consolidated return filed by another affiliated group, but subject to the limitation prescribed in paragraph (g) of this section—

(ii) The amount of such excess tax paid by such corporation to all foreign countries and possessions for the five preceding taxable years (not including as a preceding taxable year any taxable year beginning before January 1, 1961) to the extent that such excess tax paid for any such preceding taxable year was not absorbed pursuant to section 904(d) in years preceding the current taxable year (whether or not taken as a credit).

(4) *Consolidated excess tax paid carrybacks.* The consolidated excess tax paid carrybacks to the current taxable year for taxes paid or accrued to all foreign countries and possessions with respect to income other than interest income shall consist of—

(i) The consolidated excess tax paid, with respect to such income, to all such countries and possessions for the first succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the current taxable year) reduced to the extent absorbed pursuant to section 904(d) in the first preceding taxable year (whether or not taken as a credit), and

(ii) The consolidated excess tax paid, with respect to such income, to all such countries and possessions for the second succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consoli-

dated return filed by another affiliated group for the current taxable year), and

with respect to the excess tax paid, with respect to income other than interest income, to all such countries and possessions by a corporation which, for either of the two succeeding taxable years, files a separate return or joins in a consolidated return filed by another affiliated group, but subject to the limitation prescribed in paragraph (g) of this section—

(iii) The amount of such excess tax paid by such corporation for the first succeeding taxable year reduced to the extent absorbed pursuant to section 904(d) by such corporation for the first preceding taxable year (whether or not taken as a credit), or if the income of such corporation is included in a consolidated return for the first preceding taxable year, reduced to the extent absorbed pursuant to section 904(d) by such consolidated return (whether or not taken as a credit), and

(iv) The amount of such excess tax paid by such corporation for the second succeeding taxable year.

(5) *Carrybacks to certain taxable years.* The excess tax paid (whether consolidated or separate) with respect to income other than interest income for any taxable year for which the overall limitation applies may not be carried back to a taxable year beginning before January 1, 1961; and in determining the carryover or carryback to taxable years beginning on or after January 1, 1961, no amount shall be treated as absorbed for taxable years beginning before such date.

(d) *Amount of credit with respect to interest income.*—(1) *Taxes allowed as a credit.* Subject to the limitation provided in subparagraph (2) of this paragraph, the credit allowable to an affiliated group filing a consolidated return for taxes paid or accrued with respect to interest income shall be an amount equal to the sum of—

(i) The aggregate of the taxes paid or accrued for the taxable year by the several members of the affiliated group to any foreign country or any possession with respect to interest income, and

(ii) The aggregate of the consolidated excess tax paid carryovers and carrybacks to the taxable year under section 904(d) for taxes paid or accrued to such country or possession with respect to interest income.

(2) *Limitation.* The credit allowable under subparagraph (1) of this paragraph for taxes paid or accrued to any foreign country or any possession shall not exceed an amount which bears the same ratio to the total tax of the affiliated group against which the credit is taken as the consolidated taxable interest income of the group from sources within such country or possession (but not in excess of the entire consolidated taxable income of the group) bears to the entire consolidated taxable income. The amount computed under the preceding sentence shall be increased as provided in section 960(b), where applicable.

(3) *Consolidated excess tax paid carryovers.* The consolidated excess tax paid carryovers to the current taxable year for taxes paid or accrued to any foreign country or any possession with

respect to interest income shall consist of—

(i) The consolidated excess tax paid, with respect to such income, to such country or possession for the five preceding taxable years to the extent that such consolidated excess tax paid for any such preceding taxable year was not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the current taxable year and was not absorbed pursuant to section 904(d) in years preceding the current taxable year (whether or not taken as a credit), and

with respect to the excess tax paid, with respect to interest income, by a corporation in a taxable year for which a separate return was filed, or for which such corporation joined in a consolidated return filed by another affiliated group, but subject to the limitation prescribed in paragraph (g) of this section—

(ii) The amount of such excess tax paid by such corporation to such country or possession for the five preceding taxable years to the extent that such excess tax paid for any such preceding taxable year was not absorbed pursuant to section 904(d) in years preceding the current taxable year (whether or not taken as a credit).

(4) *Consolidated excess tax paid carrybacks.* The consolidated excess tax paid carrybacks to the current taxable year for taxes paid or accrued to any foreign country or any possession with respect to interest income shall consist of—

(i) The consolidated excess tax paid, with respect to such income, to such country or possession for the first succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the current taxable year) reduced to the extent absorbed pursuant to section 904(d) in the first preceding taxable year (whether or not taken as a credit), and

(ii) The consolidated excess tax paid, with respect to such income, to such country or possession for the second succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the current taxable year), and

with respect to the excess tax paid, with respect to interest income, to such country or possession by a corporation which, for either of the two succeeding taxable years, files a separate return or joins in a consolidated return filed by another affiliated group, but subject to the limitation prescribed in paragraph (g) of this section—

(iii) The amount of such excess tax paid by such corporation for the first succeeding taxable year reduced to the extent absorbed pursuant to section 904(d) by such corporation for the first preceding taxable year (whether or not taken as a credit), or if the income of such corporation is included in a consolidated return for the first preceding taxable year, reduced to the extent absorbed pursuant to section 904(d) by

such consolidated return (whether or not taken as a credit), and

(iv) The amount of such excess tax paid by such corporation for the second succeeding taxable year.

(5) *Transitional rules for carrybacks and carryovers.* (i) If the total excess tax paid (consolidated or separate) to any foreign country or any possession for a taxable year beginning on or before October 16, 1962, is a carryover to a taxable year beginning after such date, then (a) the portion of such carryover attributable to taxes paid or accrued with respect to interest income shall be an amount equal to such carryover multiplied by the ratio which the taxes paid or accrued to such foreign country or possession for such year beginning after October 16, 1962, with respect to interest income, bears to the total amount of the taxes paid or accrued to such foreign country or possession for such year, and (b) the portion of such carryover attributable to taxes paid or accrued with respect to income other than interest income shall be an amount equal to such carryover multiplied by the ratio which the taxes paid or accrued to such foreign country or possession for such year beginning after October 16, 1962, with respect to income other than interest income, bears to the total amount of the taxes paid or accrued to such foreign country or possession for such year.

(ii) The amount of the total excess tax paid (consolidated or separate) to any foreign country or any possession for a taxable year beginning after October 16, 1962, which is a carryback to a taxable year beginning on or before such date shall be determined without regard to the provisions of this paragraph.

(e) *Consolidated excess tax paid—*

(1) *Income other than interest income.* The consolidated excess tax paid to any foreign country or any possession (or to all foreign countries and possessions if the overall limitation provided in section 904(a)(2) applies) for any taxable year with respect to income other than interest income is the excess of the aggregate of the taxes paid or accrued by the several members of the affiliated group to such country or possession (or to all foreign countries and possessions if the overall limitation applies) with respect to income other than interest income over the applicable limitation provided in section 904(a)(1) or (2) (increased to the extent provided in section 960(b)). However, there is no consolidated excess tax paid for a taxable year in which the affiliated group takes a deduction under section 164 for such taxes paid or accrued to a foreign country or possession.

(2) *Interest income.* The consolidated excess tax paid to any foreign country or any possession for any taxable year with respect to interest income is the excess of the aggregate of the taxes paid or accrued by the several members of the affiliated group to such country or possession with respect to interest income over the limitation provided in section 904(a)(1) (increased to the extent provided in section 960(b)). However,

there is no consolidated excess tax paid for a taxable year in which the affiliated group takes a deduction under section 164 for such taxes paid or accrued to a foreign country or possession.

(f) *Excess tax paid—*(1) *Income other than interest income.* The excess tax paid to any foreign country or any possession (or to all foreign countries and possessions if the overall limitation provided in section 904(a)(2) applies) with respect to income other than interest income, by a corporation for any taxable year for which a separate return is filed, is the excess of the taxes paid or accrued by the corporation to such country or possession (or to all foreign countries and possessions if the overall limitation applies) with respect to income other than interest income over the applicable limitation provided in section 904(a)(1) or (2) (increased to the extent provided in section 960(b)). However, there is no excess tax paid for a taxable year in which the corporation takes a deduction under section 164 for such taxes paid or accrued to a foreign country or possession.

(2) *Interest income.* The excess tax paid to any foreign country or any possession with respect to interest income, by a corporation for any taxable year for which a separate return is filed, is the excess of the taxes paid or accrued by the corporation to such country or possession with respect to interest income over the limitation provided in section 904(a)(1) (increased to the extent provided in section 960(b)). However, there is no excess tax paid for a taxable year in which the corporation takes a deduction under section 164 for such taxes paid or accrued to a foreign country or possession.

(g) *Limitation on credit for carryovers and carrybacks of excess tax paid from separate return years.* In no case shall there be included in the credit for taxes paid or accrued to any foreign country or any possession for the taxable year as consolidated excess tax paid carryovers under paragraphs (b)(3)(ii), (c)(3)(ii), and (d)(3)(ii) of this section (relating to excess tax paid by a corporation in years for which separate returns were filed, or for which such corporation joined in a consolidated return filed by another affiliated group) and as consolidated excess tax paid carrybacks under paragraphs (b)(4)(iii) and (iv), (c)(4)(iii) and (iv), and (d)(4)(iii) and (iv) of this section (relating to excess tax paid by a corporation which for either of the two succeeding taxable years files a separate return or joins in a consolidated return filed by another affiliated group), an amount exceeding in the aggregate that which would be allowed as a credit for a carryover or carryback to such corporation if it had filed a separate return for such taxable year.

(h) *Apportionment of consolidated excess tax paid.* If an affiliated group filing a consolidated return has a consolidated excess tax paid with respect to any foreign country or any possession (or with respect to all foreign countries and

possessions if the overall limitation applies) for the taxable year attributable to income other than interest income, or has a consolidated excess tax paid with respect to any foreign country or any possession attributable to interest income, and if there are included as members of such group one or more corporations which make separate returns (or join in a consolidated return filed by another affiliated group) for any of the two preceding or five succeeding taxable years, the portion of each such consolidated excess tax paid attributable to such corporations severally shall be determined. The portion of each such consolidated excess tax paid in the case of any such corporation shall be the amount which bears the same ratio to such consolidated excess tax paid as the tax paid or accrued by such corporation to such foreign country or possession (or to all foreign countries and possessions if the overall limitation applies) with respect to income other than interest income, or to such foreign country or possession with respect to interest income, as the case may be, bears to the total tax paid or accrued by the affiliated group to such foreign country or possession (or to all foreign countries and possessions if the overall limitation applies) with respect to income other than interest income, or to such foreign country or possession with respect to interest income, as the case may be.

(i) [Reserved]

(j) *Consolidated excess tax paid before or after consolidated return period.* The consolidated excess tax paid by an affiliated group to any foreign country or any possession (or with respect to all foreign countries and possessions if the overall limitation applies) with respect to income other than interest income, or to any foreign country or any possession with respect to interest income, as the case may be, shall be used in computing the consolidated excess tax paid carryover and carryback of the group notwithstanding that one or more corporations which were members of the group in the taxable year in which such consolidated excess tax paid originates make separate returns (or join in a consolidated return made by another affiliated group) for a subsequent taxable year (or, in the case of a carryback, for a preceding taxable year) but only to the extent that such consolidated excess tax paid is not attributable to such corporation. Such portion of such consolidated excess tax paid as is attributable to the several corporations making separate returns (or joining in a consolidated return made by another affiliated group) for a subsequent taxable year (or, in the case of a carryback, for a preceding taxable year) reduced to the extent absorbed in earlier years shall be used by such corporations severally as carryovers or as carrybacks in such separate returns or in such consolidated returns of another affiliated group. Any excess tax paid by a corporation prior to the first taxable year in which its income is included in the consolidated return of the group (or paid in either of the two years immediately following a consolidated return year) may be used in com-

puting the carryover or carryback of such corporation (or of another affiliated group of which it becomes a member) for a subsequent taxable year for which it makes a separate return or joins in the consolidated return of another affiliated group, but only to the extent that such excess tax paid was not absorbed (either as a carryover or as a carryback).

(k) *Limitation effective under section 904(a)*. The determination of whether the overall limitation or the per-country limitation applies during a consolidated return period shall be made by reference to the limitation effective with respect to the common parent corporation for such period. An election made by the common parent for a year for which it filed a separate return may be changed or revoked during a consolidated return period only in accordance with the provisions of section 904(b). If the limitation effective with respect to any affiliate for a taxable year (immediately preceding the consolidated return period) for which it filed a separate return (or joined in a consolidated return filed by another affiliated group) differs from the limitation effective with respect to the common parent corporation for the consolidated return period, then such affiliate shall, if the overall limitation is effective with respect to the common parent, be deemed to have made an election to use such overall limitation, or, if the per-country limitation is effective with respect to the common parent, be deemed to have revoked its election to use the overall limitation. Consent of the Secretary or his delegate is hereby given to such affiliate for such election or revocation. Any such election or revocation shall apply only prospectively beginning with such consolidated return period. The limitation effective with respect to an affiliate for the consolidated return period immediately preceding a year for which it does not join in the filing of the consolidated return shall, except to the extent otherwise provided in this paragraph, remain in effect for such subsequent year in accordance with the provisions of section 904(b).

(1) *Carryovers or carrybacks from overall year to per-country year, and vice versa*. (1) The excess tax paid (whether consolidated or separate) to any foreign country or any possession of the United States with respect to income other than interest income, in a taxable year for which the per-country limitation under section 904(a)(1) applies, may not be carried to a taxable year for which the overall limitation under section 904(a)(2) applies.

(2) The excess tax paid (whether consolidated or separate) to all foreign countries and possessions with respect to income other than interest income, in a taxable year for which the overall limitation applies, may not be carried to a taxable year for which the per-country limitation applies.

(3) Subject to the provisions of section 904(f)(3) and the regulations thereunder, the excess tax paid (whether consolidated or separate) to any foreign country or any possession with respect to interest income may be carried to a taxable year for which the overall limita-

tion applies in respect of taxes paid or accrued with respect to income other than interest income.

PAR. 5. There is inserted immediately after § 1.1502-50 a new § 1.1502-51 to read as follows:

§ 1.1502-51 Credit for investment in certain depreciable property.

(a) *Determination of amount of consolidated credit*—(1) *In general*. Except as otherwise provided in this section, the amount of the consolidated credit allowed by section 38 for the taxable year is the aggregate amount of the "credit earned" for such year of the several members of the affiliated group. Such amount shall be referred to in this section as the "consolidated credit earned". The "credit earned" of each member of the affiliated group is an amount equal to 7 percent of such member's qualified investment (determined under section 46(c)).

(2) *Consolidated limitation based on amount of tax*. (i) Notwithstanding the amount of the consolidated credit earned for the taxable year, the consolidated credit allowed by section 38 to the group for the taxable year is limited to—

(a) So much of the consolidated liability for tax as does not exceed \$25,000, plus

(b) 25 percent of the consolidated liability for tax in excess of \$25,000.

The \$25,000 amount referred to in (a) and (b) of the preceding sentence shall be reduced by any part of such \$25,000 amount apportioned, under section 46(a)(5), to members of the affiliated group (as defined in section 46(a)(5)) which do not join in the filing of the consolidated return. The amount determined under this subparagraph shall be referred to in this section as the "consolidated limitation based on amount of tax".

(ii) If an organization to which section 593 applies or a cooperative organization described in section 1381(a) joins in the filing of the consolidated return, the \$25,000 amount referred to in subdivision (i) (a) and (b) of this subparagraph (or such \$25,000 amount reduced by any part of such amount apportioned to members of the affiliated group which do not join in the filing of the consolidated return) shall be apportioned equally among the members of the affiliated group filing the consolidated return. The portion of such \$25,000 amount (or such reduced amount) so apportioned equally to any such organization shall then be decreased to the ratable share of such portion in accordance with the provisions of section 46(d). Finally, for purposes of computing the consolidated limitation based on amount of tax under subdivision (i) (a) and (b) of this subparagraph, the sum of all such equal portions (as decreased under section 46(d), where applicable) of each member of the affiliated group filing the consolidated return shall be substituted for the \$25,000 amount referred to in subdivision (i) (a) and (b) of this subparagraph.

(3) *Consolidated liability for tax*. For purposes of this section, the consolidated

liability for tax shall be the income tax imposed for the taxable year upon the group by chapter 1 of the Code (including the 2-percent tax on consolidated taxable income), reduced by the credit allowable under section 33 (relating to taxes of foreign countries and possessions of the United States). The tax imposed by section 531 (relating to imposition of accumulated earnings tax) or by section 541 (relating to imposition of personal holding company tax) shall not be considered tax imposed by chapter 1 of the Code. In addition, any increase in tax resulting from the application of section 47 (relating to certain dispositions, etc., of section 38 property) shall not be treated as tax imposed by chapter 1 for purposes of computing the consolidated liability for tax.

(b) *Carryback and carryover of consolidated unused credit*—(1) *Allowance of consolidated unused credit as carryback or carryover*. (i) A "consolidated unused credit" is the excess of the consolidated credit earned for the taxable year over the consolidated limitation based on amount of tax for such taxable year. Subject to the limitations contained in subparagraphs (2) and (9) (i) of this paragraph, a consolidated unused credit shall be added to the amount allowable as a credit under section 38 for the years to which the consolidated unused credit can be carried. The year with respect to which a consolidated unused credit arises shall be referred to in this section as the "consolidated unused credit year".

(ii) A consolidated unused credit shall be an investment credit carryback to each of the 3 taxable years preceding the consolidated unused credit year and shall be an investment credit carryover to each of the 5 taxable years succeeding the consolidated unused credit year, except that a consolidated unused credit shall be a carryback only to taxable years ending after December 31, 1961. A consolidated unused credit must be carried first to the earliest of the 8 taxable years to which it may be carried, and then to each of the other 7 taxable years (in order of time) to the extent that the consolidated unused credit may not be added (because of the limitation contained in paragraph (a)(2) of this section) to the amount allowable as a credit under section 38 for a prior taxable year.

(2) *Limitation on allowance of consolidated investment credit carryback or carryover*. The amount of the consolidated investment credit carryback or carryover from any particular unused credit year which may be added to the amount allowable as a credit under section 38 for any of the 3 preceding or 5 succeeding taxable years to which such credit may be carried shall not exceed the amount by which the consolidated limitation based on amount of tax for such preceding or succeeding taxable year exceeds the sum of (i) the consolidated credit earned for such preceding or succeeding year, and (ii) other unused credits carried to such preceding or succeeding year which are attributable to unused credit years prior to the particular unused credit year.

(3) *Effect of net operating loss carryback.* If the effect of a net operating loss carryback is to create a consolidated unused credit, such unused credit shall not be treated as a consolidated investment credit carryback. However, the full amount of the unused credit so arising shall be available for use as an investment credit carryover for the five taxable years following the consolidated unused credit year.

(4) *Taxable years beginning before January 1, 1962, and ending after December 31, 1961.* For purposes of determining the amount of unused credits which may be carried back to a consolidated return year beginning before January 1, 1962, and ending after December 31, 1961, and added to the amount allowable as a credit for such year, the consolidated limitation based on amount of tax for such year, determined without regard to this subparagraph, shall be reduced to an amount which bears the same ratio to such limitation as the number of days in such taxable year after December 31, 1961, bears to the total number of days in such year.

(5) *Consolidated investment credit carryover.* The consolidated investment credit carryover which may be added, subject to the limitation contained in subparagraph (2) of this paragraph, to the amount allowable to the group as a credit under section 38 for any taxable year shall be—

(i) The consolidated unused credits, if any, for the five preceding taxable years to the extent that the consolidated unused credit for any such preceding taxable year is not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year and was not allowed as a credit under section 38 for a preceding or intervening taxable year, and

(ii) With respect to unused credits of a corporation arising in unused credit years for which such corporation filed a separate return or joined in a consolidated return filed by another affiliated group, but subject to the limitation prescribed by subparagraph (7) of this paragraph, such unused credits, if any, for the five preceding taxable years to the extent that the unused credit for any such preceding taxable year was not allowed as a credit under section 38 for a preceding or intervening taxable year.

(6) *Consolidated investment credit carryback.* The consolidated investment credit carryback which may be added, subject to the limitation contained in subparagraph (2) of this paragraph, to the amount allowable to the group as a credit under section 38 for any taxable year shall be—

(i) The amount of the consolidated unused credit, if any, for the first succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year), reduced to the extent such consolidated unused credit was allowed as a credit under section 38 for the first two preceding taxable years,

(ii) The amount of the consolidated unused credit, if any, for the second succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year), reduced to the extent such consolidated unused credit was allowed as a credit under section 38 for the first preceding taxable year,

(iii) The amount of the consolidated unused credit, if any, for the third succeeding taxable year (to the extent not attributable to a corporation making a separate return or joining in a consolidated return filed by another affiliated group for the taxable year), and

(iv) With respect to an unused credit of a corporation arising in an unused credit year for which such corporation filed a separate return or joined in a consolidated return filed by another affiliated group, but subject to the limitation prescribed by subparagraph (7) of this paragraph—

(a) The amount of the unused credit, if any, of such corporation for the first succeeding taxable year, reduced to the extent such unused credit was allowed as a credit under section 38 for the first two preceding taxable years,

(b) The amount of the unused credit, if any, of such corporation for the second succeeding taxable year, reduced to the extent such unused credit was allowed as a credit under section 38 for the first preceding taxable year, and

(c) The amount of the unused credit, if any, of such corporation for the third succeeding taxable year.

(7) *Limitation on investment credit carryover and carryback from separate return years.* (i) For any taxable year, the amount included in the consolidated investment credit carryover of the group, under subparagraph (5) (ii) of this paragraph, and in the consolidated investment credit carryback of the group, under subparagraph (6) (iv) (a), (b), and (c) of this paragraph, shall not exceed the limitation determined under subdivision (ii) of this subparagraph.

(ii) For purposes of subdivision (i) of this subparagraph, the limitation for any taxable year shall be an amount equal to the amount by which the portion of the consolidated limitation based on amount of tax for such taxable year attributable to the corporation which filed a separate return, or joined in the filing of a consolidated return by another affiliated group, in a preceding or succeeding taxable year exceeds the sum of—

(a) The credit earned (as defined in paragraph (a) (1) of this section) of such corporation for the taxable year, and

(b) The unused credits of such corporation (or attributable to such corporation) which may be carried to the taxable year arising in unused credit years prior to the particular unused credit year.

(iii) For purposes of subdivision (ii) of this subparagraph, the portion of the consolidated limitation based on amount of tax attributable to a corporation shall be the sum of—

(a) So much of the consolidated liability for tax attributable to such corporation as does not exceed \$25,000 divided by the number of corporations in such affiliated group (as defined in section 46(a)(5)), and

(b) 25 percent of so much of the consolidated liability for tax attributable to such corporation as exceeds \$25,000 divided by the number of corporations in such affiliated group (as defined in section 46(a)(5)).

(iv) For purposes of subdivision (iii) of this subparagraph, the consolidated liability for tax attributable to a corporation is the consolidated liability for tax for the taxable year multiplied by the ratio which—

(a) The taxable income, if any, of such corporation, bears to

(b) The aggregate of the taxable incomes of the several members of the affiliated group having taxable income.

For purposes of the preceding sentence, taxable income of a corporation means the taxable income of such corporation included in the computation of consolidated taxable income for the taxable year decreased by its deductions under sections 181, 243, 244, 245, 247, and 922 (and in the case of a member of an affiliated group to which the consolidated section 175 deduction is applicable, the section 175 deduction), increased by its separate net capital gain, and increased or decreased, as the case may be, with respect to its separate gains or losses from involuntary conversions subject to the provisions of section 1231, and from sales or exchanges of property subject to the provisions of section 1231.

(8) *Consolidated unused credit attributable to each of the several members—*

(i) *In general.* If an affiliated group filing a consolidated return has a "consolidated unused credit" for a taxable year and if there are included as members of such group one or more corporations which made separate returns, or joined in a consolidated return filed by another affiliated group, for any of the three preceding or five (or six in the case of a section 181 deduction) succeeding taxable years, the portion of such consolidated unused credit for such consolidated unused credit year attributable to such corporations severally shall be determined, such portion in the case of any such corporation being determined under the provisions of subdivisions (ii) and (iii) of this subparagraph.

(ii) *Carryback.* In the case of a carryback of a consolidated unused credit to a taxable year for which the corporation made a separate return or joined in a consolidated return filed by another affiliated group, the portion of such consolidated unused credit for the consolidated unused credit year attributable to such corporation shall be an amount equal to the amount of such consolidated unused credit multiplied by the ratio which—

(a) The credit earned (as defined in paragraph (a) (1) of this section) of such corporation for the consolidated unused credit year, bears to

(b) The consolidated credit earned (as defined in paragraph (a) (1) of this sec-

tion) for such consolidated unused credit year.

(iii) *Carryover.* In the case of a carryover of a consolidated unused credit to (or a section 181 deduction for) a taxable year for which the corporation makes a separate return or joins in a consolidated return filed by another affiliated group, the portion of such consolidated unused credit for the consolidated unused credit year attributable to such corporation shall be an amount equal to the amount of such consolidated unused credit multiplied by the ratio which—

(a) The portion of the consolidated credit earned with respect to any section 38 property placed in service in the consolidated unused credit year and owned by such corporation (whether or not placed in service by such corporation) at the close of the last day with respect to which the taxable income of such corporation is included in the consolidated return, bears to

(b) The consolidated credit earned for such consolidated unused credit year.

(9) *Consolidated unused credit before or after consolidated return period.* (i) The consolidated unused credit of an affiliated group filing a consolidated return shall be used in computing the consolidated investment credit carryover or carryback to (or section 181 deduction for) a subsequent (or preceding) taxable year of the group notwithstanding that one or more members of the group in the consolidated unused credit year make separate returns (or join in a consolidated return made by another affiliated group) for such subsequent (or preceding) taxable year, but only to the extent that such consolidated unused credit is not attributable (as determined under subparagraph (8) of this paragraph) to the several corporations making separate returns (or joining in a consolidated return made by another affiliated group) for such subsequent (or preceding) taxable year.

(ii) The portion of such consolidated unused credit attributable to the several corporations making separate returns (or joining in a consolidated return made by another affiliated group) for a subsequent (or preceding) taxable year (reduced to the extent allowed as a credit under section 38 for a prior taxable year) shall be used by such corporations severally as investment credit carryovers (or carrybacks) to such separate returns or such consolidated returns of another affiliated group or as section 181 deductions on such separate returns (or such consolidated return of another affiliated group).

(10) *Rules with respect to unused credits under section 381.* (i) If, in the computation of the consolidated investment credit carryover, there is included an amount with respect to an unused credit of a corporation, arising in a taxable year for which it filed a separate return or for which such corporation joined in a consolidated return filed by another affiliated group, which is a transferor or distributor of assets within the meaning of section 381(a) to a member of the affiliated group, the amount included in the consolidated investment credit carryover with respect to such

transferor or distributor shall not exceed the limitation contained in subparagraph (7) of this paragraph determined with reference to the acquiring corporation. The computation shall be made as described in subparagraph (7) of this paragraph as though the acquiring corporation had an unused credit in a year for which it filed a separate return or for which such acquiring corporation had joined in a consolidated return filed by another affiliated group.

(ii) If, in addition to the amount described in subdivision (i) of this subparagraph, there is included an amount with respect to an unused credit of the acquiring corporation in a year for which it filed a separate return or for which it joined in a consolidated return filed by another affiliated group, the unused credits of both the acquiring corporation and the transferor or distributor corporation which may be taken into account as unused credits in determining the consolidated investment credit carryover may not exceed the limitation, determined with reference to the acquiring corporation, computed in a manner described in subparagraph (7) of this paragraph.

(iii) For purposes of subdivisions (i) and (ii) of this subparagraph, if the transferor or distributor corporation was a member of another affiliated group which filed a consolidated return, the amount of the consolidated unused credit of such affiliated group, if any, attributable to such transferor or distributor, shall be treated as the unused credit of such corporation.

(c) *Early dispositions, etc., of section 38 property—*(1) *Dispositions of section 38 property during and after consolidated return period.* Except as provided in subparagraph (2) of this paragraph—

(i) If property placed in service in a consolidated return period is disposed of or otherwise ceases to be section 38 property, or becomes public utility property, with respect to any corporation during any taxable year (whether consolidated or separate), the provisions of section 47(a) (1) or (2), as the case may be, shall apply (whether such property was placed in service by such corporation or was received by such corporation in an intercompany transaction to which subparagraph (2) (i) of this paragraph applied) and the increase in tax, if any, shall be added to the tax liability of such group or such corporation, as the case may be.

(ii) If property placed in service in a separate return year is disposed of or ceases to be section 38 property, or becomes public utility property, with respect to any corporation during a taxable year for which such corporation joins in the filing of a consolidated return, the provisions of section 47(a) (1) or (2), as the case may be, shall apply and the increase in tax, if any, shall be added to the tax liability of such group.

(2) *Exceptions.* (i) For purposes of sections 46(c) and 47(a) (1), a transfer of section 38 property from one member of an affiliated group to another member of such group in an intercompany transaction during a consolidated re-

turn period shall not be treated as a disposition or cessation. The preceding sentence shall not apply to a transfer of section 38 property unless such property was placed in service by a member of the group in a consolidated return period of such group.

(ii) If, in any taxable year, section 38 property placed in service during a consolidated return period is disposed of by one member of an affiliated group to another member of such group which is an organization to which section 593 applies or a cooperative organization described in section 1381(a), the tax under chapter 1 of the Code for such taxable year shall be increased by an amount equal to the aggregate decrease in the credits allowed under section 38 for all prior taxable years which would result solely from treating such property, for purposes of determining qualified investment, as placed in service by such organization to which section 593 applies or such cooperative organization described in section 1381(a), as the case may be, but with due regard to the use of the property before such transfer. The consolidated investment credit carrybacks and carryovers shall be adjusted under the principles of section 47(a) (3) by reason of such change in use.

PARAGRAPH 6. Section 1.1503 is amended by adding a new subsection (d) to section 1503 and by adding a historical note. These added provisions read as follows:

§ 1.1503 Statutory provisions; computation and payment of tax.

SEC. 1503. *Computation and payment of tax.* * * *

(d) *Special rule for application of foreign tax credit when overall limitation applies—*

(1) *In general.* If the affiliated group includes one or more Western Hemisphere trade corporations (as defined in section 921), and if for the taxable year an election under section 904(b) (1) (relating to election of overall limitation on foreign tax credit) is in effect, then the amount of taxes paid or accrued to foreign countries and possessions of the United States by such Western Hemisphere trade corporations which may be taken into account for purposes of section 901 shall be reduced by the amount (if any) by which—

(A) The amount of such taxes (or, if smaller, the amount of the tax which would be computed under subsection (a), if such corporations were not Western Hemisphere trade corporations, with respect to the portion of the consolidated taxable income attributable to such corporations), exceeds

(B) The amount of the tax computed under subsection (a) with respect to the portion of the consolidated taxable income attributable to such corporations.

(2) *Adjustment in case of certain public utilities.* So much of any reduction under paragraph (1) as is attributable to taxes paid or accrued to foreign countries and possessions of the United States by one or more corporations which are both Western Hemisphere trade corporations and regulated public utilities shall be decreased by the excess of—

(A) The amount of tax computed under subsection (a) with respect to the portion of the consolidated taxable income attributable to income derived, by the corporations in the affiliated group which are not Western Hemisphere trade corporations, from sources

within the foreign countries referred to in paragraph (3) (B), over.

(B) The amount of taxes paid or accrued to such foreign countries by the corporations referred to in subparagraph (A).

This paragraph shall apply only if the corporations described in subparagraph (A) derive 80 percent or more, of the gross income (computed without regard to capital gains and losses) which they derive from sources within the foreign countries described in paragraph (3) (B), from regulated public utilities and from operations as regulated public utilities.

(3) *Special rules.* (A) For purposes of paragraph (2), a corporation is a regulated public utility only if it is a regulated public utility within the meaning of subparagraph (A) (other than clauses (ii) and (iii) thereof) or (D) of subsection (c) (1). For purposes of the preceding sentence, subsection (c) (2) shall be applied as if subsection (c) (1) were limited to subparagraphs (A) (1) and (D) thereof.

(B) For purposes of paragraph (2), the foreign countries referred to in this subparagraph include only any country from which any public utility referred to in the first sentence of paragraph (2) derives the principal part of its income.

(C) For purposes of paragraph (1) (A), the amount of tax which would be computed with respect to the portion of the consolidated taxable income attributable to any corporation or corporations shall be determined without regard to the increase of 2 percent provided in subsection (a).

[Sec. 1503 as amended by sec. 2, Act of September 14, 1960 (Pub. Law 86-780, 74 Stat. 1011)]

[F.R. Doc. 63-9611; Filed, Sept. 5, 1963; 9:10 a.m.]

Title 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Revision of 1962-63 Expenses of Date Administrative Committee

Notice was published in the August 14, 1963, issue of the FEDERAL REGISTER (28 F.R. 8325) regarding a proposal to increase the total amount of the expenses of the Date Administrative Committee authorized for the 1962-63 crop year, and to increase the amount authorized to be placed in the operating monetary reserve (§ 987.307; 27 F.R. 8728). No increase in the 1962-63 assessment rate is necessary as sufficient funds are available to meet the increase in authorized expenses. The Committee is established under, and operates pursuant to, the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987), regulating the handling of domestic dates produced or packed in a designated area of California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The present provisions of § 987.307(c) approved the establishment of an oper-

ating monetary reserve fund and authorized the Committee to place in such reserve for the 1962-63 crop year not to exceed \$2,500 of the assessment funds collected pursuant to §§ 987.72 and 987.307. The amount of \$2,500 was also specified in § 987.307(a) as being included in the amount of expenses approved for the maintenance and functioning of the program during the 1962-63 crop year. Present § 987.307(c) is intended to continue the reserve fund from one crop year to the next and each year the amount, if any, authorized to be placed in the reserve is to be specified with the approval of the Committee's expenses for that crop year. The revision herein of § 987.307 makes this intent clear and, in addition to reflecting the increased total expenses (including the increased amount authorized to be placed in the reserve fund), sets forth as a separate section the provisions applicable to the establishment of the monetary reserve fund (currently § 987.307(c)).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were received within the time prescribed therefor.

After consideration of all relevant matters presented, including those in the notice, the information and recommendations submitted by the Date Administrative Committee, and other available information, it is found that § 987.307 (7 CFR 987.307) should be, and hereby is, revised to read as follows so as to reflect the increased total expenses and to set forth, as a separate section, the provisions applicable to the monetary reserve (currently § 987.307(c)):

§ 987.307 Expenses of the Date Administrative Committee and rate of assessment for the 1962-63 crop year.

(a) *Expenses.* Expenses (including \$9,430 for the maintenance of an operating monetary reserve fund) in the amount of \$47,210 are reasonable and likely to be incurred by the Date Administrative Committee during the crop year beginning August 1, 1962, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of the marketing agreement, as amended, and this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for that crop year which each handler is required, pursuant to § 987.72, to pay to the Date Administrative Committee as his pro rata share of the expenses is fixed at 17 cents per hundredweight of free dates he handles or has certified for handling or for further processing during the crop year.

§ 987.301 Operating monetary reserve.

The establishment of an operating monetary reserve as permitted by § 987.72(c) is hereby approved. The Committee is authorized to place in such reserve (a) for the crop year beginning August 1, 1962, not to exceed \$9,430 of the assessments collected pursuant to §§ 987.72 and 987.307, and (b) for each subsequent crop year, not more than the amount prescribed for such crop year for the maintenance of such reserve.

Funds in such reserve are available for use in accordance with said § 987.72(c).

It is found that good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)) in that: (1) The relevant provisions of said marketing agreement and order require that the expenses and rate of assessment fixed for a particular crop year shall be applicable to all dates handled or certified for handling or for further processing during that crop year; (2) the crop year here involved began on August 1, 1962, and the increased expenses herein approved will automatically apply to that crop year; (3) this revision in expenses does not require any additional assessments from handlers since sufficient funds are available to cover the increases in total authorized expenses (including the amount for the operating monetary reserve); and (4) since the 1962-63 crop year ended July 31, 1963, the increased expenses should be reflected in the records of the Committee so as to permit the audit for 1962-63 to be completed, thereby enabling the Committee to make available, as required by the program, for distribution to handlers any excess assessment income not required for the increased expenses.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: September 3, 1963.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 63-9561; Filed, Sept. 5, 1963; 8:48 a.m.]

PART 987—DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Expenses of Date Administrative Committee for 1963-64 Crop Year and Rate of Assessment for That Crop Year

Notice was published in the August 13, 1963, issue of the FEDERAL REGISTER (28 F.R. 8292) regarding proposed expenses of the Date Administrative Committee for the 1963-64 crop year and rate of assessment for that crop year, pursuant to §§ 987.71 and 987.72 of the marketing agreement, as amended, and Order No. 987, as amended (7 CFR Part 987), regulating the handling of domestic dates produced or packed in a designated area of California. The marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674).

The notice afforded interested persons an opportunity to submit written data, views, or arguments with respect to the proposal. None were received within the time prescribed therefor.

After consideration of all relevant matters presented, including those in the notice, the information and recommendations submitted by the Date Administrative Committee, and other available information, it is found that the expenses of the Date Administrative Committee

and the rate of assessment for the crop year beginning August 1, 1963, shall be as follows:

§ 987.308 Expenses of the Date Administrative Committee and rate of assessment for the 1963-64 crop year.

(a) *Expenses.* Expenses (including \$2,500 for the maintenance of the operating monetary reserve fund) in the amount of \$41,650 are reasonable and likely to be incurred by the Date Administrative Committee during the crop year beginning August 1, 1963, for its maintenance and functioning and for such other purposes as the Secretary may, pursuant to the applicable provisions of the marketing agreement, as amended, and this part, determine to be appropriate.

(b) *Rate of assessment.* The rate of assessment for that crop year which each handler is required, pursuant to § 987.72, to pay to the Date Administrative Committee as his pro rata share of the expenses is fixed at 17 cents per hundredweight of free dates he handles or has certified for handling or for further processing during the crop year.

It is found that good cause exists for not postponing the effective time of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003(c)) in that: (1) The relevant provisions of said marketing agreement and order require that the rate of assessment fixed for a particular crop year shall be applicable to all dates handled or certified for handling or for further processing during that crop year; (2) the current crop year began on August 1, 1963, and the rate of assessment herein fixed will automatically apply to all such dates beginning with that date.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: August 30, 1963.

PAUL A. NICHOLSON,
Acting Director,
Fruit and Vegetable Division.

[F.R. Doc. 63-9542; Filed, Sept. 5, 1963; 8:46 a.m.]

Chapter X—Agricultural Marketing Service (Marketing Agreements and Orders; Milk), Department of Agriculture

[Milk Order 131]

PART 1131—MILK IN CENTRAL ARIZONA MARKETING AREA

Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Central Arizona marketing area (7 CFR Part 1131), it is hereby found and determined that:

a. The following provisions of the order do not tend to effectuate the declared policy of the Act for the month of September 1963.

1. In the introductory text of § 1131.51 the words: "And shall be increased or decreased by a 'supply-demand adjustment' of not more than 50 cents computed as follows".

2. All of subparagraphs (1), (2) and (3) of § 1131.51(a).

b. Thirty days notice of the effective date hereof is impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension order will establish a Class I price for the month of September 1963 at a level eight cents per hundredweight higher than would otherwise be effective for the month. The order suspends the supply-demand adjustment factor of minus eight cents applicable to the Class I price. This factor computed on the basis of milk supply and sales in the market during April through July this year reflects the relatively ample supply of milk through June. Milk supplies relative to fluid sales dropped sharply in July and have continued short relative to sales. This suspension order eliminates the minus adjustment which reflects a market condition of oversupply which no longer exists.

Because of the short supply in July and August milk was imported to meet needs for Class I sales. The price for such imported milk has exceeded the cost of milk priced under order terms and it is expected that prices for imported milk in September may be even higher as the demand for milk increases with the opening of schools. This suspension action is needed to bring the order Class I price more in line with the cost of imported milk.

(4) This suspension action was requested by cooperative associations representing 98 percent of the producers supplying handlers regulated by the Central Arizona milk marketing order.

(5) Interested parties were afforded opportunity to file written data, views or arguments concerning this suspension (28 F.R. 9357). One handler filed views favoring the suspension and two handlers opposed it. The handlers opposing the suspension offered no evidence refuting the contention that emergency action is needed to establish a price more in line with current supply-sales relationships.

Therefore, good cause exists for making this order effective September 1, 1963.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for September 1963.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Effective date: September 1, 1963.

Signed at Washington, D.C., on August 30, 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-9543; Filed, Sept. 5, 1963; 8:47 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

PART 74—SCABIES IN SHEEP

Amendments to Regulations Governing Interstate Movement of Sheep Because of Scabies

Pursuant to the provisions of sections 1 through 4 of the Act of March 3, 1905, as amended, sections 1 and 2 of the Act of February 2, 1903, as amended, and sections 4 through 7 of the Act of May 29, 1884, as amended (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126), Part 74, Title 9, Code of Federal Regulations, restricting the interstate movement of sheep because of scabies, is amended in the following respects:

1. A new § 74.5a is added to read:

§ 74.5a Specifically approved stockyards.

(a) The Director of the Division is hereby authorized to approve stockyards for the purposes of the regulations in this part when he determines that (1) the inspection and dipping and handling of sheep at such stockyards are adequate to effectuate the purposes of the regulations in this part and (2) the Division and the State in which such stockyards are located have entered into a memorandum of agreement setting forth certain standards for such stockyards. Such stockyards shall be designated as "specifically approved stockyards." The Director of the Division may withdraw approval of a specifically approved stockyard when he determines that (1) there is not full compliance with all provisions of the standards involved, or (2) when the inspectional services are withdrawn by the State, or (3) when it is in the best interests of the Sheep Scabies Eradication Program to do so.

(b) Notices containing lists of stockyards specifically approved for the purposes of the regulations in this part will be published in the FEDERAL REGISTER. Information with respect to specifically approved stockyards may also be obtained from the Division or a Division representative.

§ 74.22 [Amendment]

2. The portion of § 74.22(d) which precedes the proviso is amended to read:

(d) No sheep shall be shipped, trailed, driven, or otherwise moved interstate from a public stockyard or a specifically

approved stockyard without a certificate, showing that the sheep are free from scabies or have been dipped for scabies as required in this part, issued by a Division inspector with respect to movements from public stockyards and by a State inspector or a designated accredited veterinarian with respect to movements from specifically approved stockyards:

3. The portion of § 74.23 which precedes the first proviso therein is amended to read:

§ 74.23 Interstate movement without dipping prohibited unless for slaughter.

No sheep shall be shipped, trailed, driven, or otherwise moved interstate for purposes other than slaughter, from a public stockyard without being dipped under Division supervision, or from a specifically approved stockyard without being dipped under State supervision;

4. Section 74.23 is further amended by inserting the phrase "or specifically approved stockyard" after the phrase "public stockyard" in the second proviso in said section.

5. Wherever in §§ 74.9, 74.12, 74.13, 74.22(a), 74.22(b) and 74.22(c), and in the center headings preceding said sections, the phrase "public stockyard" appears, the phrase "or specifically approved stockyard" is inserted immediately thereafter.

(Secs. 4-7, 23 Stat. 32, as amended, secs. 1, 2, 32 Stat. 791-792, as amended, secs. 1-4, 33 Stat. 1264, as amended, 1265, as amended; 21 U.S.C. 111-113, 115, 117, 120, 121, 123-126; 19 F.R. 74, as amended)

Effective date. The foregoing amendments shall become effective upon publication in the FEDERAL REGISTER.

The amendments grant authority to the Director of the Animal Disease Eradication Division to specifically approve stockyards to handle interstate shipments of certain classes of sheep under the regulations as contained in 9 CFR Part 74. The amendments relieve certain restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and the amendments may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 30th day of August, 1963.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 63-9544; Filed, Sept. 5, 1963; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE
Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[9th Gen. Rev. of Export Reg.; Amdt. P.L. 38]

PART 339—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

Miscellaneous Amendments

Section 399.1 *Positive List of Commodities* is amended in the following particulars:

1. The following commodities are added to the Positive List:

Dept. of Commerce Schedule B No.	Commodity description	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity lists
	<i>Other industrial machines and parts</i>					
77119	Parts and accessories, n.e.c., specially fabricated for pumps: Pump parts and accessories wholly made of fluorocarbon polymers and/or copolymers. (See § 399.2, Interpretation 22.) ¹	-----	CONS 9	100	RO	A
77465	Pipe valves and parts: Pipe valves, n.e.c., and specially fabricated parts and accessories, n.e.c.: Valve parts and accessories wholly made of fluorocarbon polymers and/or copolymers. (See § 399.2, Interpretation 22.) ¹	-----	GIEQ 11	100	RO	A

¹ On or after October 7, 1963, an import certificate (or a Hong Kong Import License) will be required in support of a license application covering exports to the countries specified in § 373.2 for the commodities added to the Positive List by this revision.

2. The following entries set forth below are substituted for entries presently on the Positive List. Where the Positive List contains more than one entry under a Schedule B number, the entry to be superseded is identified by a numerical reference in parentheses following the commodity description of the revised entry:

Dept. of Commerce Schedule B No.	Commodity description	Unit	Processing code and related commodity group	GLV dollar value limits	Validated license required	Commodity lists
	<i>Other industrial machines and parts</i>					
77119	Parts and accessories, n.e.c., specially fabricated for pumps: Parts and accessories, n.e.c., specially fabricated for ion vacuum pumps having pumping speeds of 800 or more liters of hydrogen per second at pressures of 10 ⁶ mm./Hg or more. (1) ¹	-----	GIEQ 3...	100	RO	A
77119	Parts and accessories, n.e.c., specially fabricated for other ion vacuum pumps. (2) ¹	-----	GIEQ 4...	100	RO	
77119	Parts and accessories, n.e.c., specially fabricated for diffusion vacuum pumps included on the Positive List under Schedule B No. 77086. (3) ¹	-----	GIEQ 10.	100	RO	
77119	Parts and accessories, n.e.c., specially fabricated for glandless centrifugal pumps included on the Positive List under Schedule B No. 77101. (4) ¹	-----	CONS 10.	100	RO	
77119	Parts and accessories, n.e.c., specially fabricated for other pumps included on the Positive List under Schedule B Nos. 77101 through 77117 for which a validated license is required to both R and O country destinations. (5) ¹	-----	CONS 9...	100	RO	A

¹ The GLV dollar-value limit is increased.

This amendment shall become effective as of August 29, 1963, except that shipments of commodities removed from general license to Country Group R or Country Group O destinations as a result of this amendment which were on dock for lading on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a.m., August 29, 1963, may be exported under the previous general license provisions up to and including

September 23, 1963. Any such shipment not laden aboard the exporting carrier on or before September 23, 1963 requires a validated license for export.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487; E.O. 11038, 27 F.R. 7003)

FORREST D. HOCKERSMITH,
Director,
Office of Export Control.

[F.R. Doc. 63-9477; Filed, Sept. 5, 1963; 8:45 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VI—Department of the Navy

SUBCHAPTER C—PERSONNEL

PART 710—ADMISSION OF CANDIDATES INTO THE NAVAL ACADEMY AS MIDSHIPMEN

Miscellaneous Amendments

Scope and purpose. Part 710 is amended to conform with the current edition of Regulations Governing the Admission of Candidates Into the United States Naval Academy as Midshipmen in 1964, NAVPERS 15,010.

1. Section 710.3 is revised to read as follows:

§ 710.3 Entrance date.

Candidates will be required to enter the Naval Academy on the last Wednesday in June. The fourth class summer program is of nine weeks duration beginning the ninth Tuesday preceding Labor Day. The Academic year begins on the first Wednesday following Labor Day. Each eligible candidate will be notified individually by the Bureau of Naval Personnel of the hour and date he is to report to the Naval Academy for admission.

2. Section 710.7 is revised to read as follows:

§ 710.7 Congressional.

The Vice-President, each Senator, each Representative, and the Resident Commissioner of Puerto Rico are individually allowed to have a maximum of five midshipmen attending the Naval Academy at any one time. Applications for nominations or questions regarding them should be addressed to the official from whom you want to obtain the nomination. These Members of Congress may nominate a principal and five alternates for each vacancy in their quotas, or they may designate six candidates for each vacancy in their quotas to compete for such vacancy with the order of merit being determined by the Academic Board of the U.S. Naval Academy. In the latter case, the Academic Board will consider not only the scores on the scholastic examination but also the candidate's previous academic record, all evidence of character, citizenship qualities, participation in extracurricular activities, part- or full-time employment, church or club activities, physical aptitude, and in general, his predicted ability to develop into a competent naval officer. All candidates should insure that the U.S. Naval Academy is in possession of a transcript of their previous school record (to include academic marks, class standing or estimated standing for the final year), and recommendations from their high school principals, teachers, extracurricular advisors and coaches. The above documents should be addressed to the Admissions Office, U.S. Naval Academy and should be submitted as early as practicable and not later than March 30. Documents received after this date cannot be considered in the evaluation of the candidate.

3. Section 710.20a is inserted, after § 710.20, reading as follows:

§ 710.20a Governors of Virgin Islands, Guam and American Samoa.

On nomination of the Governors of the Virgin Islands, Guam or American Samoa, there may be at the Naval Academy one midshipman selected from among U.S. citizens and nationals residing in those places.

4. Section 710.31(a) is revised to read as follows:

§ 710.31 Scholastic entrance examination method.

(a) Subject to provisions of law, the basic method of qualifying is by presenting an acceptable secondary school certificate and by taking the scholastic entrance examination consisting of the December, January or March administrations of the following tests of the College Entrance Examination Board: The Scholastic Aptitude Test (verbal and mathematics sections), the English Composition Test, and either the Intermediate Mathematics Test or the Advanced Mathematics Test. These tests must be taken during the school year preceding admission. Candidates are encouraged to choose the Mathematics achievement test in which they feel they can attain the higher score. No additional weight is given to results of the test in Advanced Mathematics over those in Intermediate Mathematics. Candidates who fail to score acceptably in the tests will be rejected. All candidates for appointment from the various competitive sources and all other candidates not qualifying by the College Certificate Method must take the College Board Test at at least one of the applicable administrations. Each such duly nominated candidate must register with the College Entrance Examination Board for the tests as promptly as possible after receiving the necessary instructions from the Bureau of Naval Personnel, Navy Department, Washington, D.C., 20370. These instructions will include the provision for payment by the Navy for these tests. Although the Navy Department will pay for only one administration of the tests, the Naval Academy will accept scores from the other applicable administrations and will credit a candidate with the highest scores achieved.

5. Sections 710.36 and 710.37, including the note at the end of § 710.37, are revised to read as follows:

§ 710.36 Formal physical examinations.

(a) The formal physical examination will be scheduled at the activities listed in § 710.47(a) during the period November 1, 1963, through February 28, 1964. Every eligible candidate will be notified by the Bureau of Naval Personnel when and where to report for examination. Normally, such an examination will require only one day. Each candidate receiving official notification authorizing him to report for a formal physical examination must bear all expenses for travel and subsistence incident to this examination. In cases of urgent necessity for change in the place and date for

the examination, the candidate shall make a written or telegraphic request to the Chief of Naval Personnel, Navy Department, Washington, D.C., 20370, for change. Those candidates who are unable to obtain a formal physical examination during the foregoing period will be scheduled for examination during the week beginning March 9, 1964, at activities listed in § 710.47 (a) and (b).

(b) Candidates are required to notify the Chief of Naval Personnel, Naval Academy Midshipman Branch, Washington, D.C., 20370, of any change in medical condition following their formal physical examination which requires hospitalization or the services of a physician.

(c) In order to determine coordination, strength, and endurance of the body musculature a physical aptitude test will be given in conjunction with the formal physical examination. The Physical Aptitude Examination will consist of a series of tests such as sit-ups, pull-up, push-ups, arm hang, and duck walk. Also included in this battery of tests will be movements which will bring out disqualifying orthopedic defects such as shoulder and knee malfunctions. Failure to obtain a passing grade in this examination will be cause for rejection. See § 710.45(v) for details.

(d) When reporting for formal physical examination it is recommended that each candidate have with him an athletic supporter and shorts suitable for use when undergoing the required physical exercises.

(e) The report of the formal physical examination of a candidate shall be submitted on Standard Form 88 in quadruplicate, and on Standard Form 89 in the candidate's own handwriting in duplicate. The report shall be distributed as follows: a copy of Standard Form 88 to the Admissions Office, U.S. Naval Academy, Annapolis, Maryland; a copy of Standard Form 88 to the Chief of Naval Personnel (Naval Academy Midshipman Branch), Navy Department, Washington, D.C., 20370; a copy of Standard Form 88 and one Standard Form 89 to the Permanent Board of Medical Examiners, U.S. Naval Academy, Annapolis, Maryland; and the original of Standard Form 88 and one Standard Form 89 to the Chief, Bureau of Medicine and Surgery, Navy Department, Washington, D.C., 20370.

§ 710.37 Review and waiver procedure.

(a) The results of all physical examinations are subject to review by the Permanent Board of Medical Examiners, U.S. Naval Academy. A candidate found to be physically qualified by a medical examining board, however, may assume that he is in fact qualified unless notified to the contrary.

(b) A candidate found to be disqualified by a formal physician examining board will be advised in writing of his disqualifying defects. He may, upon his request, be given a recheck of his disqualifying defects within two weeks following the formal physical examination. This reexamination may be conducted at the hospital where the candidate underwent his formal physical examination or the candidate may (of his choice) report to the U.S. Naval Academy within

two weeks for such recheck. In either event he must make his intention to report for reexamination known to the physical examining board before departing from the hospital in order that he may be so scheduled. Should he elect to return to the hospital conducting the formal physical examination for the recheck, his examination report will be retained at that activity until the recheck has been completed, at which time it will be forwarded as prescribed in § 710.36. If he elects to report to the U.S. Naval Academy for the recheck, the examination report will be promptly forwarded to the Permanent Board of Medical Examiners together with the date (a working day within the two week period) the candidate chooses to report. All costs of travel and subsistence relative to the formal physical examination or reexamination must be borne by the candidate. It is emphasized that the decision to report for reexamination is completely optional with the candidate and that failure to do so will in no way jeopardize his prospects for waiver of minor disqualifying defects.

(c) The results of formal physical examination and/or reexaminations are final with the following exception: The Permanent Board of Medical Examiners, U.S. Naval Academy, will review records of all candidates and will make recommendations for waiver based upon the medical aspects of the case. In this connection, where the disqualifying defect is subject to medical or dental correction, the candidate may be conditionally rejected subject to later certification by a registered physician or dentist that the defect has been corrected with complete restoration of function. Such certification must be forwarded to the Permanent Board of Medical Examiners prior to April 1. The Academic Board, U.S. Naval Academy, may grant waiver of a very minor physical defect for a candidate who is outstanding in all other respects.

NOTE: Since waiver action is predicated upon the overall quality of a candidate's record, it is important that transcripts of secondary school or college work, the report of extracurricular activities, and the required letters of recommendation be submitted as soon as possible. In many instances it will be necessary to delay evaluation of a record until results of the March College Board tests have been received. It is emphasized that review and waiver procedures are automatic for all candidates who were found not physically qualified upon formal physical examination and that queries regarding the status of waiver action will only delay final determination. Notification of scholastic and physical qualifications will be made to all candidates by the Chief of Naval Personnel in late April.

6. Section 710.41 is revised to read as follows:

§ 710.41 Civil Service Commission examinations.

It is the policy of some of the authorized nominators to have the U.S. Civil Service Commission hold special competitive examinations solely for the purpose of assisting them in selecting their candidates. These special competitive examinations have no bearing upon the

candidate's scholastic qualifications for admission to the Naval Academy and the Naval Academy requirements must still be met fully. All the details concerning administration of the special competitive examinations are handled by the nominator concerned and the U.S. Civil Service Commission in Washington. Correspondence in regard to these examinations should be addressed accordingly.

7. Section 710.42(h) is revised to read as follows:

§ 710.42 Appendix I—Entrance procedure, equipment and pay.

(h) Upon being admitted to the Naval Academy, midshipmen receive travel and transportation allowances as prescribed in paragraph 5000, Joint Travel Regulations (ordinarily, mileage allowance of 6 cents per mile for authorized travel). This reimbursement will be paid to the midshipman. Reimbursement will be made for the actual cost of passage fares on commercial vessels if sea travel is involved and provided no Government transportation is available. In the event travel originates outside the United States, candidates must contact the nearest naval activity for information as to the availability of Government transportation before endeavoring to procure commercial transportation. When Government transportation is not available, a certified statement to this effect must be presented in order for the candidate to be reimbursed after he has become a midshipman.

8. Section 710.45 (c) (4) (ii) (e); (d) (3) (v); (g) (2) including (i) to (iii); (h) (7) including (i) and (ii); (o) (7); (r) (1) (i); (r) (2) (i), (ii) and (v); (u) (2) (ii); and (v) is revised to read as follows:

§ 710.45 Appendix IV—Physical standards and disqualifying defects.

(c) *Psychiatric disorders.* * * *

(4) Character and behavior disorders:

(ii) Immaturity reactions:

(e) Immaturity with symptomatic habit reaction particularly if manifested by:

(1) Stammering, stuttering, or lisping of any degree.

(2) Enuresis or history thereof persisting into late childhood or adolescence.

(3) Sleepwalking or history thereof persisting into late childhood or adolescence.

(d) *Weight, height and miscellaneous considerations.* * * *

(3) The following miscellaneous conditions are causes for rejection:

(v) All diseases and conditions which are not easily remediable or that tend physically to incapacitate the individual, such as: chronic malaria or malarial cachexia; tuberculosis; leprosy, actino-

mycosis; authenticated history of rheumatic fever within the previous five years, rheumatic heart disease, rheumatoid arthritis; osteomyelitis; malignant diseases of all kinds in any location; hemophilia; purpura; leukemia of all types; pernicious anemia; sickle cell anemia; trypanosomiasis; filariasis which has produced permanent disability or deformity, history of any acute attack of filariasis within 6 months of date of examination, or the finding of microfilaria in the blood stream; chronic metallic poisoning, allergic manifestations such as hay fever, if more than mild or if likely to cause more than minimal loss of time from duty or if associated with nasal polyps or hyperplastic sinusitis; asthma or a history of asthma, including so-called "childhood" asthma, unless there is a trustworthy history of freedom from seizures subsequent to age 12 provided that seizures prior to that time were not severe or prolonged and did not require extensive therapy; allergic conjunctivitis, allergic dermatoses, or allergic rhinitis particularly if there is associated hyperplastic sinusitis or nasal polyps, or a history thereof, when in the opinion of the examiner, the condition is likely to frequently recur, or to cause more than minimal loss of time from duty or otherwise is of present or future clinical significance.

(g) *Color perception.* * * *

(2) When the American Optical Company pseudo-isochromatic plate test set is used for determination of color perception, a color vision test lamp with daylight filter or a fluorescent light with a daylight tube shall be used for illumination. The examinee shall not be allowed to trace the patterns or otherwise touch the test plates. The plates shall be shown at a distance of thirty inches and two seconds allowed to identify each plate. If the examinee hesitates, he should be asked again to "read the numbers." If he fails to respond, the examiner must turn to the next plate without comment. Qualification of examinees using the American Optical Company pseudo-isochromatic test plates is ascertained as follows:

(i) When the old twenty plate test set (Former Stock number N3-885-960) is used and the examinee reads correctly seventeen of the twenty plates, demonstration plates excluded, he is qualified.

(ii) When the eighteen plate test set (number 6515-388-6806) is used and the examinee reads correctly fourteen of the eighteen plates, demonstration plate excluded, he is qualified.

(iii) When the fifteen plate test set (number 6515-299-8186) is used and the examinee reads correctly ten of the fourteen plates, demonstration plate excluded, he is qualified.

(h) *The ears.* * * *

(7) Any diminution of auditory acuity in either ear by audiogram in excess of the limits set forth in the following table: (or below 15/15 by whispered voice if such test is used)

Frequency	500 512	1000 1024	2000 2048	3000 2896	4000 4096	8000 8192
Maximum loss in decibels:						
Better ear.....	15	15	15	35	(*)	(*)
Worse ear.....	15	15	15	35	(*)	(*)

* Record for baseline information only.

(o) *The heart and blood vessels.* * * *

(7) History or evidence of pericarditis, endocarditis, myocarditis, angina pectoris, coronary occlusion, or coronary atherosclerosis, except for history of a single acute idiopathic or coxsackie pericarditis with no residuals.

(r) *The genito-urinary system and venereal disease.*

(1) * * *

(i) When albumin, casts, hemoglobin, or red blood cells are found in the urine, the applicant shall not be accepted unless further study proves such findings to be of no significance. Such further study, if desired, should include daily complete examinations of the urine for at least 3 days and such other tests as are necessary, unless the presence of albumin and casts is associated with enlargement of the heart, high blood pressure, or other evidence of cardiovascular disease of such degree that a diagnosis of renal disease may be made immediately. When albumin is constantly or intermittently present, the underlying pathological condition should, if possible, be determined and stated as the cause for rejection.

(2) The following conditions are causes for rejection:

(i) Acute or chronic nephritis, diabetes, mellitus or insipidus, or glycosuria if accompanied by abnormal response to blood sugar tests. In the presence of diabetes mellitus in a parent, sibling or more than one grandparent, a standard glucose tolerance test is a requirement.

(ii) Hematuria, pyuria, or albuminuria including so-called orthostatic or functional albuminuria.

(v) Vesical calculi, tumors of the bladder, incontinence of urine, enuresis (see also paragraph (c) (4) (ii) (e) of this section), or retention of urine.

(u) *Dental.* * * *

(2) Standards. * * *

(ii) Candidates who are dentally disqualified in the formal physical examination should have the disqualifying defects corrected and submit a letter to the Permanent Board of Medical Examiners, U.S. Naval Academy, Annapolis, Maryland (accompanied by a completed Dental Deficiency Chart signed by a civilian dentist) requesting that he now be qualified. No further action in this matter is required by the candidate.

(v) *Physical aptitude.* (1) All candidates for the U.S. Naval Academy will be required to pass the following tests—(For

detailed description and illustration of each test see "Description of Administration Procedures for Measuring Physical Aptitude of Candidate" separately distributed to Examining Centers):

(i) *Two pull-ups.* Using an overhand grip on a horizontal bar, pull up from a full hang until the chin is over the bar, lower to a hang, elbows locked; immediately pull up again until chin is over bar.

(ii) *Fifteen sit-ups in thirty seconds.* From a full lying position on the back with the hands behind the neck (feet held down by partner) sit up, touch one elbow to the opposite knee and return to lying. Elbow-knee touching must be alternated to each side.

(iii) *Ten push-ups.* With the feet supported sixteen inches (chair height) above the floor, body straight and hands on floor, bend the elbows until chin touches floor and return to locked elbow position; repeat continuously.

(iv) *Arm hang.* Full length and completely relaxed, hang from a horizontal bar for three full seconds with each hand.

(v) *Squat walk.* With the hands on the hips, squat deeply with the knees spread and walk ten paces forward.

(2) The tests set forth in subparagraph (1) of this paragraph should be supervised by a medical officer, preferably one trained in orthopedics.

9. § 710.46 is revised to read as follows:

§ 710.46 Appendix V—Installations conducting preliminary physical examinations for the U.S. Naval Academy.

ALABAMA

Anniston—Noble Army Hospital, Fort McClellan
Birmingham—USN Recruiting Station
Daleville—USAH, Fort Rucker
Montgomery—Maxwell AFB

ALASKA

Adak—U.S. Naval Station
Anchorage—Elmendorf AFB
Kodiak—U.S. Naval Station

ARIZONA

Fort Huachuca—USAH
Phoenix—USNAF, Litchfield Park
Tucson—Davis Monthan AFB
Yuma—USMCAAS

ARKANSAS

Little Rock—USN Recruiting Station

CALIFORNIA

Alameda—U.S. Naval Air Station
Barstow:
Station Hosp, US MarCorps
Supply Center
Camp Pendleton USNH
China Lake—Station Hosp, USNOTS
El Centro—USNAAS
Fairfield—Travis AFB
Long Beach—USNAS, Los Alamitos
Los Angeles—USN Recruiting Station
Moffet Field—USNAS
Monterey—USAH, Fort Ord, NAF & PG Sch
Port Hueneme—Station Hosp. USNCBC
Riverside—March AFB

San Diego—USNH, USNAS N. Island

San Francisco:

USN Disp., 50 Fell St.
USN Recruiting Station
Treasure Island—USN Station
USN Shipyard
Letterman GH

Santa Ana—USMCAF

Twentynine Palms—Station Hospital, USMCB
Vallejo—USNDISP, Mare Island

CANAL ZONE

Naval Station, Rodman
Balboa—Albrook AFB

COLORADO

Colorado Springs—USAH, Ft. Carson
Denver:
Fitzsimons GH, Lowry, AFB
USN Recruiting Station

CONNECTICUT

New London—Station Hosp. USN Sub Base

CUBA

Guantanamo Bay—USNH

FLORIDA

Homestead—Homestead AFB
Jacksonville—USNAS
Pensacola—USNAS
Tampa—MacDill AFB
Key West—USNAS

GEORGIA

Albany—USMC Supply Center
Atlanta—USAH, Fort McPherson
Augusta—USAH, Fort Gordon
Brunswick—USNAS, Glyco
Columbus—Martin AH, Fort Benning
Walthourville—USAH, Fort Stewart
Macon—USN Recruiting Station

HAWAII

Honolulu:
Hickam AFB
Tripler U.S. Army General Hospital
USN Base, Pearl H.
USNAS, Barbers Pt.

ILLINOIS

Belleville—Scott AFB
Chicago—USN Recruiting Station
Glenview—USNAS
Great Lakes—USNH, USNTC

INDIANA

Indianapolis:
USAH, Ft. Benjamin Harrison
USN Recruiting Station

IOWA

Des Moines—USN Recruiting Station

KANSAS

Fort Leavenworth—Munson AH
Junction City—Irwin AH, Fort Riley
Olathe—USNAS

KENTUCKY

Ashland—USN Recruiting Station
Fort Knox—Ireland Army Hosp.
Hopkinsville—USAH, Fort Campbell
Louisville—USN Recruiting Station

LOUISIANA

New Orleans:
USAH—Camp Leroy Johnson
USNAS
USN Recruiting Station
Shreveport—Barksdale AFB

MAINE

Brunswick—Station Hospital, USNAS

MARYLAND

Aberdeen—Kirk AH, Aberdeen Proving Ground
Annapolis—USNA
Bainbridge—Station Hospital, USNTC
Baltimore—USN Recruiting Station
Bethesda—USNH, National Naval Med Center

Fort George G. Meade—Kimbrough AH
 Patuxent River—Station Hospital, USNAS
 Suitland—USNAF, Andrews AFB

MASSACHUSETTS

Ayer—USAH, Fort Devens
 Boston:
 U.S. Army Dispensary, Boston Army Base
 USN Recruiting Sta
 Chicopee Falls—Westover AFB
 South Weymouth—USNAS

MICHIGAN

Detroit—USN Recruiting Station
 Grosse Ile—USNAS
 Mount Clemens—Selfridge AFB

MINNESOTA

Minneapolis:
 Station Hosp, USNAS
 USN Recruiting Station

MISSISSIPPI

Biloxi—Keesler AFB

MISSOURI

Kansas City—USN Recruiting Station
 Newburg—USAH, Fort Leonard Wood
 St. Louis—USN Recruiting Station

MONTANA

Great Falls—Malmstrom AFB

NEBRASKA

Omaha:
 Offutt AFB
 USN Recruiting Station

NEVADA

Fallon—USNAAS
 Hawthorne—Station Hospital—USN Ammu-
 nition Depot

NEW HAMPSHIRE

Portsmouth—USNH

NEW JERSEY

Lakehurst—Station Hospital, USNAS
 Little Silver—Patterson AH, Fort Monmouth
 Fort Dix—Walson AH

NEW MEXICO

Albuquerque—USN Recruiting Station
 Las Cruces—USNOM Test Fac, White Sands
 Roswell—Walker AFB

NEW YORK

Albany—USN Recruiting Station
 Buffalo—USN Recruiting Station
 Governors Island—USAH, Fort Jay
 New York City:
 USNAS, Floyd Bennett Field
 USN Recruiting Station
 West Point—U.S. Army Hosp., USMA

NORTH CAROLINA

Camp Lejeune—USNH
 Cherry Point—Station Hosp., USMCAS
 Fayetteville—Womack AH, Fort Bragg
 Raleigh—USN Recruiting Station

OHIO

Cincinnati—USN Recruiting Station
 Cleveland:
 USN Finance Center
 USN Recruiting Station
 Columbus—USN Recruiting Station
 Dayton—Wright-Patterson AFB

OKLAHOMA

Fort Sill—USAH, Fort Sill
 Oklahoma City—USN Recruiting Station

OREGON

Portland—USN Recruiting Station

PENNSYLVANIA

Carlisle—Dunham AH, Carlisle Barracks
 Mechanicsburg—USN Supply Depot
 Middletown—Olmstead AFB
 Phoenixville—Valley Forge GH
 Philadelphia—USN Recruiting Station

Pittsburgh—USN Recruiting Station
 Willow Grove—USNAS

PUERTO RICO

Aguadilla—Ramey AFB
 San Juan—Rodriguez AH

RHODE ISLAND

Newport—U.S. Naval Station
 Quonset Point—Station Hosp., USNAS

SOUTH CAROLINA

Beaufort—USNH
 Charleston—U.S. Naval Base
 Columbia:
 USAH, Fort Jackson
 USN Recruiting Station
 Sumter—Shaw AFB

TENNESSEE

Memphis—USNAS
 Nashville—USN Recruiting Station
 Smyrna—Stewart AFB

TEXAS

Beeville—USNAAS Chase Field
 Corpus Christi—USNAS
 Dallas:
 USNAS
 USN Recruiting Station
 El Paso—William Beaumont GH
 Houston—USN Recruiting Station
 Killeen—USAH, Fort Hood
 San Antonio:
 Brooke General Hospital, Fort Sam Hous-
 ton
 Randolph AFB

UTAH

Ogden—Hill AFB

VIRGINIA

Newington—DeWitt Army Hospital, Fort
 Belvoir
 Hampton:
 Fort Monroe
 Langley AFB
 Lee Hall—McDonald AH, Fort Eustis
 Little Creek—USN Amphibious Base
 Norfolk—USNAS, USN Station
 Oceana—USNAS
 Petersburg—Kenner AH, Fort Lee
 Quantico—USNH

WASHINGTON

Bremerton—USNH, Naval Shipyard
 Seattle:
 USNAS
 USAH, Fort Lawton

Tacoma:

Fort Lewis, Madigan GH
 McChord AFB
 Whidbey Island, Oak Harbor—Station Hos-
 pital, USNAS

WASHINGTON, D.C.

U.S. Army Dispensary, Pentagon
 U.S. Naval Dispensary
 Walter Reed GH—Physical Examining Sec-
 tion (Outpatient Clinic)

HOSPITAL SHIPS

U.S.S. Haven, Long Beach, Calif.

GERMANY

USAH, Heidelberg

GUAM—USNH

JAPAN

Camp Zama—USAH
 Yokosuka—USNH

10. Section 710.47(b) is revised to read as follows:

§ 710.47 Appendix VI—Installations conducting formal physical examinations for the U.S. Naval Academy.

(b) The below installations conduct formal physical examinations only on specified days in the month of March when additional naval medical and dental officers are furnished:

U.S. Naval Air Station, Dallas, Tex.
 U.S. Naval Air Station, Olathe, Kans.
 Fitzsimons General Hospital, Denver, Colo.
 Tripler U.S. Army General Hospital, Hono-
 lulu, Hawaii.

11. Section 710.48 is amended by re-
 vising the tables captioned "Fourth
 Class—Freshman Year—Summer Term"
 and "The basic curriculum" to read as
 follows:

§ 710.48 Appendix VII—Course of in-
 struction.

ASSIGNMENT OF TIME—FOURTH CLASS
 Summer Term

Departments	Total hours	Subjects	Textbooks
Executive.....	21	Orientation.....	U.S. Naval Academy Regulations, Orientation movies.
Physical Education.....	46	Infantry drill.....	Drill Manual.
	31	Physical achievement tests. Basic instruction in swimming, boxing and wrestling. Orientation in 9 additional sports.	Physical Education Plebe Summer Drill Manual (revised).
Command.....	61	Practical seamanship. Basic instruction in knot-tying, piloting, sailing, visual communications, and handling motor launches and yard patrol craft.	Elementary Seamanship, Seamanship (NavPers 16118B). Blue-jacket's Manual.
Weapons.....	37	Small arms.	Moving pictures are employed.
Naval Hygiene.....	4	Personal hygiene, including social and mental hygiene, oral hygiene, care of the eyes, preventable diseases, and rules for maintaining health.	
Engineering.....	25	Demonstrations of basic shop practices, introduction to ship's propulsion system and machinery and introduction to drawing materials and instruments.	Summer Drill Manual by Engineering Department. Basic Graphics, Luzadder.
Mathematics.....	11	Plane trigonometry ¹	College Algebra and Plane Trigonometry by Spitzbart and Bardell.
Science.....	6	Chemistry.....	Department's Measurements and Mathematical Operations.

¹ For those midshipmen not offering trigonometry upon entrance.

ASSIGNMENT OF TIME—FOURTH CLASS—Continued
Summer Term

Departments	Total hours	Subjects	Textbooks
English, History, and Government.	23	Library and museum orientation. Readings in naval history. Lectures in naval history. Examination.	<i>The Compact History of the United States Navy</i> , by Pratt. <i>Webster's New Collegiate Dictionary. Handbook for Writers</i> , by Leggett, Mead, and Charvat (second edition).
Foreign Languages.....	7	Language interviews and assignment to language courses. Evening seminars and classroom work.	
Total.....	261		

* Does not include time devoted to mathematics. See note 1.

The Basic Curriculum
FOURTH CLASS YEAR

FIRST TERM		Semester hours
M103. Analytic Geometry and Calculus.....	5	
S101. Chemistry.....	4	
B105. Engineering Drawing and Descriptive Geometry.....	3	
H101. Composition and Literature.....	3	
L101. Foreign Language.....	3	
T101. Physical Education.....	1	
X101. Executive.....	1	
		20
SECOND TERM		
M104. Analytic Geometry and Calculus.....	5	
S102. Chemistry.....	4	
E106. Statics.....	2	
H102. Composition and Literature.....	3	
L102. Foreign Language.....	3	
C104. Shipboard Orientation and Fleet Operations.....	3/4	
T102. Physical Education.....	1	
X102. Executive.....	1	
		19 3/4

THIRD CLASS YEAR

FIRST TERM		Semester hours
M205. Analytic Geometry and Calculus*.....	5	
S201. Physics.....	5	
E203. Strength of Materials.....	3	
H201. Modern European History.....	3	
L201. Foreign Language.....	2 1/2	
T201. Physical Education.....	3/4	
X201. Executive.....	1	
		20 1/4
SECOND TERM		
M202. Mechanics.....	5	
S202. Physics.....	5	
E204. Engineering Materials.....	3	
H202. U.S. Foreign Policy and Geography.....	3	
L202. Foreign Language.....	2 1/2	
C204. Seapower.....	1/4	
T202. Physical Education.....	1/4	
X202. Executive.....	1	
		20

SECOND CLASS YEAR

SUMMER TERM		
C300. Air Ocean Environment.....	1 1/4	
W300. Introduction to Digital Computers.....	1/2	
E300. Ship Hydrostatics (Buoyancy and Stability).....	1/2	
M300. Spherical Trigonometry.....	1	
H300. Speech.....	3/4	
		4
FIRST TERM		
M303. Differential Equations.....	3 1/2	
S301. Electrical Science I.....	3 3/4	
E305. Thermodynamics I.....	4	
H301. United States Government.....	2	
C301. Piloting and Navigation.....	3 1/2	
W305. Terminal Ballistics.....	2 1/4	
T301. Physical Education.....	1/2	
X301. Executive.....	1	
		20 1/2
SECOND TERM		
S302. Electrical Science II.....	4	
E306. Fluid Mechanics I.....	4	
H302. Economics.....	2 3/4	
C306. Introduction to Military Psychology and Management.....	2 1/2	
C308. Navigation.....	3	
W306. Target Intercept Analysis.....	2 1/4	
T302. Physical Education.....	1/2	
X302. Executive.....	1	
		20

FIRST CLASS YEAR

FIRST TERM		
S401. Electrical Science III.....	3	
E405. Fluid Mechanics II.....	3	
H401. Naval History.....	3 1/2	
C407. Case Studies in Leadership and Military Law.....	2 1/2	
C411. Naval Operations I.....	3 3/4	
W407. Elements of Weapons Systems Dynamics.....	2 1/2	
Y401. Naval Hygiene.....	3/4	
T401. Physical Education.....	1/4	
X401. Executive.....	1	
		20 1/4
SECOND TERM		
S402. Electrical Science IV.....	3	
E406. Thermodynamics II.....	3	
H402. Advanced Composition and Literature.....	3 3/4	
C414. Naval Operations II.....	4 1/2	
C408. Meteorology.....	1	
W408. Weapons Systems Analysis and Synthesis.....	2 1/2	
T402. Physical Education.....	1/2	
X402. Executive.....	1	
		19 1/4

*Includes 1 1/2 semester hours of probability and statistics.

(R.S. 161, secs. 5031, 6951-6974, 70A Stat. 278, 428-436, as amended; 5 U.S.C. 22, 10 U.S.C. 5031, 6951-6974)

By direction of the Secretary of the Navy.

Dated: September 3, 1963.

[SEAL] ROBERT D. POWERS, JR.,
Rear Admiral, U.S. Navy Acting Judge Advocate General of the Navy.

[F.R. Doc. 63-9559; Filed, Sept. 5, 1963; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

SUBCHAPTER B—HUNTING AND POSSESSION OF WILDLIFE

PART 10—MIGRATORY BIRDS

Open Seasons, Bag Limits, and Possession of Certain Migratory Game Birds

Section 3 of the Migratory Bird Treaty Act of July 3, 1918, as amended (40 Stat. 755; 16 U.S.C. 704), authorizes and directs the Secretary of the Interior, from time to time, having due regard for the zones of temperature and to the distribution, abundance, economic value, breeding habits, and times and lines of flight of migratory game birds, to determine when, to what extent, and by what means, such birds or any part, nest, or egg thereof, may be taken, captured, killed, possessed, sold, purchased, shipped, carried, or transported.

By notice of proposed rule making published in the FEDERAL REGISTER on May 2, 1963 (28 F.R. 4359), notification was given that the Secretary of the Interior proposed to amend Part 10, Title 50, Code of Federal Regulations. These amendments would specify open seasons, certain closed seasons, hunting methods, shooting hours, transportation and importation controls, and bag and possession limits for migratory game birds for the 1963-64 hunting seasons.

In this connection all interested persons were invited to submit their views, data, or arguments regarding proposed amendments, in writing to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D.C., within thirty days following the date of publication of the notice.

Subsequently, after due consideration of migratory game bird survey data obtained through investigations conducted by the Bureau of Sport Fisheries and Wildlife and State game departments, and from other sources, the several State game departments were informed concerning the shooting hours, season lengths, and daily bag and possession

limits proposed to be prescribed for the 1963-64 seasons on waterfowl and coots; on gallinules in the Pacific Flyway; on lesser sandhill (little brown) cranes in limited areas of Texas and New Mexico; and on whistling swans in Utah. The State game departments were invited to submit their recommendations for hunting seasons on applicable species in the respective States; such hunting seasons to conform to the shooting hours, daily bag and possession limits, and season lengths, within frameworks of opening and closing dates, as established by this Department.

Accordingly, each State game department having had an opportunity to participate in selecting the hunting seasons desired for its State on those species of migratory game birds for which open seasons are now being prescribed, and consideration having been given to all other relevant matters presented, it has been determined that Part 10 shall be amended as set forth below.

The taking of the designated species of migratory game birds is presently prohibited. These amendments will permit the taking of these species within specified periods of time beginning as early as September 20, 1963. Since these amendments benefit the public by relieving existing restrictions, they shall become effective upon publication in the FEDERAL REGISTER.

1. Section 10.52 is amended by adding a new paragraph (c) to read as follows:

§ 10.52 Migratory game bird hunting seasons for Puerto Rico and the Virgin Islands.

(c) Puerto Rico and the Virgin Islands.

	Ducks	Coots	Wilson's snipe
Daily bag limit.	3 ² -----	6-----	8.
Possession limit.	6 ² -----	6-----	8.
Shooting hours ¹	Sunrise until sunset on all species.		
Seasons in:			
Puerto Rico ^{1,2}	Nov. 2-Nov. 30	Nov. 2-Nov. 30.	
Virgin Islands ^{1,2}	Jan. 18-Feb. 2	Jan. 18-Feb. 2.	
	Dec. 15-Feb. 2	Jan. 3-Feb. 2.	

¹ Shooting hours: In Puerto Rico, on the opening day of the season for ducks, coots, and Wilson's snipe (including both opening days of a split season) shooting will begin at 12 o'clock noon (standard time). In the Virgin Islands, on the opening day of the season for ducks and coots shooting will begin at 12 o'clock noon (standard time).

² Ducks: No open season is prescribed on canvasback and redhead ducks. The daily bag limit may not include more of the following species than: (a) 1 hooded merganser; (b) 2 wood ducks. The possession limit may not include more than: (a) 2 hooded mergansers; (b) 2 wood ducks.

2. Section 10.53 is amended by adding new paragraphs (b), (c), (d), and (e) to read as follows:

§ 10.53 Seasons and limits on waterfowl, coots, and gallinules.

(b) Atlantic Flyway States.

	Ducks	Coots	Geese (except snow geese)	Brant
Daily bag limit.	(2)-----	8-----	2-----	6.
Possession limit.	(2)-----	16-----	4-----	6.
Shooting hours ¹	Sunrise until sunset on all species.			
Seasons in:				
Connecticut ³	{Oct. 19-Nov. 2	{Oct. 19-Nov. 16.		
	{Dec. 6-Jan. 4	{Dec. 6-Jan. 15.		
Delaware	{Nov. 1-Nov. 23	{Nov. 1-Jan. 9.		
	{Dec. 9-Dec. 30			
District of Columbia	Closed season.			
Florida ⁴	Nov. 27-Jan. 5	Nov. 27-Jan. 5.		
Georgia	Nov. 26-Jan. 4	Nov. 7-Jan. 15.		
Maine ⁵	{Oct. 5-Oct. 26	{Oct. 5-Dec. 13.		
	{Nov. 22-Dec. 14			
Maryland	Nov. 13-Jan. 1	Nov. 7-Jan. 15.		
Massachusetts ⁶	{Oct. 18-Nov. 2	{Oct. 18-Nov. 26.		
	{Nov. 29-Dec. 27	{Nov. 29-Dec. 28.		
New Hampshire ⁵	Oct. 11-Nov. 29	Oct. 11-Dec. 19.		
New Jersey	{Oct. 26-Nov. 16	{Oct. 26-Jan. 3.		
	{Dec. 13-Jan. 4			
New York ^{3,7}	Oct. 18-Dec. 6	Oct. 18-Dec. 26.		
North Carolina	Nov. 16-Jan. 4	Nov. 7-Jan. 15.		
Pennsylvania ⁴	Oct. 12-Nov. 30	Oct. 12-Dec. 20.		
Rhode Island ⁵	Nov. 17-Jan. 5	Nov. 7-Jan. 15.		
South Carolina	Nov. 16-Jan. 4	Do.		
Vermont	{Oct. 11-Oct. 27	{Oct. 11-Oct. 27.		
	{Nov. 11-Dec. 8	{Nov. 11-Jan. 2.		
Virginia	Nov. 16-Jan. 4	Nov. 7-Jan. 15.		
West Virginia	{Oct. 18-Oct. 26	{Oct. 12-Dec. 20.		
	{Nov. 30-Jan. 4			

¹ Shooting hours: On the opening day of the season for ducks and coots (including both opening days of a split season) shooting will begin at 12 o'clock noon (standard time). Whenever the opening day of any season on geese, brant, or Wilson's snipe is concurrent in a State with the opening day of the season on ducks and coots in that State, shooting hours on all species will start at 12 o'clock noon. On all other open days for ducks and coots and during the entire season (including opening days) on geese, brant, and Wilson's snipe the shooting hours will be from sunrise until sunset: *Provided*, That if the open season on geese, brant, or Wilson's snipe in a State is in progress at the time the season in that State opens on ducks and coots, shooting on those species (geese, brant, or Wilson's snipe) will start at sunrise.

² Ducks: No open season is prescribed on canvasback and redhead ducks. The daily bag limit may not include more of the following species than: (a) 1 hooded merganser; (b) 2 wood ducks; (c) 2 mallard or black ducks, singly or in the aggregate of both kinds. The possession limit may not include more of the following species than: (a) 2 hooded mergansers; (b) 2 wood ducks; (c) 4 mallard or black ducks, singly or in the aggregate of both kinds. In all States in the Flyway, a daily bag limit of 5 and a possession limit of 10 American and red-breasted mergansers, singly or in the aggregate of both kinds, are permitted in addition to the basic limits on ducks collectively; and in all States in the Flyway, a daily bag limit of 2 and a possession limit of 4 scaup ducks are permitted in addition to the basic limits on ducks collectively. In the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia, the daily bag limit on ducks collectively is 3 and the possession limit is 6. In the States of Florida and Georgia, the daily bag limit on ducks collectively is 4 and the possession limit is 8.

³ New York: On Long Island and that part of Westchester County lying south of the Hutchinson River Parkway, the open season for taking ducks and coots is Oct. 19-Nov. 2 and Dec. 6-Jan. 4, and for taking geese and brant Oct. 19-Nov. 16 and Dec. 6-Jan. 15.

⁴ Pennsylvania: In Crawford County, the open season for taking geese is Oct. 12-Dec. 20 and the daily bag limit may not include more than 1 Canada goose or subspecies.

⁵ Notwithstanding the provisions of 50 CFR 10.3(b)(4), the shooting of crippled waterfowl from a motorboat under power will be permitted on those coastal waters and all waters of rivers and streams lying seaward from the first upstream bridge in the States of Maine, Massachusetts, New Hampshire, Rhode Island, and Connecticut; and in those coastal waters of New York State lying in Long Island and Block Island Sounds and the waters of Gardiner's Bay lying east of a line from the Long Beach Bay lighthouse to the most easterly point of Ram Head on Shelter Island to the Cedar Point light; but not including any coastal waters of New York State lying south of Long Island; under the following conditions: Any person who cripples any migratory waterfowl while shooting from a fixed position may, within a 200 yard radius of such fixed position, pursue, shoot, and retrieve such crippled birds from a motorboat under power.

⁶ Check State regulations for additional State restrictions.

(c) Mississippi Flyway States.

	Ducks	Coots	Geese
Daily bag limit.	4 ² -----	8-----	5, ³
Possession limit.	8 ² -----	16-----	5, ³
Shooting hours ¹	Sunrise until sunset on all species.		
Seasons in:			
Alabama	Dec. 2-Jan. 5	Nov. 7-Jan. 15.	
Arkansas ^{3,10}	do	Oct. 25-Jan. 5.	
Illinois ^{4,10}	Nov. 1-Dec. 5	{Oct. 20-Dec. 23.	
		{Jan. 1-Jan. 5.	
Indiana	{Nov. 8-Nov. 30	{Oct. 19-Jan. 14.	
	{Dec. 20-Dec. 28	{Dec. 20-Jan. 1.	
Iowa	{Oct. 5-Oct. 13	{Oct. 5-Dec. 13.	
	{Oct. 26-Nov. 17		
Kentucky	Dec. 1-Jan. 4	Nov. 7-Jan. 15.	
Louisiana ^{3,5}	Nov. 29-Jan. 2	Do.	
Michigan	Oct. 5-Nov. 8	Oct. 5-Dec. 13.	
Minnesota ¹⁰	do	Do.	
Mississippi ⁶	Dec. 2-Jan. 5	{Oct. 19-Nov. 12.	
		{Dec. 2-Jan. 15.	
Missouri: ⁷			
Swan Lake Area.	Oct. 25-Nov. 28	{Oct. 14-Nov. 17.	
Rest of State	do	{Dec. 10-Jan. 13.	
Ohio ⁸	{Oct. 21-Nov. 15	{Oct. 25-Jan. 2.	
	{Dec. 23-Dec. 28	{Oct. 21-Dec. 28.	
Tennessee ¹⁰	Dec. 2-Jan. 5	Nov. 7-Jan. 15.	
Wisconsin ^{9,10}	Oct. 5-Nov. 8	Oct. 5-Dec. 13.	

¹ Shooting hours: On the opening day of the season for ducks and coots (including both opening days of a split season) shooting will begin at 12 o'clock noon (standard time). Whenever the opening day of any season on geese, brant, or Wilson's snipe is concurrent in a State with the opening day of the season on ducks and coots in that State, shooting hours on all species will start at 12 o'clock noon. On all other open days for ducks and coots and during the entire season (including opening days) on geese, brant, and Wilson's snipe the shooting hours will be from sunrise until sunset: *Provided*, That if the open season on geese, brant, or Wilson's snipe in a State is in progress at the time the season in that State opens on ducks and coots, shooting on those species (geese, brant, or Wilson's snipe) will start at sunrise.

² Ducks: No open season is prescribed on canvasback and redhead ducks. The daily bag limit may not include more of the following species than: (a) 1 hooded merganser; (b) 2 wood ducks; (c) 2 mallard or black ducks, singly or in the aggregate of both kinds. The possession limit may not include more of the following species than: (a) 2 hooded mergansers; (b) 2 wood ducks; (c) 4 mallard or black ducks, singly or in the aggregate of both kinds. In all States in the Flyway, a daily bag limit of 5 and a possession limit of 10 American and red-breasted mergansers, singly or in the aggregate of both kinds, are permitted in addition to the basic limits on ducks collectively. In that portion of the State of Louisiana lying south of U.S. Highway 190, a daily bag limit of 2 and a possession limit of 4 scaup ducks are permitted in addition to the basic limits on ducks collectively.

³ Geese: In all States in the Flyway, the daily bag or possession limit may not include, in the alternative, more of the following species than: (a) 2 Canada geese or subspecies; (b) 2 white-fronted geese; or (c) 1 Canada goose or subspecies and 1 white-fronted goose. No open season is prescribed in the States of Louisiana and Arkansas for taking Canada geese or subspecies.

⁴ Illinois: In the counties of Alexander, Jackson, Union, and Williamson only, the combined kill of Canada geese will be limited to a total of 20,000 birds; and when it has been determined by the Director,

Bureau of Sport Fisheries and Wildlife, that 20,000 Canada geese have been killed in these four counties, the season for taking geese therein will be closed by the Director upon having given public notice thereof through local information media no less than 48 hours in advance of the time and day of closing.

⁴ Louisiana: For the lands and waters of the State of Louisiana lying easterly of the centerline of the main navigable channel of the Mississippi River between the northerly boundary of Louisiana to latitude 31° N., the season for taking ducks and coots is Dec. 2-Jan. 5 and the season for taking geese is Oct. 19-Nov. 12 and Dec. 2-Jan. 15. In this area the daily bag and possession limits on geese may not include, in the alternative, more than: (a) 2 Canada geese or subspecies; (b) 2 white-fronted geese; or (c) 1 Canada goose or subspecies and 1 white-fronted goose.

⁶ Mississippi: For the lands and waters of the State of Mississippi lying westerly of the centerline of the main navigable channel of the Mississippi River between the northerly boundary of Louisiana to latitude 31° N., the season for taking ducks and coots is Nov. 29-Jan. 2 and the season for taking geese is Nov. 7-Jan. 15. In this area the season is closed for taking Canada geese or subspecies and the daily bag or possession limit may not include more than 2 white-fronted geese.

⁷ Missouri: In those portions of the Missouri counties of Livingston, Carroll, Lafayette, Saline, Howard, Chariton, and Linn bounded by roads starting at the junction of U.S. Highways 36 and 66 at Chillicothe in Livingston County; thence south along U.S. Highway 65 to Waverly in Lafayette County; thence east along U.S. Highway 65 to the junction with State Highway 41 at Marshall in Saline County; thence east along State Highway 41 to the junction with State Highway 240; thence north and east along State Highway 240 to the junction with State Highway 5 at Glasgow in Howard County; thence north along State Highway 5 to the junction with U.S. Highway 36 north of Marcelline in Linn County; thence west along U.S. Highway 36 to the point of beginning, the combined kill of Canada geese will be limited to a total of 25,000 birds; and when it has been determined by the Director, Bureau of Sport Fisheries and Wildlife, that 25,000 Canada geese have been killed in this area, the season for taking geese therein will be closed by the Director upon having given public notice thereof through local information media no less than 48 hours in advance of the time and day of closing.

⁸ Ohio: For Pymatuning reservoir in Ashtabula County and ¼ mile in any direction from said reservoir, the season for taking ducks and coots is Oct. 12-Nov. 30 and the season for taking geese and brant is Oct. 12-Dec. 20. In this area the daily bag limit is 3 and the possession limit is 6 ducks collectively; and a daily bag limit of 2 and a possession limit of 4 scaup ducks are permitted in addition to the basic limits on ducks collectively. In this area the daily bag limit is 2 geese of which not more than 1 may be a Canada goose or subspecies and the possession limit is 4 geese, and the daily bag and possession limit is 6 brant.

⁹ Wisconsin: In those portions of the Wisconsin counties of Dodge and Fond du Lac bounded by roads beginning at the junction of State Highways 28 and 33 in Horicon, Wisconsin; thence northeast on State Highway 28 to the junction with County Road "V"; thence north on County Road "V" to the junction with State Highway 49; thence west on State Highway 49 to the junction with County Road "YY"; thence north on County Road "YY" to the junction with County Road "Y"; thence north on County Road "Y" to the junction with County Road "B"; thence northeasterly on County Road "B" to the junction with County Road "D"; thence northeasterly on County Road "D" to the junction with U.S. Highway 151; thence west on U.S. Highway 151 to the junction with State Highway 103; thence west on State Highway 103 to the junction with County Road "X"; thence south and west on County Road "X" to the junction with State Highway 49; thence south on State Highway 49 to the junction with County Road "AW"; thence west on County Road "AW" to the junction with County Road "W"; thence south on County Road "W" to the junction with County Road "A"; thence southeasterly on County Road "A" to the junction with State Highway 33; thence east on State Highway 33 to the point of beginning, the combined kill of Canada geese will be limited to a total of 12,000 birds; and when it has been determined by the Director, Bureau of Sport Fisheries and Wildlife, that 12,000 Canada geese have been killed in this area, the season for taking geese therein will be closed by the Director upon having given public notice thereof through local information media no less than 48 hours in advance of the time and day of closing.

¹⁰ Check State regulations for additional State restrictions.

(d) Central Flyway States.

	Ducks	Coots	Geese
Daily bag limit.	4 ²	8	5 ³
Possession limit.	8 ²	16	5 ³
Shooting hours ¹	Sunrise until sunset on all species.		
Seasons in:			
Colorado (east of Continental Divide). ^{4,6}	Nov. 15-Dec. 19	Nov. 2-Jan. 15.	
Kansas	Oct. 26-Nov. 29	Oct. 5-Dec. 18.	
Montana (east of Continental Divide). ³	Oct. 13-Nov. 16	Oct. 6-Dec. 19.	
Nebraska	Oct. 5-Oct. 13 (Nov. 16-Dec. 8)	Oct. 2-Dec. 15.	
New Mexico (east of Continental Divide). ⁵	Nov. 29-Jan. 2	Nov. 29-Jan. 15.	
North Dakota. ⁵	Oct. 5-Nov. 8	Oct. 1-Nov. 30.	
Oklahoma	Nov. 8-Dec. 12	Oct. 12-Dec. 25.	
South Dakota. ⁵	Oct. 12-Nov. 15	Oct. 1-Dec. 14.	
Texas	Dec. 1-Jan. 4	Nov. 1-Jan. 14.	
Wyoming (east of Continental Divide).	Nov. 2-Dec. 6	Oct. 17-Oct. 31. (Nov. 17-Jan. 15.)	

(e) Pacific Flyway States.

	Ducks	Coots and gallinules (singly or aggregate)	Geese	Brant
Daily bag limit	(²)	25	6 ³	3.
Possession limit	(²)	25	6 ³	3.
Shooting hours ¹	One-half hour before sunrise until sunset on all species.			
Seasons in:				
Arizona ²	Oct. 8-Jan. 5	Oct. 8-Jan. 5	Closed season.	
California ^{3,4}	Oct. 23-Jan. 5	Oct. 23-Jan. 5	Nov. 23-Jan. 31.	
Colorado (west of Continental Divide) ^{5,6}	Oct. 5-Jan. 2	Oct. 5-Jan. 2	Closed season.	
Idaho ^{2,3}	Oct. 8-Jan. 5	Oct. 8-Jan. 5	Do.	
Montana (west of Continental Divide) ²	Oct. 13-Dec. 26	Oct. 6-Dec. 26	Do.	
Nevada ²	Oct. 11-Jan. 5	Oct. 11-Jan. 5	Do.	
New Mexico (west of Continental Divide) ^{3,6}	Oct. 12-Jan. 5	Oct. 12-Jan. 5	Do.	
Oregon ²	Oct. 8-Jan. 5	Oct. 8-Jan. 5	Nov. 18-Jan. 31.	
Utah ²	Oct. 5-Jan. 2	Oct. 5-Jan. 2	Closed season.	
Washington ^{2,3}	Oct. 12-Jan. 5	Oct. 12-Jan. 5	Nov. 17-Jan. 30.	
Wyoming (west of Continental Divide) ³	Oct. 5-Dec. 31	Oct. 5-Dec. 31	Closed season.	

¹ Shooting hours: On the opening day of the season for ducks, coots, and gallinules (including both opening days of a split season) shooting will begin at 12 o'clock noon (standard time). Whenever the opening day of any season on geese, brant, or Wilson's snipe is concurrent in a State with the opening day of the season on ducks, coots, and gallinules in that State, shooting hours on all species will start at 12 o'clock noon. On all other open days for ducks, coots, and gallinules and during the entire season (including opening days) on geese, brant, and Wilson's snipe the shooting hours will be from one-half hour before sunrise until sunset: *Provided*, That if the open season on geese, brant, or Wilson's snipe in a State is in progress at the time the season in that State opens on ducks, coots, and gallinules, shooting on those species (geese, brant, or Wilson's snipe) will start at one-half hour before sunrise.

² Ducks: No open season is prescribed on canvasback and redhead ducks. The daily bag limit may not include more of the following species than: (a) 1 hooded merganser; (b) 2 wood ducks. The possession limit may not include more of the following species than: (a) 2 hooded mergansers; (b) 2 wood ducks. In all States in the Flyway, a daily bag limit of 5 and a possession limit of 10 American and red-breasted mergansers, singly or in the aggregate of both kinds, are permitted in addition to the basic limits on ducks collectively. In addition to the basic limits on ducks collectively, a daily bag limit of 2 and a possession limit of 4 mallard ducks are permitted in all of the States of Washington lying east of the summit of the Cascade Mountains; in the Idaho counties of Ada, Benewah, Blaine, Minidoka, Boundary, Camas, Canyon, Cassia, Elmore, Gem, Gooding, Jerome, Kootenai, Latah, Lewis, Lincoln, Malheur, New Perce, Owyhee, Payette, Twin Falls, and Washington; and in the Oregon counties of Baker, Gilliam, Malheur, Morrow, Sherman, Umatilla, Union, Wallawa, and Wasco. In the States of Nevada, Oregon, and Washington, the basic portions of the States of Colorado, New Mexico, and Wyoming lying west of the Continental Divide, the basic daily bag limit on ducks collectively is 4 and the possession limit is 8; in the States of Arizona, Idaho, and Utah, the basic daily bag and possession limits on ducks collectively are 5; in that portion of the State of Montana lying west of the Continental Divide, the basic daily bag limit on ducks collectively is 5 and the possession limit is 10; and in the State of California the basic daily bag and possession limits on ducks collectively are 6.

¹ Shooting hours: On the opening day of the season for ducks and coots (including both opening days of a split season) shooting will begin at 12 o'clock noon (standard time). Whenever the opening day of any season on geese, brant, or Wilson's snipe is concurrent in a State with the opening day of the season on ducks and coots in that State, shooting hours on all species will start at 12 o'clock noon. On all other open days for ducks and coots and during the entire season (including opening days) on geese, brant, and Wilson's snipe the shooting hours will be from sunrise until sunset: *Provided*, That if the open season on geese, brant, or Wilson's snipe in a State is in progress at the time the season in that State opens on ducks and coots, shooting on those species (geese, brant, or Wilson's snipe) will start at sunrise.

² Ducks: No open season is prescribed on canvasback and redhead ducks. The daily bag limit may not include more of the following species than: (a) 1 hooded merganser; (b) 2 wood ducks; (c) 2 mallard ducks. The possession limit may not include more of the following species than: (a) 2 hooded mergansers; (b) 2 wood ducks; (c) 4 mallard ducks. In all States in the Flyway, a daily bag limit of 5 and a possession limit of 10 American and red-breasted mergansers, singly or in the aggregate of both kinds, are permitted in addition to the basic limits on ducks collectively.

³ Geese: In all States in the Flyway, the daily bag or possession limit may not include more of the following species than: (a) 1 Ross's goose; (b) in the alternative, 2 Canada geese or subspecies; 1 Canada goose or subspecies and 1 white-fronted goose; or 1 white-fronted goose. No open season is prescribed for taking blue, snow, and Ross's geese in the Montana counties of Beaverhead, Gallatin, and Madison.

⁴ Colorado: In the Colorado counties of Alamosa, Conejos, Costilla, and Rio Grande, and that portion of Saguache County lying east of the Continental Divide, a special experimental open season on ducks (except canvasback and redhead) is prescribed from Oct. 1-Oct. 18 with a daily bag limit of 5 and a possession limit of 10 ducks and daily shooting hours from sunrise until sunset including opening day.

⁵ Check State regulations for additional State restrictions.

¹ Geese: In all States in the Flyway, the daily bag and possession limit may not include more than 1 Ross's goose; and the daily bag limit may not include more than 5 geese of the dark species: *Provided*, That in the States of Washington and Idaho, the daily bag limit is 3 geese and the possession limit is 6 geese; in the States of Arizona and Utah, in Clark County, Nevada, in the Idaho counties of Bear Lake, Bonneville, and Caribou, and in those portions of the States of Montana, Wyoming, Colorado, and New Mexico lying west of the Continental Divide, the daily bag or possession limit may not include more than 2 Canada geese or subspecies thereof; and in California Fish and Game District No. 22, the daily bag or possession limits may not include more than 1 Canada goose or subspecies thereof. No open season is prescribed on snow, blue, and Ross's geese in the Idaho counties of Clark, Madison, Fremont, and Teton.

² California: In that portion of the State lying east and north of a line beginning at the point where U.S. Highway 99 intersects the California-Oregon State line; thence south and east on U.S. Highway 99 to the junction with State Highway 89; thence south and east on State Highway 89 to the junction with Alternate U.S. Highway 40; thence south and east on Alternate U.S. Highway 40 to the point of intersection with the California-Nevada State line, the open season for taking ducks, coots, gallinules, and geese is Oct. 8-Jan. 5. In this area the basic daily bag limit on ducks collectively is 4 and the possession limit is 8.

In those portions of San Bernardino, Riverside, and Imperial Counties lying east of a line beginning at the point where U.S. Highway 95 intersects the California-Nevada State line; thence south on U.S. Highway 95 to Blythe; thence south on the paved and graded road from Blythe through Ripley, Palo Verde, and Ogilby to the intersection with U.S. Highway 80; thence east on U.S. Highway 80 to the intersection with the California-Arizona State line, the open season for taking ducks, coots, gallinules, and geese is Oct. 8-Jan. 5. In this area the basic daily bag and possession limits on ducks collectively are 5; and the daily bag limit on geese may not include more than 1 Canada goose or subspecies and the possession limit may not include more than 2 Canada geese or subspecies.

³ Check State regulations for additional State restrictions.

3. A new § 10.54 is added to read as follows:

§ 10.54 Seasons and limits on lesser sandhill (little brown) cranes and whistling swan.

Subject to the applicable provisions of the preceding sections of this part, the open seasons (dates inclusive), the areas open to hunting, the shooting hours, and the daily bag and possession limits on the species of migratory game birds designated in this section, are prescribed as follows:

(a) An open season for the taking of lesser sandhill (little brown) cranes of 30 consecutive days between Saturday, November 2, 1963, and Sunday, December 1, 1963, is prescribed in the New Mexico Counties of Lea, Chaves, Eddy, Curry, Roosevelt, Quay, and De Baca, and in that portion of the State of Texas lying west of a line from the International Toll Bridge in Del Rio, Val Verde County; thence northward following U.S. Highway 277 to its junction with U.S. Highway 87 at San Angelo, Tom Green County; thence northwesterly following U.S. Highway 87 to the junction with U.S. Highway 287 at Dumas, Moore County; thence northwesterly following U.S. Highway 287 to the point of intersection with the Texas-Oklahoma State line in Dallam County. The daily bag and possession limit is 2 lesser sandhill (little brown) cranes, and the shooting hours are from sunrise until sunset.

(b) A limited open season for the taking of whistling swans under permit is prescribed for the State of Utah subject to the following conditions: (1) Not more than 1,000 special permits will be issued which will authorize the permittee to take one (1) only whistling swan during the open season; (2) the open season dates and shooting hours will run concurrently with those prescribed for ducks in the State of Utah; and (3) the special permit forms will be furnished by the Bureau of Sport Fisheries and Wildlife to the Utah State Department of Fish and Game which will issue such permits without charge to those persons making written application for such permits: *Provided*, That if more than 1,000 applications for permits are received by the Utah Department of Fish and Game, a drawing will be held to determine which applicants shall be issued permits.

(Sec. 3, 40 Stat. 755, as amended; 16 U.S.C. 704; E.O. 10250, 16 F.R. 5385, 3 CFR, 1949-1953 Comp., p. 757)

STEWART L. UDALL,
Secretary of the Interior.

AUGUST 30, 1963.

[F.R. Doc. 63-9475; Filed, Sept. 5, 1963;
8:45 a.m.]

PART 32—HUNTING
California and Oregon

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

§ 32.22 Special regulations; upland game birds for individual wildlife refuge areas.

CALIFORNIA AND OREGON

LOWER KLAMATH NATIONAL WILDLIFE REFUGE

Public hunting of Upland Game Birds on the Lower Klamath National Wildlife Refuge, California and Oregon, is permitted only on the area designated by signs as open to hunting. This open area, comprising 11,890 acres or 40 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters, Tule Lake National Wildlife Refuge, Tulelake, California, and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland 8, Oregon. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Ring-necked pheasants.

(b) Open season: California—November 23 and 24, 1963, for all refuge lands except Adm. Units 2 and 3. November 23 through December 8, 1963, Adm. Units 4, 7, 8 and 9. Shooting hours will be in accordance with State regulations.

(c) Daily bag limits: California—2 cocks. Oregon—3 cocks.

(d) Methods of hunting:

(1) Weapons: Shotgun only (not larger than 10 gauge and incapable of holding more than 3 shells) may be used.

(2) Dogs: Dogs, not to exceed two (2) in number, may be used for hunting upland game birds.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) Camping: Camping permitted in designated areas only.

(3) A Federal permit is not required to enter the public hunting area.

(4) The provisions of this special regulation are effective to December 9, 1963.

PAUL T. QUICK,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

[F.R. Doc. 63-9532; Filed, Sept. 5, 1963;
8:46 a.m.]

PART 32—HUNTING

California

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

§ 32.22 Special regulations; upland game birds for individual wildlife refuge areas.

CALIFORNIA

TULE LAKE NATIONAL WILDLIFE REFUGE

Public hunting of Upland Game Birds on the Tule Lake National Wildlife Refuge, California, is permitted only on the area designated by signs as open to hunting. This open area, comprising 14,000 acres or 40% of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland 8, Oregon. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Ring-necked pheasants.

(b) Open season:

1. November 23 through November 24, 1963, all refuge lands east of the Hill Road except that portion south of the center line in Secs. 19, 20, 21 and 22, T. 47 N., R. 4 E., and west of Dike A and the west boundary dike of the Sump 1B and headquarters area.

2. November 23 through December 8, 1963, League of Nations, a strip ¼ mile wide along the west boundary of the Frog Pond, the south half of the Panhandle buffer strip, and that portion of Sump 1A and the area east to Hill Road which is north of the center line in Secs. 19, 20, 21 and 22, T. 47 N., R. 4 E., except headquarters area. Shooting hours in accordance with State regulations.

(c) Bag limits: Two cocks.

(d) Methods of hunting:

1. Weapons: Shotguns only (not larger than 10 gauge and incapable of holding more than 3 shells) may be used.

2. Dogs: Dogs, not to exceed two (2) in number, may be used for hunting upland game birds.

(e) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

2. Camping: Camping permitted in designated areas only.

3. A Federal permit is not required to enter the public hunting area.

4. The provisions of this special regulation are effective to December 9, 1963.

PAUL T. QUICK,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

[F.R. Doc. 63-9533; Filed, Sept. 5, 1963;
8:46 a.m.]

PART 32—HUNTING

Montana

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

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

MONTANA

CHARLES M. RUSSELL NATIONAL WILDLIFE RANGE

Public hunting of big game on the Charles M. Russell Range, Montana, is permitted only on the area designated by signs as open to hunting. This open area, comprising 900,000 acres is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland 8, Oregon. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Deer.

(b) Open season: October 13 through November 24, 1963, inclusive. Shooting hours—one-half hour before sunrise to one-half hour after sunset.

(c) Bag limits:

- State fish and game area No.:
- 62—2 deer, either sex.
- 63—1 deer, either sex.
- 65—2 deer, either sex.
- 70NL—2 deer, either sex.
- 410—2 deer, either sex.

(d) Methods of hunting: 1. Weapons: As prescribed by State regulations.

(e) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

2. A Federal permit is not required to enter the public hunting area, but hunters will report at such checking stations as may be established when entering or leaving the area.

3. The provisions of this special regulation are effective to November 25, 1963.

PAUL T. QUICK,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

[F.R. Doc. 63-9534; Filed, Sept. 5, 1963;
8:46 a.m.]

PART 32—HUNTING

Oregon

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

§ 32.22 Special regulations; upland game birds; for individual wildlife refuge areas.

OREGON

MCKAY CREEK NATIONAL WILDLIFE REFUGE.

Public hunting of upland game birds on the McKay Creek National Wildlife Refuge, Oregon is permitted only on the area designated by signs as open to hunting. This open area, comprising 660 acres or 36 percent of the total area of the refuge, is delineated on a map available at the refuge headquarters and from the Regional Director, Bureau of Sport Fisheries and Wildlife, 1002 Northeast Holladay, Portland 8, Oregon. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Ring-necked pheasant, valley and mountain quail, chukar and Hungarian partridge.

(b) Open season: Pheasant—October 12 through November 24, 1963, quail, chukar and Hungarian partridge—October 12 through December 31, 1963. Shooting hours in accordance with State regulations.

(c) Bag limits: Peasants—3 cocks. Valley or mountain quail—10 (singly or in the aggregate). Chukar and Hungarian partridge—8 (singly or in the aggregate).

(d) Methods of hunting:

1. Weapons—Shotguns only may be used, not larger than 10 gauge and incapable of holding more than 3 shells.

2. Dogs—Dogs not to exceed two (2) per hunter, may be used for hunting pheasants.

3. Cars—No cars shall be permitted in the Refuge Public Hunting Area except at designated parking locations.

(e) Other provisions:

1. The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

2. Checking Stations—Hunters upon entering or leaving the hunting area shall report at such checking stations as may be established.

3. A Federal permit is not required to enter the public hunting area.

4. The provisions of this special regulation are effective to January 1, 1964.

PAUL T. QUICK,
Regional Director, Bureau of
Sport Fisheries and Wildlife.

[F.R. Doc. 63-9535; Filed, Sept. 5, 1963;
8:46 a.m.]

Title 29—LABOR

**Chapter V—Wage and Hour Division,
Department of Labor**

SUBCHAPTER A—REGULATIONS

PART 541—DEFINING AND DELIMITING THE TERMS "ANY EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, OR PROFESSIONAL CAPACITY, OR IN THE CAPACITY OF OUTSIDE SALESMAN

Minimum Salary Requirements for Employees of a Retail or Service Establishment; Correction

The date contained in 29 CFR 541.5b (b) (28 F.R. 9506, August 30, 1963) which reads "September 3, 1963," is hereby corrected to read "September 30, 1963." As amended, this paragraph shall read as follows:

§ 541.5b Minimum salary requirements for employees of a retail or service establishment.

* * * * *

(b) For the period beginning September 30, 1963, and terminating September 2, 1965, the minimum salary rate for an executive or administrative employee of a retail or service establishment shall be not less than \$80 per week (\$55 per week if employed in Puerto Rico, the Virgin Islands, or American Samoa); the minimum salary rate for a professional employee of a retail or service establishment shall be not less than \$95 per week (\$75 per week if employed in Puerto Rico, the Virgin Islands, or American Samoa); and for an executive administrative or professional employee of a retail or service establishment the minimum salary rate for purposes of the final paragraph of § 541.1, 541.2 or 541.3, respectively, shall be not less than \$125 per week.*

Signed at Washington, D.C., this 3d day of September 1963.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 63-9549; Filed, Sept. 5, 1963;
8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[9 CFR Part 201]

REGULATIONS UNDER PACKERS AND STOCKYARDS ACT

Records; Disposition; 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 authority contained in section 407(a) of the Packers and Stockyards Act (7 U.S.C. 228(a)), the Agricultural Marketing Service proposes to amend § 201.50 of the regulations under the Packers and Stockyards Act (9 CFR 201.50) in order to relieve stockyard owners, market agencies, dealers, and licensees from the requirement of obtaining the written consent of the Director of the Packers and Stockyards Division to destroy or dispose of certain records which contain, explain, or modify transactions in their business under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.).

It is proposed to amend § 201.50 of the regulations under the Packers and Stockyards Act to read as follows:

§ 201.50 Records; disposition.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, no stockyard owner, market agency, dealer, or licensee shall, without the consent in writing of the Director, destroy or dispose of any books, records, documents, or papers which contain, explain, or modify transactions in his business under the Act.

(b) Every stockyard owner, market agency, dealer, or licensee may destroy or dispose of the following categories of records after they have been retained for a period of two full calendar years:

STOCKYARD OWNERS

All feed records.
Dipping and spraying orders.
Vaccinating and testing orders.
Routine correspondence.
Railroad advance charges.
Bills to commission firms and others.
Records of shipments by States and markets.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.
Railroad in-bound records.
Truck-in receipt records.
Delivery records.
Yarding receipts.
Pass-out and delivery orders.
Truck shipping orders.
Railroad shipping orders.
Scale yarding records.
Scale tickets.

MARKET AGENCIES

Scale tickets.
Bills from stockyard company.
Bills for livestock purchased.
Gate tickets.

Routine correspondence.
Way-bills and truckers tickets.
Accounts of sales.
Accounts of purchases.
Bills and invoices to buyers.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.

DEALERS

Bills from stockyard company.
Bills for livestock purchased.
Accounts of sales.
Routine correspondence.
Bills to purchasers.
Scale tickets.
Deposits slips.
Bank statements.
Cancelled checks and drafts.

LICENSEES (COMMISSION MERCHANTS)

Invoice or receiving tickets.
Scale tickets—charge tickets.
Account of sales.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.
Bills to purchasers.
Lists of accounts receivable.
Routine correspondence.

LICENSEES (DEALERS)

Purchase statements to shippers.
Contracts with shippers.
Bills from receivers.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.
Sales tickets—charge tickets.
Routine correspondence.

(c) The two year period specified in paragraph (b) of this section shall be extended if necessary to comply with any Federal, State, or local law, or if the stockyard owner, registrant, or licensee is notified in writing by the Director that specified records should be retained pending the completion of any investigation or proceeding under the Act.

Any person who wishes to submit suggestions for inclusion of accounts, records, or memoranda not already specified in proposed paragraph (b) of § 201.50 or other data or views pertaining to the proposal may do so by filing them with the Director, Packers and Stockyards Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., prior to October 10th, 1963.

Done at Washington, D.C., this 30th day of August 1963.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 63-9560; Filed, Sept. 5, 1963;
8:48 a.m.]

[7 CFR Part 362]

FEDERAL INSECTICIDE, FUNGICIDE, AND RODENTICIDE ACT

Notice of Proposed Rule Making

Notice is hereby given in accordance with section 4 of the Administrative

Procedure Act (5 U.S.C. 1003), that the Department of Agriculture, pursuant to section 6 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135d), is considering the revision of the regulations for the enforcement of the Act (7 CFR 362.1 et seq.).

The revision, in general, would strengthen the regulations with respect to labeling requirements, conform the regulations with interpretations and policies followed in administration of the Federal Insecticide, Fungicide, and Rodenticide Act, and clarify certain provisions of the regulations. The principal specific changes that would be made are indicated below.

The use of an appropriate foreign language version of the label, in addition to the English version, would be permitted in areas of the United States where such language is spoken. The requirements regarding legibility and placement of labels are clarified in that specifications regarding size of type to be used in connection with required warnings or cautions are set forth, and provisions are made that the ingredient statement, required warnings or cautions, and designated signal words shall appear on the front part of the label or that part of the label displayed under customary conditions of purchase unless otherwise authorized by the Director. Provision is made that economic poisons shall bear the statement "Keep out of reach of children" and such a signal word as the Director may prescribe. Any claims such as "Safe," "Non-poisonous," "Non-toxic," "Non-injurious," or "Harmless" would not be permitted on the labeling.

The provision concerning determination of economic poisons highly toxic to man reflects certain strengthening of the testing procedures and specifies the number and type of laboratory animals to be used. Provision is also made that registration of any economic poison may be refused if, in the opinion of the Director, directions or warnings cannot be written which would when followed prevent injury to the general public.

The regulation dealing with the handling of experimental compounds is clarified in that authority is provided for the Director to refuse a permit for shipment of an experimental compound for any use that might result in residues on food or feed unless a tolerance or an exemption from the need of a tolerance has been established by the Food and Drug Administration. The revision further provides for certain other restrictions on issuance of experimental permits.

It is proposed to revise the regulations to read as follows:

GENERAL

§ 362.1 Words in singular form.

Words used in the singular form in this subpart shall include the plural, and vice versa, as the case may require.

§ 362.2 Terms defined.

Terms used in this subpart shall have the meanings set forth for such terms in the Act. In addition, as used in this subpart, the following terms shall have the meanings stated below:

(a) *Act*. "Act" means the Federal Insecticide, Fungicide, and Rodenticide Act, as amended.

(b) *Director*. "Director" means the Director of the Pesticides Regulation Division, Agricultural Research Service, United States Department of Agriculture, or any officer or employee to whom he has heretofore lawfully delegated or to whom he may hereafter lawfully delegate the authority to act in his stead.

(c) *Official inspector*. "Official inspector" means any employee or agent of the Department of Agriculture or the Treasury Department authorized by the Director or by the Secretary of the Treasury to make investigations in connection with enforcement of the Act.

(d) *Vertebrate animals*. "Vertebrate animals" means all species of the subphylum vertebrata including domestic vertebrates and vertebrate species of fish and wildlife.

(e) *Invertebrate animals*. "Invertebrate animals" means all forms of animal life other than vertebrate animals, including both domestic and wild species.

§ 362.3 Administration.

The Director is authorized to take such action as, in his discretion, may be necessary in the administration and enforcement of the Act and the regulations in this part.

LABELING

§ 362.4 Labeling required.

Every economic poison shall bear a label containing the information specified in the Act and the regulations in this part.

§ 362.5 Language to be used.

All statements, words, and other information required by the Act or the regulations in this part to appear on the label or labeling of any economic poison shall be in the English language: *Provided*, That shipments of articles intended solely for sale in foreign countries may bear labels or labeling in the appropriate foreign language. The Director may permit the use of an appropriate foreign language version of the label or labeling in addition to the English version on products intended for distribution in areas of the United States where a large percentage of the population does not speak English.

§ 362.6 Labeling.

(a) *Contents of label and labeling*. The label of every economic poison must show, clearly and prominently, the name, brand or trademark under which the product is sold; the name and address of the manufacturer, registrant, or person for whom manufactured; the net contents as prescribed in paragraph (d) of this section; an ingredient statement as prescribed in § 362.7, and an appropriate warning or caution statement as prescribed in § 362.9. The label or labeling of every economic poison must bear

directions for use which are necessary and if complied with, adequate for the protection of the public.

(b) *Placement of label*. The label shall appear on the economic poison or the immediate container thereof. If the immediate container is enclosed within a wrapper or outside container through which the label cannot be clearly read by a person with normal vision, the label must also appear on such outside wrapper or container if it is a part of the retail package. The label need not appear on shipping containers from which the retail package will be removed prior to being displayed or offered for retail sale.

(c) *Name and address of manufacturer, distributor, packer, formulator, or registrant*. An unqualified name and address given on the label shall be considered as the name and address of the manufacturer. If the registrant's name appears on the label and the registrant is not the manufacturer, or if the name of the person for whom the economic poison was manufactured appears on the label, it must be qualified by appropriate wording such as "Packed for * * *" "Distributed by * * *" or "Sold by * * *" to show that the name is not that of the manufacturer. If a person has two or more locations at which an economic poison is manufactured or packaged, or from which it is distributed, the name and address of the person's principal office will be acceptable except in cases where the Director determines that the address of the exact location is necessary for the protection of the public. The address of the manufacturer, registrant, or person for whom manufactured shall include the street address, if any, unless the street address is shown in a current city directory or telephone directory.

(d) *Name, brand, or trade-mark of economic poison*. The name, brand, or trade-mark of the economic poison, appearing on the label shall be that under which the economic poison is registered.

(e) *Net content*.

(1) The net content shall be exclusive of wrappers or other material, and shall be deemed to be average content unless stated as a minimum quantity.

(2) Net content shall be stated in the terms of weight or measure in general use by consumers and users of the type of economic poison to give accurate information as to the quantity of the economic poison. If there is no general use, the net content statement shall be in terms of liquid measure if the product is a liquid, and in terms of weight if it is solid, semi-solid, viscous, or a mixture of liquid and solid. Statements of liquid measure shall be in terms of the United States, gallon, quart, pint, and fluid ounce at 68° F. The statements of weight shall be in terms of avoirdupois pound and ounce. All statements of net content shall be in terms of the largest unit present.

(3) If the contents are stated as a minimum quantity, variation below the stated quantity is not permissible and variation above shall not be unreasonably large.

(4) If the contents are not stated as a minimum quantity, variation shall be

permitted only to the extent that it represents deviations unavoidable in good packing practice. The average quantity in the packages in a shipment shall not fall below the average quantity stated, nor shall there be any unreasonable variation from the average in the contents of any package.

(f) *Legibility of label and labeling*. All words, statements, graphic representations, or designs required by the regulations in this part to appear on the label or labeling must be clearly legible and easy to read by a person with normal vision. The signal word and the statement "Keep out of reach of children" prescribed in § 362.9(a) shall be of a size bearing a reasonable relationship to the other type on the front part of the label and to the size of the container. The signal word shall not be less than 18 point type and the said warning statement shall not be less than 12 point type, unless the label space on the container is too small to accommodate such type sizes in which case the Director shall prescribe the type sizes. When the size of the label space requires a reduction in type size, the reduction shall be made to a size no smaller than is necessary and in no event to a size smaller than 6 point type.

§ 362.7 Ingredient statement.

(a) *Location of ingredient statement*. The ingredient statement must appear on the front panel or that part of the label displayed under customary conditions of purchase, except in rare cases where the Director determines that, due to the size or form of the container, a statement on that portion of the label is impracticable, and permits such statement to appear on another side or panel of the label. Regardless of the placement of the ingredient statement on the label, it shall be sufficiently prominent and in type size which can be easily read by a person with normal vision. The ingredient statement must run parallel with other printed matter on the panel of the label on which it appears and must be on a clear contrasting background not obscured or crowded.

(b) *Names of ingredients*. The common name of each of the listed ingredients must be given or, if an ingredient has no common name, the correct chemical name as accepted by the editors of "Chemical Abstracts" published by the American Chemical Society. If there is no common name and the chemical composition is complex, the Director may permit the use of a new or coined name which he finds to be appropriate for the information and protection of the user. If the use of a new or coined name is permitted, the Director may prescribe the terms under which it may be used. A trade-mark or trade name shall not be used as the name of an ingredient except when it has become a common name.

(c) *Percentages of ingredients*. Percentages of ingredients shall be determined by weight and the sum of the percentages of the ingredients shall be 100. Sliding scale forms of ingredient statements shall not be used.

(d) *Designation of ingredients*.

(1) Active ingredients and inert ingredients shall be so designated, and the term "inert ingredients" shall appear in the same size type and be equally as prominent as the term "active ingredients."

(2) If the name but not the percentage of each active ingredient is given, the names of the active and inert ingredients shall, respectively, be shown in the descending order of the percentage of each present in each classification and the name of each ingredient shall be given equal prominence.

(e) *Active ingredient content.* As long as an economic poison is subject to the Act the percentages of active ingredients in the economic poison shall be those declared in the ingredient statement.

§ 362.8 Economic poisons highly toxic to man.

Oral toxicity and inhalation toxicity tests shall be conducted on both rodent and nonrodent species of animals. Skin absorption toxicity tests shall be conducted on rabbits, unless testing on another species of animal is authorized by the Director. Economic poisons which fall within any of the following categories when tested on laboratory animals as specified in this section, are highly toxic to man or contain substances or quantities of substances highly toxic to man within the meaning of the Act (such economic poisons being hereinafter in this part referred to as economic poisons highly toxic to man): *Provided, however,* That the Director may, upon application and after opportunity for hearing, exempt any economic poison which is in any of these categories, but which is not in fact highly toxic to man, from the requirements of the Act and the regulations in this part with respect to economic poisons highly toxic to man:

(a) *Oral toxicity.* Economic poisons which produce death within 14 days in half or more than half of the test animals of either species at a dosage of 50 milligrams at a single dose, or less, per kilogram body weight when administered orally to ten or more animals of the rodent species, such as, rats, mice, rabbits, or guinea pigs, and eight or more of a non-rodent species, such as dogs or cats.

(b) *Toxicity on inhalation.* Economic poisons which produce death within 14 days in half or more than half of the test animals of either species at a dosage of 2,000 micro-grams of a dust or mist product per liter of air, or 200 parts per million by volume of a gas or vapor, when administered by continuous inhalation for one hour or less to ten or more animals of the rodent species, such as rats, mice, rabbits, or guinea pigs, and eight or more of a non-rodent species, such as dogs or cats.

(c) *Toxicity by skin absorption.* Economic poisons which produce death within 14 days in half or more than half of the test animals tested at a dosage of 200 milligrams or less per kilogram of body weight when administered by continuous contact with the bare skin for 24 hours or less to ten or more animals.

(d) *Toxicity based on human experience.* If the Director finds, after opportunity for hearing, that available data on human experience with any economic poison indicate a toxicity greater than that determined from the above described tests on animals, the human data shall take precedence and, if he finds that the protection of the public health so requires, the Director shall declare such an economic poison to be highly toxic to man for the purposes of this Act and the regulations thereunder.

§ 362.9 Warning or caution statement.

Warning or caution statements, which are necessary to prevent injury to living man and useful vertebrate animals, useful vegetation, and useful invertebrate animals, must appear on the label in a place sufficiently prominent to warn the user, and must state clearly and in non-technical language the particular hazard involved in the use of the economic poison, e.g., ingestion, skin absorption, inhalation, inflammability or explosion, and the precautions to be taken to avoid accident, injury, or damage.

(a) The label of every economic poison shall bear warnings or cautions which are necessary for the protection of the public, including the statement, "Keep out of reach of children," and a signal word such as "Poison," "Danger," "Warning," or "Caution" as the Director may prescribe, on the front panel or that part of the label displayed under customary conditions of purchase: *Provided, however,* The Director may permit reasonable variations in the placement of that part of the required warnings and cautions other than the statement "Keep out of reach of children" and the required signal word, if in his opinion such variations would not be injurious to the public. If an economic poison is marketed in channels of trade where the likelihood of contact with children is extremely remote, the Director may waive the requirement of the statement "Keep out of reach of children" if in his opinion such a statement is not necessary to prevent injury to the public.

(b) The label of every economic poison which is highly toxic to man as described in § 362.8 shall bear the word "Poison" in red on a contrasting background in immediate proximity to the skull and crossbones and an antidote statement including directions to call a physician immediately, on the front panel or that part of the label displayed under customary conditions of purchase: *provided, however,* The Director may permit reasonable variations in the placement of the antidote statement if some reference such as "See antidote statement on back panel" appears on the front panel near the word "Poison" and the skull and crossbones.

REGISTRATION

§ 362.10 Registration.

(a) *Eligibility.* Any manufacturer, packer, seller, distributor, or shipper of an economic poison is eligible to apply for registration of such economic poison.

(b) *Effect of registration.* If an economic poison is registered under the Act no further registration under the Act

by other persons is required: *Provided,* That—

(1) The product is in the manufacturer's or registrant's original unbroken immediate container; and

(2) The claims made for it and the directions for its use do not differ from the representations made in connection with registration; and

(3) The product contains the labeling accepted in connection with registration or otherwise complies with the Act.

(c) *Procedure for registration.* Applications for registration should be addressed to Pesticides Regulation Division, Agricultural Research Service, United States Department of Agriculture, Washington, D.C., 20250. Application forms will be furnished upon request. All applications for registration shall be accompanied by duplicate copies of the proposed labeling, including all printed or graphic matter which is to accompany the economic poison at any time and, if requested by the Director, a full description of the tests made and the results thereof upon which the claims for the economic poison are based, together with such other information as may be necessary to assure compliance with the Act and the regulations in this part. If any part of the proposed labeling submitted is in a foreign language, it shall be accompanied by an accurate and complete English translation. Applications should be submitted as far in advance as possible, and at least 30 days, before it is desired that registration take effect. However, the period of time required to process applications to determine the adequacy of the proposed labeling may exceed 30 days in some cases. Applications which require consultation with other governmental agencies will take a longer period of processing. No fees are charged for registration.

(d) *Effective date of registration.* Registration of an economic poison shall become effective on the date the notice of registration is issued.

(e) *Responsibility of a registrant.* The registrant is responsible for the accuracy and completeness of all information submitted in connection with his application for registration of an economic poison.

(f) *Changes in labeling or formulas.*

(1) Changes in the labeling or changes in the formula of a registered economic poison must be submitted in advance to the Pesticides Regulation Division, Agricultural Research Service, United States Department of Agriculture, Washington, D.C., 20250. The registrant must describe the exact changes desired and the proposed effective date and, upon request, shall submit a description of tests which justify such changes.

(2) After the effective date of a change in labeling or formula, the product shall be marketed only under the new claims or formula: *Provided, however,* The Director may permit a reasonable time for the disposition of stocks of the discontinued product, if in his opinion such an extension would not endanger the public.

(g) *Claims must conform to registration.* Claims made for an economic poison must not differ from representations made in connection with registra-

tion, including representations with respect to effectiveness, ingredients, directions for use, or pests against which the product is recommended.

(h) *Duration of registration.* If at any time it does not appear to the Director that the economic poison is such as to warrant the proposed claims for it or if the economic poison and its labeling and other material required to be submitted do not comply with the provisions of the Act, the Director shall notify the registrant of the facts involved and afford him an opportunity to correct the labeling so as to comply with the Act. If after a reasonable period of time, the registrant has not corrected the labeling, the Director may cancel the registration under the provisions of section 4c of the Act. Unless canceled in accordance with this paragraph or with the acquiescence of the registrant, or unless continued in effect in accordance with the provisions of paragraph (i) of this section, the registration of an economic poison shall be cancelled at the end of a period of five years following the date of registration of such economic poison, or at the end of five years following the date of any subsequent registered change in formula or labeling, or at the end of five years following the date of any continuance of registration pursuant to paragraph (i) of this section: *Provided, however,* That prior to any such cancellation the Pesticides Regulation Division shall send to the registrant a notice of intent to cancel, and, in the event such notice is not sent to the registrant 30 days prior to the expiration of the five-year period, the registration shall remain in effect until 30 days following the date such notice has been sent to the registrant at his latest address submitted to the Pesticides Regulation Division.

(i) *Continuance of registration.* If a registrant desires to continue the registration in effect, he shall notify the Pesticides Regulation Division in writing and it shall be continued in effect under the same terms as the original registration: *Provided, however,* That if, on the basis of information available at the time, it appears that the product or its labeling fails to comply with the Act, the registrant shall be so notified and afforded the opportunity to make the necessary corrections. If the corrections are not made, registration will be cancelled as provided in section 4c of the Act.

(j) *Limitations on registrations.* The Director may refuse to register any economic poison or any specific use thereof, if in his opinion, directions and warnings cannot be written which will, when followed, prevent injury to the general public. If, however, such an economic poison is proposed for certain acceptable uses, the Director may require the label to bear a warning against specific unacceptable uses such as in the home or home garden.

GUARANTEES

§ 362.11 Guarantee of economic poison.

(a) *By whom given; Effect of guarantee.* Any manufacturer, distributor, wholesaler, or other person residing in the United States may furnish to any

person to whom he sells an economic poison a guarantee that the economic poison was lawfully registered at the time of sale and delivery to such person, and that the economic poison complies with all the requirements of the Act and of the regulations in this part. The Act provides that penalties for violation of section 3a of the Act shall not apply to a person who establishes that he has received a guarantee as specified in the Act.

(b) *Reference to guarantee.* No reference to a guarantee or suggestion that such a guarantee has been given shall be made in the labeling of any economic poison.

(c) *Contents of guarantee.* In order to afford effective protection, each guarantee must:

(1) Be signed by and contain the name and address of the person giving it; and

(2) State that the economic poison was lawfully registered at the time of sale and delivery and that it complies with all other requirements of the Federal Insecticide, Fungicide, and Rodenticide Act.

(d) *Scope of guarantee.* A guarantee may be (1) limited to a specific shipment or other delivery of a product, in which case it shall be a part of or attached to the invoice or bill of sale covering such shipment or delivery, or (2) general and continuing, in which case, in its application to any shipment or other delivery of a product it shall be considered to have been given at the date when such product was shipped or delivered by the person giving the guarantee.

(e) *Expiration of guarantee.* Any guarantee shall expire when the product is repacked or relabeled by the purchaser or when it becomes in violation of the Act or the regulations in this part after shipment or other delivery by the person who gave such guarantee.

(f) *Forms of guarantee.* The following are suggested forms of guarantee:

(1) *Limited form for use on invoice or bill of sale.*

----- hereby guarantees
(Name of guarantor)
that the economic poison herein listed is lawfully registered with the Secretary of Agriculture and that the same complies with all requirements of the Federal Insecticide, Fungicide, and Rodenticide Act.

(Signature and post office address of guarantor)

(Date)
(2) *General and continuing form.*
The economic poisons comprising each shipment or other delivery hereafter made by -----, to or on the order of
(Name of guarantor)

----- are hereby
(Name and address of person receiving guarantee)
guaranteed to be lawfully registered with the Secretary of Agriculture and to comply with all requirements of the Federal Insecticide, Fungicide, and Rodenticide Act, as of the date of such shipment or delivery.

(Signature and post office address of guarantor)

(Date)

COLORATION OF ECONOMIC POISONS

§ 362.12 Coloration and discoloration.

The white economic poisons herein-after named shall be colored or discolored in accordance with this section. The hues, values, and chromas specified are those contained in the Munsell Book of Color, Munsell Color Company, 10 East Franklin Street, Baltimore, Maryland.

(a) *Coloring agent.* The coloring agent must produce a uniformly colored product not subject to change in color beyond the requirements specified in the regulations in this part during ordinary conditions of marketing or storage, and must not cause the product to be ineffective or result in its causing damage when used as directed.

(b) *Arsenicals and barium fluosilicate.* Standard lead arsenate, basic lead arsenate, calcium arsenate, magnesium arsenate, zinc arsenate, zinc arsenite, and barium fluosilicate shall be colored any hue, except the yellow-reds and yellows, having a value of not more than 8 and a chroma of not less than 4, or shall be discolored to a neutral lightness value not over 7.

(c) *Sodium fluoride and sodium fluosilicate.* Sodium fluoride and sodium fluosilicate shall be colored blue or green having a value of not more than 8 and a chroma of not less than 4, or shall be discolored to a neutral lightness value not over 7.

(d) *Exceptions.*
(1) Notwithstanding the provisions of paragraphs (b) and (c) of this section, the Director, after opportunity for hearing, may permit other hues to be used for any particular purpose if he determines that use of the prescribed hues is not feasible for such purpose and that such action will not be injurious to the public.

(2) Any economic poison specified in this part which is intended solely for use by a textile manufacturer or commercial laundry, cleaner or dyer as a moth-proofing agent, which would not be suitable for such use if colored and which will not come into the hands of the public except when incorporated into a fabric may be exempted by the Director from the requirements of section 3a(4) of the Act and the requirements of this section.

(3) The economic poison sodium fluoride shall be exempt from the requirements of section 3a(4) of the Act and paragraph (c) of this section when (i) it is intended for use as a fungicide solely in the manufacture or processing of rubber, glue, or leather goods; (ii) coloration of the economic poison in accordance with said requirements will be likely to impart objectionable color characteristics to the finished goods; (iii) the economic poison will not be present in such finished goods in sufficient quantities to cause injury to any person; and (iv) the economic poison will not come into the hands of the public except after incorporation into such finished goods.

ADULTERATION AND MISBRANDING

§ 362.13 Adulteration.

An economic poison is adulterated if, upon analysis, it is found that any active ingredient listed on the label is not

present in the amount represented in the ingredient statement; or if it is found that any ingredient has been added which will affect the effectiveness of the product as an economic poison and will increase its toxicity.

§ 362.14 Misbranding.

An economic poison or device is misbranded if the article or its labeling is false or misleading to the public in any particular.

(a) Examples of false or misleading representations in the labeling of an economic poison or device which render it misbranded are the following:

(1) A false or misleading statement concerning composition of the product.

(2) A false or misleading statement concerning the effectiveness of the product as an economic poison or device.

(3) A false or misleading statement about the value of the product for purposes other than as an economic poison or device.

(4) A false or misleading comparison with other economic poisons or devices.

(5) A false or misleading representation as to the safety of the economic poison or its ingredients, including a statement such as "Safe," "Non-poisonous," "Non-toxic," "Non-injurious," or "Harmless" with or without such a qualifying phrase as "When used as directed."

(6) Any statement directly or indirectly implying that the economic poison or device is recommended or endorsed by any agency of the Federal Government.

(7) The name of an economic poison which contains two or more principal active ingredients if it suggests the name of one or more but not all such principal active ingredients even though the names of the other ingredients are stated elsewhere in the labeling.

(8) Prominent reference in the labeling to one or more active ingredients without giving their percentages in immediate proximity thereto or without giving equal prominence to the other active ingredients or to the inert ingredients.

(9) A true statement used in such a way as to give a false or misleading impression to the purchaser.

(b) *Justification of false and misleading statements not permitted.*

(1) The use of any false or misleading statement on any part of the labeling, given as the statement or opinion of any person or based upon such statement or opinion, shall not be justified by the fact that the statement or opinion is actually that of such person.

(2) The use of a false or misleading statement in the labeling cannot be justified by an explanatory statement.

ENFORCEMENT

§ 362.15 Enforcement.

(a) *Collection of samples.* Samples of economic poisons and devices shall be collected by official inspectors or by any employee of the Federal Government, or of a State or Territory, or political subdivision thereof who has been duly designated as an official inspector by the Director.

(b) *Examination of samples.* Methods of examination of samples shall be those adopted and published by the Association of Official Agricultural Chemists, where applicable, or such other methods as the Director may find necessary to determine whether the product complies with the law.

(c) *Notice of apparent violation.*

(1) If, from an examination or analysis, an economic poison or device appears to be in violation of the Act, a notice in writing shall be sent to the person against whom criminal proceedings are contemplated, giving him 20 days within which to offer such written explanation as he may desire. The notice shall state the manner in which the sample fails to meet the requirements of the Act and the regulations thereunder.

(2) Any such person may, in addition to his reply to such notice, file within 20 days of its receipt a written request for an opportunity to present his views orally in connection therewith.

(3) No notice or hearing is required prior to the seizure of any economic poison or device.

§ 362.16 Notices of judgment.

Publication of notices of judgments of the courts in cases arising under the criminal or seizure provisions of the Act shall be made in the form of notices, circulars, or bulletins as the Director may prescribe.

PERMITS FOR EXPERIMENTAL USE

§ 362.17 Shipments for experimental use.

(a) *Articles for which no permit is required.*

(1) A substance or mixture of substances being put through tests in which the purpose is only to determine its value for economic poison purposes or to determine its toxicity or other properties, and where the user does not expect to receive any benefit in pest control from its use, is not considered an economic poison within the meaning of section 2a of the Act. Therefore, no permit under the Act is required for its shipment.

(2) An economic poison shipped or delivered for experimental use by or under the supervision of any Federal or State agency authorized by law to conduct research in the field of economic poisons shall not be subject to the provisions of the Act and the regulations in this part.

(b) *Articles for which permit is required.*

(1) An economic poison shipped or delivered for experimental use by qualified persons but not under the supervision of a Federal or State agency authorized by law to conduct research in the field of economic poisons, for which a permit has been issued by the Director pursuant to the provisions of this section, shall otherwise be exempt from the provisions of the Act and of the regulations in this part. Permits will be of two types, specific and general. A specific permit will be issued to cover a particular shipment on a specified date to a named person. A general permit will be issued to cover more than one

shipment over a period of time to different persons.

(2) If an economic poison is to be tested for a use which is likely to result in a residue on or in food or feed, a permit for shipment will be issued only when:

(i) The food or feed product will not be used for food or feed except for laboratory or experimental animals, or

(ii) Sufficient data are submitted to show that no illegal residue will be present on food or feed derived from the experimental program or

(iii) A tolerance or exemption from the need of a tolerance, or a temporary tolerance or a temporary exemption from the need of a tolerance, has been established by the Food and Drug Administration to cover any detectable residue which may be present on food or feed derived from the experimental program.

(3) A permit for shipment of any experimental economic poison for testing in any place likely to be frequented by people will be granted only if it is clearly shown in the application for such permit that the applicant's instructions for use reasonably assure the avoidance of injury to all persons concerned.

(4) All applications for permits covering shipments for experimental use shall be filed in duplicate with the Pesticides Regulation Division, Agricultural Research Service, United States Department of Agriculture, Washington, D.C., 20250, and must be signed by the shipper and must contain the following:

(i) Name and address of the shipper and place or places from which the shipment will be made.

(ii) Proposed date of shipment or proposed shipping period not to exceed one year.

(iii) A statement of the composition of material to be covered by the permit which should apply to a single material or group of closely allied formulations of the material.

(iv) A statement of the approximate quantity of material to be shipped.

(v) Available data or information, or reference to available data or information, on the toxicity of the economic poison.

(vi) A statement of the nature of the proposed experimental program, including designation of the type of pests or organisms to be experimented with, the crops or animals on which the economic poison is to be used, a statement of the dates during which the proposed experimental program will be conducted, and the states or geographical areas where it is proposed to conduct the program, and including the results of previous tests where necessary to justify the issuance of a permit for the quantity requested.

(vii) An affidavit to the effect that food or feed derived from the experimental program will not be used or offered for consumption or sale for consumption, except by laboratory or experimental animals until acceptable analytical data are furnished to the Department to show that no residues are present in or on such food or feed or that the residues present are within the tolerance or temporary tolerance limits

established by the Food and Drug Administration.

(viii) The percentage of the total quantity of material specified under subdivision (iv) of this subparagraph which will be supplied without charge to the user.

(ix) A statement that the economic poison is intended for experimental use only.

(x) Proposed labeling which must bear (a) the prominent statement "For Experimental Use Only" on the container label and any accompanying circular or other labeling, (b) a warning or caution statement if in the opinion of the Director it is necessary, which statement shall, if complied with, be adequate in his opinion, for the protection of those who may handle or be exposed to the experimental formulations, (c) the name and address of the applicant for the permit, (d) the name or designation of the formulation, and (e) an ingredient statement as prescribed in § 362.7.

(5) The Director may limit the quantity of economic poison covered by a permit to such less quantity than requested as he may determine if the available information on effectiveness, or toxicity or other hazards, is not sufficient to justify the scope of experimental use proposed in the application, or may make such other limitations in the permit as he may determine to be necessary for the protection of the public.

(6) An economic poison shipped under a permit shall not be offered for general retail sale.

(c) *General permit for economic poisons for experimental use which are also subject to the new drug requirements of the Federal Food, Drug, and Cosmetic Act.*

(1) Notwithstanding the provisions of paragraph (b) of this section, a general permit is hereby issued under section 7.a.(4) of the Act to the manufacturers and shippers of economic poisons for experimental use only, to ship such economic poisons: *Provided*, (i) That the product is a "new drug" within the meaning of section 201(p) and 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. sec. 321(p) and sec. 355); (ii) That it is subject to, and the manufacturer or shipper complies with, the provisions of section 505(i) of said Act (21 U.S.C. sec. 355(i)) and § 130.3 of the regulations (21 CFR 130.3) thereunder; and (iii) That the documents referred to in said § 130.3 shall be made available for inspection upon the request of any officer or employee of the Agricultural Research Service of the United States Department of Agriculture at any reasonable time within three years after the introduction of the product into interstate commerce.

(2) The general permit referred to in the preceding paragraph shall apply only insofar as the experimental uses are for drug purposes within the meaning of the Federal Food, Drug, and Cosmetic Act. It shall not apply to other experimental uses even though the product may be intended for both drug and nondrug uses.

(d) *Cancellation of permits.* Any permit for shipment for experimental

use may be canceled at any time for any violation of the terms thereof or if it shall appear to the Director that the permit should be canceled for the protection of the public.

DECLARATION OF PESTS

§ 362.25 Forms of plant and animal life and viruses declared to be pests.

(a) Each of the following forms of plant and animal life and viruses is declared to be a pest under the Act when it exists under circumstances that make it injurious to plants, man, domestic animals, other useful vertebrates, useful invertebrates, or other articles or substances:

- Mammals, including but not limited to dogs, cats, moles, bats, wild carnivores, armadillos, and deer;
- Birds, including but not limited to starlings, English sparrows, crows, and blackbirds;
- Fishes, including but not limited to the jawless fishes such as the sea lamprey, the cartilaginous fishes such as the sharks, and the bony fishes such as the carp;
- Amphibians and reptiles, including but not limited to poisonous snakes;
- Aquatic and terrestrial invertebrates, including but not limited to slugs, snails, and crayfish;
- Roots and other plant parts growing where not wanted;
- Viruses, other than those on or in living man or other animals.

Any interested person who wishes to submit written data, views, or arguments concerning the proposed revision of the regulations may do so by filing them with the Director, Pesticides Regulation Division, Agricultural Research Service, United States Department of Agriculture, Washington, D.C., 20250, not later than 60 days after publication of this notice in the FEDERAL REGISTER.

Done at Washington, D.C., this 3d day of September 1963.

M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 63-9541; Filed, Sept. 4, 1963;
8:50 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 19]

GRATED AMERICAN CHEESE FOOD

Notice of Proposal To Amend Standard of Identity

The standard of identity for grated American cheese food (21 CFR 19.790) was promulgated by an order ruling on proposals filed by the Borden Company, New York, New York (22 F.R. 4323). Before this order became effective, Kraft Foods Division of National Dairy Products Corporation filed objections to essential provisions in the standard and requested a public hearing. The order was stayed in its entirety (22 F.R. 7783). The Borden Company, on the basis of

the analogy of grated American cheese food to pasteurized process cheese food (21 CFR 19.765), now petitions to have § 19.790, the standard of identity for grated American cheese food, amended as follows:

1. By changing the basis and the minimum percentage, as set out in paragraph (a) of § 19.790, for prescribing the milk fat requirement from 28 percent on the dry solids basis to 23 percent on the over-all weight of the finished food basis.

2. By changing the listing of optional ingredients as set out in paragraph (c) of § 19.790 to include dried whey and those emulsifying ingredients and acidifying ingredients permitted by paragraph (e) (1) and (2) of § 19.765 to be used in pasteurized process cheese food.

The attorney for the Kraft Foods Division, having been advised of the amendments proposed by the Borden Company, has withdrawn Kraft's objections and the request for a hearing.

Since the amendments now proposed by the original petitioner meet the exceptions of the parties filing objections, it is concluded that no purpose will be served by scheduling a public hearing on the objections. Accordingly, under authority of the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and pursuant to the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625), notice is hereby given that it is proposed to amend paragraphs (a) (2) and (c) of the standard of identity for grated American cheese food. As amended, § 19.790 will read as follows:

§ 19.790 Grated American cheese food; identity; label statement of optional ingredients.

(a) (1) Grated American cheese food is the food prepared by mixing, with or without the aid of heat, one or more of the optional cheese ingredients prescribed in paragraph (b) of this section, with one or more of the optional ingredients prescribed in paragraph (c) of this section, into a uniformly blended, partially dehydrated, powdered or granular mixture.

(2) Grated American cheese food contains not less than 23 percent of milk fat, as determined by the methods prescribed in § 19.500(c).

(b) The optional cheese ingredients referred to in paragraph (a) of this section are cheddar cheese, washed curd cheese, colby cheese, and granular cheese.

(c) The other optional ingredients referred to in paragraph (a) of this section are:

- (1) Nonfat dry milk.
- (2) Dried whey.
- (3) An emulsifying agent consisting of one or any mixture of two or more of the emulsifying ingredients named in § 19.765(e) (1), of this chapter, in such quantity that the weight of the solids thereof is not more than 3 percent of the weight of the grated American cheese food.
- (4) An acidifying agent consisting of one or more of the acid-reacting ingredi-

ents named in § 19.765(e)(2) of this chapter.

(5) Salt.

(6) Artificial coloring.

(d) (1) The label of grated American cheese food shall bear the common name of the optional ingredients used as prescribed in paragraphs (b) and (c) (1), (2), (3), (4), and (5) of this section, except that the cheese ingredient may be designated as "American cheese."

(2) If artificial coloring is used, the label shall bear the statement "artificially colored" or "contains artificial color."

(e) Wherever the name of the food appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements specified in this section, showing the optional ingredients used, shall immediately and conspicuously precede or follow such name, without intervening written, printed, or graphic matter.

All interested persons are invited to submit their views in writing regarding the proposal published herein. Such views and comments should be submitted preferably in quintuplicate, to the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., prior to the thirtieth day following the date of publication of this notice in the FEDERAL REGISTER.

Dated: August 30, 1963.

GEO. P. LARRICK,

Commissioner of Food and Drugs.

[F.R. Doc. 63-9546; Filed, Sept. 5, 1963; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-WE-10]

CONTROL ZONES, 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 Red Bluff, Calif., terminal area:

1. The Red Bluff control zone is designated as that airspace within a 5-mile radius of Red Bluff Municipal (Bidwell) Airport.

2. The Redding, Calif., control zone is designated within a 5-mile radius of Redding Municipal Airport, and within 2 miles each side of the Redding VOR 186° True radial, extending from the 5-mile radius zone to 8 miles south of the VOR, excluding the portion within a 1-mile radius of Redding Sky Ranch. This control zone is effective from 0600 to 2100 hours, local time, Monday through Saturday and from 1100 to 2100 hours, local time, Sunday.

3. The Red Bluff control area extension is designated within a 25-mile radius of the Red Bluff VORTAC; within 12 miles southwest and 12 miles northeast of the Red Bluff VORTAC 291° True radial extending from the 25-mile radius area to 50 miles northeast of the VORTAC, and within 12 miles southwest and 12 miles northeast of the Red Bluff VORTAC 342° True radial extending from the 25-mile radius area to 70 miles northwest of the VORTAC.

The FAA, having completed a comprehensive review of the terminal airspace structure requirements in the Red Bluff 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 Red Bluff control zone by redesignating it to comprise that airspace within a 5-mile radius of Bidwell Airport, Red Bluff, Calif. (latitude 40°09'15" N., longitude 122°14'50" W.), and within 2 miles west and 2.5 miles east of the Red Bluff VORTAC 163° True radial, extending from the 5-mile radius zone to 8 miles south of the VORTAC.

2. Alter the Redding control zone by redesignating it to comprise that airspace within a 5-mile radius of Redding Municipal Airport (latitude 40°30'35" N., longitude 122°17'30" W.), and within 2 miles each side of the Redding VOR 192° True radial, extending from the 5-mile radius zone to 8 miles south of the VOR, excluding the portion within a 1-mile radius of Redding Sky Ranch Airport (latitude 40°30'00" N., longitude 122°22'35" W.). This control zone would be effective from 0600 to 2100 hours, Monday through Saturday and from 1100 to 2100 hours, Sunday.

3. Revoke the Red Bluff control area extension and designate the Red Bluff transition area to comprise that airspace extending upward from 700 feet above the surface within a 5-mile radius of Redding Municipal Airport (latitude 40°30'35" N., longitude 122°17'30" W.); and within 2 miles each side of the Redding VOR 192° True radial, extending from the 5-mile radius zone to 10 miles south of the VOR, excluding the portion within a 1-mile radius of Redding Sky Ranch Airport (latitude 40°30'00" N., longitude 122°22'35" W.); and that airspace extending upward from 1,200 feet above the surface within a 20-mile radius of the Red Bluff VORTAC; within 9 miles each side of the Red Bluff VORTAC 291° True radial, extending from the 20-mile radius area to 52 miles northwest of the VORTAC; within 9 miles west and 10 miles east of the Red Bluff VORTAC 342° True radial, extending from the 20-mile radius area to 67 miles north of the VORTAC, and within 10 miles west and 6 miles east of the Red Bluff VORTAC 015° True radial, extending from the 20-mile radius area to 56 miles north of the VORTAC. 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, realign the Redding control zone

south extension on the Redding VOR 192° True radial to coincide with the final approach course specified by the VOR instrument approach procedure. The Red Bluff control zone would be altered by adding a control zone extension south of Red Bluff to provide protection for aircraft executing prescribed VOR and radio range instrument approach procedures at Bidwell Airport. The portion of the proposed Red Bluff 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 Redding Airport during the time the Redding control zone is not effective. The portion of the proposed transition area with a floor of 1,200 feet above the surface would provide protection for aircraft executing the higher portions of prescribed instrument approach, departure, holding and radar vectoring procedures within the Red Bluff terminal area.

Certain minor revisions to prescribed instrument procedures would accompany the action 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, Calif., 90009.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009. 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, D.C., 20553. 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, D.C., 20553. 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 August 30, 1963.

MICHAEL J. BURNS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9525; Filed, Sept. 5, 1963;
8:45 a.m.]

[14 CFR Part 75 [New]]

[Airspace Docket No. 63-WA-61]

JET ROUTE

Proposed Revocation

The Federal Aviation Agency (FAA) is considering an amendment to Part 75 [New] of the Federal Aviation Regulations, the substance of which is stated below.

Jet Route No. 33 is presently designated from Lake Charles, La., to Kansas City, Mo., via Shreveport, La., and Springfield, Mo. The FAA is considering the revocation of this jet route. An FAA IFR peak-day airway traffic survey for the period July 1, 1962, through June 30, 1963, shows only one movement on J-33. Therefore, it appears that the retention of J-33 is unjustified as a route assignment within the continental control area. Accordingly, the FAA proposes to revoke J-33 in its entirety.

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, D.C., 20553. 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, D.C., 20553.

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 August 30, 1963.

MICHAEL J. BURNS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9526; Filed, Sept. 5, 1963;
8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-SW-22]

TRANSITION AREA

Alteration of Proposal; Supplemental Notice

In a notice of proposed rule making published in the FEDERAL REGISTER on June 4, 1963 (28 F.R. 5480) it was stated, in part, that the Federal Aviation Agency proposed to designate a transition area at Plainview, Tex.

Subsequent to the publication of the notice, a review of the controlled airspace requirements in the Plainview terminal area indicates a requirement for a 700-foot floor transition area within a 5-mile radius of the Hale County Airport in addition to the 1,200-foot floor area proposed in the notice. This additional controlled airspace would provide protection for aircraft executing prescribed approach and departure procedures below 1,500 feet above the surface at the Hale County Airport. In addition, revision of prescribed holding procedures requires alteration of the proposed 1,200-foot area by deleting that portion based on the Lubbock, Tex., VORTAC 008° True radial and substituting the Plainview VOR 006° and 186° True radials. No change would be made to the Plainview control zone.

Accordingly, the notice is hereby amended to propose the Plainview transition area as that airspace extending upward from 700 feet above the surface within a 5-mile radius of the Hale County Airport (latitude 34°10'10" N., longitude 101°43'00" W.); and that airspace extending upward from 1,200 feet above the surface within 8 miles west and 5 miles east of the Plainview VOR 354° and 174° True radials, extending from 7 miles south to 13 miles north of the VOR; within 8 miles southeast and 5 miles northwest of the Plainview VOR 214° and 034° True radials, extending from 7 miles northeast to 13 miles southwest of the VOR; and within 8 miles west and 5 miles east of the Plainview VOR 006° and 186° True radials, extending from 7 miles south to 13 miles north of the VOR.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the date for filing such material is extended to 30 days after the date of publication in the FEDERAL REGISTER of this supplemental notice.

Communications should be submitted to the Director, Southwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth, Tex., 76101.

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 August 30, 1963.

MICHAEL J. BURNS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-9526; Filed, Sept. 5, 1963;
8:45 a.m.]

[14 CFR Part 507]

[Regulatory Docket No. 1928]

AIRWORTHINESS DIRECTIVES

Bendix Type 9054 Fuel Flow Transmitters

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator by amending Airworthiness Directive 63-9-1, Amendment 560, 28 F.R. 4164, requiring replacement or modification of Bendix (Eclipse-Pioneer) Type 9054 fuel flow transmitters because of magnet bore failures. Since the issuance of Amendment 560, it has been learned that Type 9054 transmitters are used in units carrying other manufacturers' identification. It is proposed to amend the directive to include all known transmitters of Type 9054 identified with other manufacturers' designations.

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, D.C., 20553. All communications received on or before October 8, 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), as follows:

Amendment 560, 28 F.R. 4164, AD 63-9-1, Bendix (Eclipse-Pioneer) Type 9054 fuel flow transmitters, is amended by:

1. Changing the applicability statement to read:

Applies to all aircraft equipped with Bendix (Eclipse-Pioneer) Type 9054 fuel flow transmitters or with certain Beech P/N 414-180204 fuel flow transmitters or Garwin P/N 8007 fuel flow transmitters.

2. Changing the compliance statement to read:

Compliance required for Bendix (Eclipse-Pioneer) Type 9054 transmitters within 150 hours' time in service after the effective date of this AD unless already accomplished and for Beech P/N 414-180204 and Garwin P/N 8007 transmitters within 150 hours' time in service after the effective date of this amendment.

3. Adding the following note at the end of the directive:

NOTE: Bendix 9054 and 9100 transmitters with the Bendix identification removed are

used to make up Beech P/N 414-180824 and Garwin P/N 8007 transmitters. The affected Beech and Garwin transmitters with the 9054 units have a 2.205 inch diameter autosyn housing, while the unaffected units with the 9100 part have a 1.75 inch diameter housing.

Issued in Washington, D.C., on August 28, 1963.

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

[F.R. Doc. 63-9523; Filed, Sept. 5, 1963;
8:45 a.m.]

[14 CFR Part 507]

[Regulatory Docket No. 1929]

AIRWORTHINESS DIRECTIVES

Douglas Model DC-8 Series Aircraft

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive for Douglas Model DC-8 Series aircraft. There have been instances of failure of the landing gear bogie beam due to cracking initiated by corrosion in an area where the paint was found chipped off the bogie beam surface. To correct this unsafe condition, this proposed AD requires inspection of the bogie beam assembly and repair or replacement of any found defective.

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 October 8, 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:

DOUGLAS. Applies to all Model DC-8 Series aircraft.

Compliance required as indicated.

There have been failures of the landing gear bogie beam due to cracking initiated by corrosion in an area where the paint has been chipped off the bogie beam surface. To preclude further failures of this type, accomplish the following on bogie beam assemblies, P/N's 5760635, 5760630, or 5716469:

(a) Within the next 920 hours' time in service as of the effective date of this AD for bogie beam assemblies having more than 1,000 hours' time in service as of the effective date of this AD, and prior to the accumulation of 1,920 hours' time in service for bogie beam assemblies having less than 1,000 hours' time in service as of the effective date of this AD, and thereafter at intervals not to exceed 920 hours' time in service, accomplish the inspection and/or rework outlined in (b).

(b) Conduct a thorough visual inspection of the bogie beam to detect any evidence of nicks, scratches, or impact dents. Replace bogie beams exhibiting such defects before further flight, unless the part can be reworked as specified below.

(1) Repaint nicks, scratches, and impact dents up to 0.005 inch in depth be-

fore further flight. The affected area shall be blended smooth and shot peened prior to accumulation of 6,000 hours' time in service after repainting. Accomplish shot peening as indicated in (b) (4).

(2) Nicks, scratches, and impact dents greater than 0.005 inch in depth but not exceeding 0.030 inch, shall be blended smooth, and repainted before further flight. The reworked area shall be shot peened prior to accumulation of 6,000 hours' time in service after the rework. Accomplish shot peening as indicated in (b) (4).

(3) If bogie beam damage exceeds 0.030 inch in depth, any rework to remove such damage shall be accomplished in accordance with FAA approved Douglas rework procedures or FAA approved equivalent, before further flight.

(4) Shot peening referred to in (b) (1) and (2) shall be accomplished in accordance with DC-8 Overhaul Manual, Chapter 13-3-2, paragraph 3(L), page 13, dated January 15, 1963, or FAA approved equivalent.

(c) Upon request of an operator, an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA Western Region, may adjust the repetitive inspection intervals specified in this AD to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

NOTE: Chemical cleaners, rust removers, or acids should not be used for cleaning parts of the landing gear bogie beam.

Issued in Washington, D.C., on August 28, 1963.

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

[F.R. Doc. 63-9524; Filed, Sept. 5, 1963;
8:45 a.m.]

Notices

DEPARTMENT OF JUSTICE

Office of Alien Property

KURT JACOBSON

Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property and Location

Kurt Jacobson, Hildesheimer Str. 28, Hannover, Germany; Claim No. 64375, Vesting Order No. 10476; \$7,377.14 in the Treasury of the United States.

Executed at Washington, D.C., on August 27, 1963.

For the Attorney General.

[SEAL] ANTHONY L. MONDELLO,
*Deputy Director,
Office of Alien Property.*

[F.R. Doc. 63-9521; Filed, Sept. 5, 1963; 8:45 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[AA 643.3-s]

COPPER SHEETS FROM YUGOSLAVIA

Notice That There Is Reason To Believe or Suspect Purchase Price Is Less or Likely To Be Less Than Foreign Market Value or Constructed Value

AUGUST 30, 1963.

Pursuant to section 201(b) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(c)), notice is hereby given that there is reason to believe or suspect, from information presented to me, that the purchase price of copper sheets imported from Yugoslavia is less, or likely to be less, than the foreign market or constructed value, whichever is applicable, as defined by sections 203, 205, and 206, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162, 164, and 165).

Customs officers are being authorized to withhold appraisement of entries of copper sheets from Yugoslavia pursuant to § 14.9 of the Customs Regulations (19 CFR 14.9).

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

[F.R. Doc. 63-9558; Filed, Sept. 5, 1963; 8:47 a.m.]

Comptroller of the Currency GETTYSBURG NATIONAL BANK AND BIGLERVILLE NATIONAL BANK

Notice of Decision Granting Application To Merge

On June 25, 1963, Gettysburg National Bank, Gettysburg, Pennsylvania, and Biglerville National Bank, Biglerville, Pennsylvania, applied to the Comptroller of the Currency requesting permission to merge under the charter and with the title of the former.

On August 19, 1963, the Comptroller of the Currency granted this application, effective on or after August 26, 1963.

Copies of this decision are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: August 30, 1963.

[SEAL] A. J. FAULSTICH,
*Administrative Assistant to the
Comptroller of the Currency.*

[F.R. Doc. 63-9552; Filed, Sept. 5, 1963; 8:47 a.m.]

HILLIARD BANK AND CITY NATIONAL BANK AND TRUST CO. OF COLUM- BUS

Notice of Decision Granting Application To Merge

On July 10, 1963, Hilliard Bank, Hilliard, Ohio, and City National Bank and Trust Company of Columbus, Columbus, Ohio, applied to the Comptroller of the Currency requesting permission to merge under the charter and with the title of the latter.

On August 21, 1963, the Comptroller of the Currency granted this application, effective on or after August 28, 1963.

Copies of this decision are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: August 30, 1963.

[SEAL] A. J. FAULSTICH,
*Administrative Assistant to the
Comptroller of the Currency.*

[F.R. Doc. 63-9553; Filed, Sept. 5, 1963; 8:47 a.m.]

NATIONAL BANK AND TRUST CO. OF NORWICH AND PEOPLES NA- TIONAL BANK OF MARGARETVILLE

Notice of Decision Granting Application To Merge

On June 4, 1963, The National Bank and Trust Company of Norwich, Norwich, New York, and The Peoples National Bank of Margaretville, Margaretville, New York, applied to the Comptroller of the Currency for permission to merge under the charter and title of the former.

On August 23, 1963, the Comptroller of the Currency granted this application, effective on or after August 30, 1963.

Copies of this decision are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: August 30, 1963.

[SEAL] A. J. FAULSTICH,
*Administrative Assistant to the
Comptroller of the Currency.*

[F.R. Doc. 63-9554; Filed, Sept. 5, 1963; 8:47 a.m.]

SOUTH CAROLINA NATIONAL BANK OF CHARLESTON AND BAMBERG COUNTY BANK

Notice of Decision Granting Application To Merge

On July 22, 1963, the \$295 million South Carolina National Bank of Charleston, Charleston South Carolina, and the \$3.6 million Bamberg County Bank, Bamberg, South Carolina, applied to the Comptroller of the Currency for permission to merge under the charter and title of the former.

On August 26, 1963, the Comptroller of the Currency granted this application, effective on or after September 3, 1963.

Copies of this decision are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: August 30, 1963.

[SEAL] A. J. FAULSTICH,
*Administrative Assistant to the
Comptroller of the Currency.*

[F.R. Doc. 63-9555; Filed, Sept. 5, 1963; 8:47 a.m.]

SOUTH CAROLINA NATIONAL BANK OF CHARLESTON AND CITIZENS STATE BANK

Notice of Decision Granting Application To Merge

On June 26, 1963, the \$293 million South Carolina National Bank of Charleston, Charleston, South Carolina, and the \$2.5 million Citizens State Bank, Bennettsville, South Carolina, applied to the Comptroller of the Currency to merge under the charter and with the title of the former.

On August 23, 1963, the Comptroller of the Currency granted this application, effective on or after August 30, 1963.

Copies of this decision are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: August 30, 1963.

[SEAL] A. J. FAULSTICH,
*Administrative Assistant to the
Comptroller of the Currency.*

[F.R. Doc. 63-9556; Filed, Sept. 5, 1963; 8:47 a.m.]

**VIRGINIA NATIONAL BANK AND
FARMERS EXCHANGE BANK**

**Notice of Decision Granting
Application To Merge**

On July 8, 1963, Virginia National Bank, Norfolk, Virginia, and the Farmers Exchange Bank, Abingdon, Virginia, applied to the Comptroller of the Currency requesting permission to merge under the charter and with the title of the former.

On August 23, 1963, the Comptroller of the Currency granted this application, effective on or after August 30, 1963.

Copies of this decision are available on request to the Comptroller of the Currency, Washington 25, D.C.

Dated: August 30, 1963.

A. J. FAULSTICH,
*Administrative Assistant to the
Comptroller of the Currency.*

[F.R. Doc. 63-9557; Filed, Sept. 5, 1963;
8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Arizona 032841]

ARIZONA

**Notice of Proposed Withdrawal and
Reservation of Lands**

The National Park Service, Department of the Interior, has filed an application, Serial No. AR-032841 for the withdrawal of the lands described below from all forms of appropriation and entry, including the mining and mineral leasing laws, except for applications for exchange to eliminate private holdings from national parks and national monuments under 43 CFR 150.29-150.35.

The applicant desires the lands in furtherance of an exchange of privately-owned lands within Point Reyes National Seashore, State of California, for lands described below, pursuant to the Act of September 13, 1962 (76 Stat. 538; 16 U.S.C. sec. 459c).

For a period of thirty 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, 3022 Federal Building, Phoenix, Arizona, 85025.

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 announced in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

GLA AND SALT RIVER BASE MERIDIAN, ARIZONA

T. 3 N., R. 6 E.,
Sec. 4, All;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;

Sec. 8, All;
Sec. 9, All;
Sec. 17, All;
Sec. 20, E $\frac{1}{2}$, SW $\frac{1}{4}$;
Sec. 21, All;
Sec. 28, All;
Sec. 29, All.

The area described above contains approximately 6,839.75 acres. The lands are situated approximately 15 miles northeast of Phoenix, Arizona, on the eastern slope of the McDowell Mountains.

Dated: August 30, 1963.

FRED J. WEILER,
State Director.

[F.R. Doc. 63-9536; Filed, Sept. 5, 1963;
8:46 a.m.]

CALIFORNIA

**Notice of Amendment and Partial
Termination of Proposed With-
drawal and Reservation of Lands**

AUGUST 27, 1963.

Notice of an application Serial Number Sacramento 076310, for withdrawal and reservation of lands, was published as Federal Register Document No. 63-8938 on page 9215 of the issue for August 21, 1963.

The applicant agency has added the following lands to the application:

MOUNT DIABLO MERIDIAN, CALIFORNIA

MODOC NATIONAL FOREST

Modoc County

A strip of land 150 feet wide on each side of the center line of the named roads through the following described lands:

Forest Service Road No. 44N22-1 and
44N22-A

T. 44 N., R. 5 E.,
Sec. 2, SE $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 9, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 10, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$ N $\frac{1}{2}$;
Sec. 12, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 44 N., R. 6 E.,
Sec. 7, Lots 2, 3, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 17, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$
SE $\frac{1}{4}$;
Sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$.

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 Mall, Sacramento, California, 95814.

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 applicant agency has cancelled its application insofar as it involves the lands described hereinafter. Therefore, pursuant to the regulations contained in Title 43, Code of Federal Regulations, Part 295, such lands will be at 10:00 a.m. on September 30, 1963, relieved of the

segregative effect of the afore-mentioned application:

MOUNT DIABLO MERIDIAN, CALIFORNIA

MODOC NATIONAL FOREST

Modoc County

A strip of land 150 feet wide on each side of the center line of the named roads through the following described lands:

Forest Service Road No. 44N22-1 and
44N22-A

T. 44 N., R. 5 E.,
Sec. 6, Lot 3 and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 8, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 13, W $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 15, SE $\frac{1}{4}$;
Sec. 16, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 17, N $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 21, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 22, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 24, N $\frac{1}{2}$ N $\frac{1}{2}$.
T. 44 N., R. 6 E.,
Sec. 19, Lot 1, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and N $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 20, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$.

JOHN E. CLUTE,
Acting Manager.

Land Office, Sacramento.

[F.R. Doc. 63-9537; Filed, Sept. 5, 1963;
8:46 a.m.]

[NM 0437684]

NEW MEXICO

**Notice of Proposed Withdrawal and
Reservation of Lands**

AUGUST 29, 1963.

Forest Service, U.S. Department of Agriculture has filed an application, Serial Number NM 0437684 for the withdrawal of the lands described below, subject to valid existing rights, from prospecting, location, entry and purchase under the United States mining laws. The applicant desires the land for campgrounds and picnic area.

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, P.O. Box 1251, Santa Fe, New Mexico.

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:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

CIBOLA NATIONAL FOREST

McGaffey Recreation Area

T. 13 N., R. 16 W.,
Sec. 2, SW $\frac{1}{4}$;
Sec. 3, W $\frac{1}{2}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$;
Sec. 4, E $\frac{1}{2}$, NW $\frac{1}{4}$;
Sec. 9, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 11, W $\frac{1}{2}$;

Sec. 14, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$;
 Sec. 15, NE $\frac{1}{4}$.
 T. 14 N., R. 16 W.,
 Sec. 19, E $\frac{1}{2}$;
 Sec. 20, All;
 Sec. 28, N $\frac{1}{2}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 29, E $\frac{1}{2}$, NW $\frac{1}{4}$;
 Sec. 32, NE $\frac{1}{4}$;
 Sec. 33, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 34, SW $\frac{1}{4}$.

The areas described aggregate 4,910 acres.

CHESLEY P. SEELY,
State Director.

[F.R. Doc. 63-9538; Filed, Sept. 5, 1963; 8:46 a.m.]

National Park Service

[Order 1]

SAN JUAN NATIONAL HISTORIC SITE; ADMINISTRATIVE ASSISTANT

Delegation of Authority Regarding Execution of Contracts for Supplies, Equipment or Services

1. *Administrative Assistant.* The Administrative Assistant may execute and approve contracts not in excess of

\$2,500 for supplies, equipment, or services in conformity with applicable regulations and statutory authority and subject to availability of appropriations.

(National Park Service Order No. 14 (19 F.R. 8324); 39 Stat. 535, 16 U.S.C., sec. 2; Southeast Region Order No. 3 (21 F.R. 1495))

JULIO MARRERO NUNEZ,
Superintendent,
San Juan National Historic Site.

AUGUST 12, 1963.

[F.R. Doc. 63-9539; Filed, Sept. 5, 1963; 8:46 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

NEW-DRUG APPLICATIONS

Notice of Approvals

As provided in § 130.33 of the new-drug regulations (21 CFR 130.33; 28 F.R. 6377), notice is given of the following new drugs for which applications have been approved. This list covers new-drug applications approved during the month of June 1963.

Established name (if any) or active ingredients	Trade name	Class of compound	Applicant	Date approved	How dispensed ¹
Drugs for human use: Penicillamine.....	Cuprimine Capsules.	Chelating agent.....	Merck Sharp and Dohme, Division Merck and Co., Inc., West Point, Pa.	Apr. 4, 1963 (inadvertently omitted from Aug. 6, 1963, listing). June 11, 1963.....	Rx
Iodoxuridine.....	Herplex Ophthalmic Solution.	Antiviral agent.....	Allergan Pharmaceuticals, Inc., 1000 South Grand Avenue, Santa Ana, Calif.	June 11, 1963.....	Rx
Meprobamate.....		Tranquilizer.....	Bryant Pharmaceutical Corp., 70 South MacQuesten Parkway, Mount Vernon, N. Y.	June 18, 1963.....	Rx
Meprobamate.....		do.....	American Pharmaceutical Co., 120 Bruckner Boulevard, New York, N. Y.	do.....	Rx
Meprobamate.....		do.....	McKesson Labs., P. O. Box 548, Bridgeport, Conn.	June 19, 1963.....	Rx
Fluocinolone.....	Synalar Ointment.	Corticosteroid.....	Syntex Labs., Inc., 701 Welsh Road, Palo Alto, Calif.	do.....	Rx
Iodoxuridine.....	Stoxil Ophthalmic Solution.	Antiviral agent.....	Smith Kline and French Labs., 1500 Spring Garden Street, Philadelphia, Pa.	June 24, 1963.....	Rx
Iodoxuridine.....	Dendrid.....	do.....	Alcon Labs., Inc., P. O. Box 1959, Fort Worth, Tex.	June 28, 1963.....	Rx
Drugs for veterinary use: Hexetidine.....	Udder Lotion; Udder-Sol.	Anti-infective agent.	Phillips Roxane, Inc., 2400 Frederick Avenue, St. Joseph, Mo.	June 13, 1963.....	OTC

¹ The abbreviation "R," means restricted by law to prescription only; the abbreviation "OTC" applies to drugs which by law are not required to be sold on prescription.

Dated: August 30, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

-9548; Filed, Sept. 5, 1963; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-199]

MANHATTAN COLLEGE CORP.

Notice of Issuance of Provisional Construction Permit

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER, the Atomic Energy Commission has issued Provisional Construction Permit No. CFRR-75 authorizing Manhattan College Corporation to construct on its campus in New York City a tank-type nuclear reactor designed to operate at a maximum thermal power of 0.1 watt.

The permit, as issued, is as set forth in the Notice of Proposed Issuance of Provisional Construction Permit published in the FEDERAL REGISTER August 9, 1963, 28 F.R. 8225, except that the earliest date for completion of the reactor has been changed from August 15, 1963, to August 27, 1963.

Dated at Bethesda, Md., this 27th day of August 1963.

For the Atomic Energy Commission.

ROBERT H. BRYAN,
Chief, Research and Power Reactor Safety Branch, Division of Licensing and Regulation.

[F.R. Doc. 63-9550; Filed, Sept. 5, 1963; 8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI64-105-RI64-109]

DELHI-TAYLOR OIL CORP. ET AL.

Order Accepting Rate Filing in Part, Providing for Hearings on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund¹

AUGUST 27, 1963.

Delhi-Taylor Oil Corporation, Docket No. RI64-105; Western Natural Gas Company, Docket No. RI64-106; Western Natural Gas Company, et al., Docket No. RI64-107; Western Natural Gas Company (Operator), et al., Docket No. RI64-108; Socony Mobil Oil Company, Inc. (Operator), et al., Docket No. RI64-109.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the juris-

¹ This order does not provide for the consolidation for hearing or disposition of the matters covered herein, nor should it be so construed.

diction of the Commission. All of the sales are made at a pressure base of 15.025 psia with the exception of the sale made under Western Natural Gas Company (Operator), et al. FPC Gas Rate Schedule No. 3, which is made at 14.65 psia. The proposed changes which constitute increased rates and charges, are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
R164-105...	Delhi-Taylor Oil Corp., Fidelity Union Tower, Dallas, Tex.	52	3	El Paso Natural Gas Co. (Blanco Field, San Juan County, N. Mex.) (San Juan Basin).	87	7-29-63	⁴ 17 8-29-63	¹⁸ 8-30-63	10.0	⁶ 11.2104	-----
				Southern Union Gathering Co. (Blanco Field, San Juan County, N. Mex.) (San Juan Basin).	9,268	7-29-63	⁴ 16 17 8-29-63	¹⁸ 8-30-63	13.0001	¹² 13.2498	-----
R164-106...	Western Natural Gas Co., Post Office Box 1508, Houston 1, Tex. ³	14	2	El Paso Natural Gas Co. (Blanco and San Juan Fields, San Juan County, N. Mex.) (San Juan Basin).	62	8-12-63	¹⁶ 9-12-63	¹⁸ 9-13-63	⁵ 12.0	² 10 13.2308	-----
R164-107...	Western Natural Gas Co., et al. ³	28	1	El Paso Natural Gas Co. (Dakota Field, San Juan County, N. Mex.) (San Juan Basin).	4	8-12-63	¹⁶ 9-12-63	¹⁸ 9-13-63	² 13.0	² 6 7 13.2295	-----
R164-108...	Western Natural Gas Co. (Operator), et al. ³	29	1	El Paso Natural Gas Co. (Hiway and North Farmington Fields, San Juan County, N. Mex.) (San Juan Basin).	851	8-12-63	¹⁶ 9-12-63	¹⁸ 9-13-63	⁶ 12.0	⁴ 13.2295	-----
				El Paso Natural Gas Co. (Various fields, Lea County, N. Mex.) (Permian Basin).	17,285	8-12-63	¹⁶ 9-12-63	¹⁸ 9-13-63	⁸ 15.55987	⁸ 6 15.8563	RI61-437
				El Paso Natural Gas Co. (Pictured Cliffs and Mesa Verde Fields, San Juan County, N. Mex.) (San Juan Basin).	2,110	8-12-63	¹⁶ 9-12-63	¹⁸ 9-13-63	⁹ 11.0	⁹ 10 11.2116	-----
R164-109...	Socony Mobil Oil Co., Inc. (Operator), et al., 150 East 42d St., New York 17, N.Y.	38	9	El Paso Natural Gas Co. (Jicarilla Area and Regina Area, Rio Arriba County, N. Mex.) (San Juan Basin).	2,142	7-31-63	¹⁶ 17 8-31-63	¹⁸ 9-1-63	¹⁴ 13.0	¹³ 14 13.0469	-----
					143	7-31-63	¹ 17 7-31-63	-----	¹⁵ 11.0	¹³ 15 11.0397	-----

¹ Date of filing.
² Includes 1.0 cent per Mcf minimum guarantee for liquids.
³ El Paso Natural Gas Co. owns 19 percent of Western Natural Gas Co.'s voting stock.
⁴ Requests waiver of 30-day notice.
⁵ Exclusive of 1.0 cent per Mcf minimum guarantee for liquids.
⁶ Reflects partial reimbursement for full 2.55 percent New Mexico Oil and Gas Emergency School Tax.
⁷ Tax reimbursement computed on basis of 12.0 cents per Mcf.
⁸ Subject to 0.4467 cent per Mcf deduction by buyer for compression.
⁹ For gas produced from Pictured Cliffs formation.
¹⁰ Reflects partial reimbursement for full 2.55 percent New Mexico Oil and Gas Emergency School Tax plus 0.015 percent increase in Conservation Tax.

¹¹ For gas produced from Mesa Verde formation.
¹² Reflects partial reimbursement of full 2.55 percent New Mexico Oil and Gas Emergency School Tax (0.2486 cent per Mcf) plus partial reimbursement for portion of balance of increase in Conservation Tax (0.0011 cent per Mcf).
¹³ Reflects partial reimbursement for 0.55 percent increase in New Mexico Oil and Gas Emergency School Tax.
¹⁴ High-pressure gas (above 500 psig).
¹⁵ Low-pressure gas (below 500 psig) from certain Pictured Cliffs formation wells in Jicarilla Area.
¹⁶ The stated effective date is the 1st day after expiration of the required statutory notice.
¹⁷ Requests 4-1-63, effective date of increase in New Mexico Oil and Gas Emergency School Tax.
¹⁸ The suspension period is limited to 1 day.

The notice of change tendered by Socony Mobil Oil Company, Inc. (Operator), et al. (Socony) under its FPC Gas Rate Schedule No. 38 which involves the sale of both high-pressure gas (above 500 psig) and low pressure gas (below 500 psig) reflects partial reimbursement for the 0.55 percent increase from 2.0 percent to 2.55 percent in the New Mexico Oil and Gas Emergency School Tax. The proposed rate of 11.0397 cents per Mcf for low-pressure gas sold under Socony's FPC Gas Rate Schedule No. 38 is below the applicable ceiling for increased rates in the San Juan Basin Area and should be accepted to be effective as of July 1, 1963, the date of filing with the Commission, and the 30-day notice requirement should be waived. The proposed increased rate for high-pressure gas is in excess of the applicable area ceiling, and will, therefore, be suspended.

Delhi-Taylor Oil Corporation (Delhi-Taylor) filed a proposed increase in rate from 11.0 cents per Mcf to 11.2104 cents per Mcf designated as Supplement No. 3 to Delhi-Taylor's FPC Gas Rate Schedule No. 52. However, since the currently effective rate is 10.0 cents per Mcf, the notice of change is construed herein as a contractually authorized periodic increase of 1.0 cent per Mcf plus the increase due to tax reimbursement.

With the exception of the rate increases proposed under Socony's FPC Gas Rate Schedule No. 38, all of the rate increases have been protested by the purchasers, El Paso Natural Gas Com-

pany (El Paso) and Southern Union Gathering Company (Southern Union). El Paso questions the right of the producers under their tax reimbursement clauses to file rate increases reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. While El Paso concedes that the New Mexico tax legislation effected a higher tax rate of at least 0.55 percent, they claim that there is controversy as to whether or not the new legislation effected an increased tax rate in excess of 0.55 percent. Southern Union has specifically protested the filing by Delhi-Taylor under its FPC Gas Rate Schedule No. 14. Southern Union contends that Delhi-Taylor under its contract does not have the right to file for a rate increase reflecting tax reimbursement computed on the basis of an increase in tax rate by the New Mexico Legislature in excess of 0.55 percent. Under the circumstances, we shall provide that the hearings provided for herein shall concern themselves with the contractual basis as well as the statutory lawfulness of the producers' rate filings.

With the exception of Supplement No. 3 to Delhi-Taylor's FPC Gas Rate Schedule No. 52 and Supplement No. 4 to Western Natural Gas Company (Operator), et al. FPC Gas Rate Schedule No. 10² and low-pressure gas sold under Supplement No. 9 to Socony's FPC Gas Rate Schedule No. 38, all of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

The increased rates proposed by Western Natural Gas under Supplement No. 2 to its FPC Gas Rate Schedule No. 14, by Western Natural Gas, et al. under Supplement No. 1 to its FPC Gas Rate Schedule No. 28, by Western Natural Gas Company (Operator), et al. under Supplement Nos. 1, 8 and 4, to its FPC Gas Rate Schedule Nos. 29, 3 and 10, respectively, are suspended, among other reasons as set forth herein, because of an affiliation between buyer and seller.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown that the 11.0397 cents per Mcf rate for low-pressure gas contained in Supplement No. 9 to Socony's FPC Gas Rate Schedule No. 38 should be accepted for filing, and the 30-day notice requirement provided in the National Gas Act should be waived with respect thereto and such rate should be allowed to become effective as of July 31, 1963.

(2) Except for the increased rate set forth in (1) above, it is necessary and proper in the public interest and to aid

² Insofar as it is applicable to gas produced from Pictured Cliffs Formation.

plement No. 9 to Socony's FPC Gas Rate Schedule No. 38, all of the proposed increased rates and charges exceed the applicable area price levels for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR, Ch. I, Part 2, § 2.56).

The increased rates proposed by Western Natural Gas under Supplement No. 2 to its FPC Gas Rate Schedule No. 14, by Western Natural Gas, et al. under Supplement No. 1 to its FPC Gas Rate Schedule No. 28, by Western Natural Gas Company (Operator), et al. under Supplement Nos. 1, 8 and 4, to its FPC Gas Rate Schedule Nos. 29, 3 and 10, respectively, are suspended, among other reasons as set forth herein, because of an affiliation between buyer and seller.

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential or otherwise unlawful.

The Commission finds:

(1) Good cause has been shown that the 11.0397 cents per Mcf rate for low-pressure gas contained in Supplement No. 9 to Socony's FPC Gas Rate Schedule No. 38 should be accepted for filing, and the 30-day notice requirement provided in the National Gas Act should be waived with respect thereto and such rate should be allowed to become effective as of July 31, 1963.

(2) Except for the increased rate set forth in (1) above, it is necessary and proper in the public interest and to aid

in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the contractual basis of the proposed filings, and the statutory lawfulness of the producers proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) The 11.0397 cents per Mcf rate for low-pressure gas contained in Supplement No. 9 to Socony's FPC Gas Rate Schedule No. 38 is hereby accepted for filing, and the 30-day notice requirement provided in the Natural Gas Act is waived with respect thereto and such rate is hereby allowed to become effective as of July 1, 1963.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's Rules of Practice and Procedure, and the Regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the contractual basis of the proposed rate filings which El Paso and Southern Union have protested, and the statutory lawfulness of producers' proposed increased rates and charges contained in the above-designated supplements, with the exception of the increased rate set forth in paragraph (A) above, and with the further exception that the hearing with respect to the proposed rate contained in Supplement No. 3 to Delhi-Taylor's FPC Gas Rate Schedule No. 52 shall involve only the contractual basis for the tax reimbursement filing.

(C) Pending hearings and decisions thereon, the above-designated rate supplements, excepting low-pressure gas sold under Supplement No. 9 to Socony's FPC Gas Rate Schedule No. 38, are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth above, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(D) Neither the supplements hereby suspended, nor the rate Schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(E) Notices of intervention 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 and 1.37(f)) on or before October 17, 1963.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-9461; Filed, Sept. 5, 1963;
8:45 a.m.]

[Docket No. AR61-2 etc.]

AREA RATE PROCEEDING ET AL.

Order Redesignating Proceedings, Severing Certain Rate Suspension and Certificate Proceedings, Adding and Deleting Respondents, and Consolidating Proceedings

AUGUST 30, 1963.

Area Rate Proceeding,¹ Docket No. AR61-2; Amerada Petroleum Company et al.² Docket No. RI62-505, et al.

By order issued herein on May 10, 1961 (25 FPC 942), the Commission, among other things, initiated a proceeding to establish a just and reasonable rate or rates for sales of natural gas produced in the Southern Louisiana area. In that order, the Commission named as respondents in the proceeding all persons set forth in Appendix "A" thereto and all parties on whose behalf such persons had filed FPC Gas Rate Schedules for sales in the area, and consolidated therein a number of rate suspension proceedings listed in Appendix "C" thereto, as well as a number of certificate proceedings listed in Appendix "B" thereto.

By subsequent orders, various changes have been made relative to the respondents to these proceedings and the certificate and rate suspension proceedings consolidated herewith. The instant order makes further changes which appear to be appropriate. The appendices, "Revised Appendix A" and "Revised Appendix C" reflect these changes for the convenience of all concerned and are current as of the date of issuance of this order. As is explained below, all certificate proceedings have been severed and Appendix B has been deleted.

Most of the certificate proceedings previously consolidated herewith have been severed and consolidated with the proceedings in Union Texas Petroleum, A Division of Allied Chemical Corporation, et al., Docket Nos. G-13221, et al., by order issued December 31, 1962. The certificate proceedings still consolidated herewith, should be severed at this time.³

¹ For a listing of all persons who are now respondents in such proceeding see Revised Appendix "A" hereto.

² For a listing of rate suspension proceedings which have been consolidated herewith, see Revised Appendix "C" hereto.

³ These certificate proceedings are: Hassie Hunt Trust, Docket No. G-8647; Oil Participations, Inc., Docket No. G-17448; Socony Mobil Oil Company, Docket No. G-18344; Continental Oil Company, Docket No. G-18755; Texas Gas Exploration Corp., Docket No. CI60-76; Union Producing Company, Docket No. CI60-622; North Central Oil Corporation, Docket No. CI61-553;

Generally, they are those in which the application has been withdrawn, cancelled, or granted, or in which disposition will be made in other proceedings.

A motion has been made to change the name of Grey-Wolf Drilling Company to Wolfe Oil & Gas Company. The motion should be granted, and the change will be shown in Revised Appendix A.

It appears from the Commission's records that Argo Oil Corporation, Slick Oil Corporation, Aluminum Company of America (ALCOA), and Grande Corporation should be deleted as respondents because their sales in South Louisiana are now being made by The Atlantic Refining Company (Atlantic), Midhurst Oil Corporation, (Midhurst), Southeastern Public Service Company (Southeastern) and Magna Oil Corporation (Magna) respectively. Midhurst, Southeastern, and Magna should now be made respondents. Atlantic is already a respondent. ALCOA in its motion requesting that it be dismissed as a respondent in these proceedings, states that there is no refund obligation involved. Southeastern has filed a motion to be substituted for ALCOA as respondent. As above indicated, these motions should be granted.

Louis Ross (Ross) and Thomas Jordan, Inc. (Jordan) were made respondents in these proceedings by order issued May 10, 1961. It now appears from our records that Ross and Jordan were not making jurisdictional sales of natural gas in South Louisiana in 1960, and should therefore be deleted as respondents. By order issued May 16, 1963, Louisiana Natural Gas Corporation (Louisiana Natural) was made respondent to these proceedings. It now appears that Louisiana Natural makes no jurisdictional sales of natural gas. For this reason, Louisiana Natural should also be deleted as a respondent herein.

Three other producers, Owens Production Company, Inc., Southdown, Inc., and Whitehall Oil Company have rate schedules on file for sales in South Louisiana in 1960, but are not respondents. They will be made respondents to these proceedings by this order and added to Revised Appendix A.

By order issued April 25, 1963, in Gulf Oil Corporation, et al., Docket Nos. G-9520, et al., provision was made for the termination of certain rate suspension proceedings consolidated with the proceedings in Docket No. AR61-2. These rate suspension proceedings, in Docket Nos. G-18669, G-19865, G-19911, RI60-392, RI61-40, and RI61-170 will now be severed from the proceedings in Docket No. AR61-2, et al.

On July 15, 1963, Haroldson L. Hunt, Jr., Trust Estate (Hunt) filed a motion to be dismissed as a respondent in these proceedings. In support of its motion, Hunt states that it made only one sale in South Louisiana which has been discontinued by reason of depletion, and that it has no refund obligations. Under these circumstances, it appears that Hunt's motion should be granted.

Tennessee Louisiana Oil Co., Docket No. CI62-682; The Preston Oil Company, Docket No. CI62-1209; and The Pure Oil Company, Docket No. CI62-1224.

Certain rate suspension proceedings which have been instituted recently, involving respondents in these proceedings, should now be consolidated herewith. These proceedings are incorporated into Revised Appendix C as indicated therein.

By order issued herein on November 9, 1961, 26 FPC 723, § 1.17(b) of the Commission's rules of practice and procedure with respect to service of copies of documents was waived, and provision was made for each party who desired to be served with copies of filings made by other parties to these proceedings to so notify the Secretary on or before November 28, 1961. Because of the lapse of time since that date, and the addition of new parties, it appears that it would be equitable to offer this opportunity again, as hereinafter ordered. Those who have already filed will not be required to do so again.

The Commission finds:

(1) These proceedings should be redesignated as hereinafter ordered.

(2) The certificate proceedings in Docket Nos. G-8647, G-17448, G-18344, G-18755, CI60-76, CI60-622, CI61-553, CI62-682, CI62-1209, and CI62-1224, and the rate suspension proceedings in Docket Nos. G-18669, G-19865, G-19911, RI60-392, RI61-40 and RI61-170, should be severed from the proceedings in Docket Nos. AR61-2, et al.

(3) The motions filed by Wolfe, ALCOA, Southeastern, and Hunt should be granted, as hereinafter ordered.

(4) The rate suspension proceedings identified in Revised Appendix C by a double asterisk (**) should be consolidated with the proceedings in Docket Nos. AR61-2, et al.

(5) Certain parties should be made respondents in the proceedings in Docket Nos. AR61-2, et al., and deleted as respondents, as hereinafter ordered.

(6) Provision should be made for the filing, by those desiring to do so, of notices to the Secretary, requesting that they be served with copies of filings made by other parties to these proceedings.

The Commission orders:

(A) These proceedings are hereby redesignated as shown in the caption to this order.

(B) The motions filed by Wolfe, ALCOA, Southeastern, and Hunt, are hereby granted.

(C) The certificate proceedings in Docket Nos. G-8647, G-17448, G-18755, CI60-76, CI60-622, CI61-553, CI62-682, CI62-1209, and CI62-1224, are hereby severed from the proceedings in Docket Nos. AR61-2, et al.

(D) The rate suspension proceedings in Gulf Oil Corporation, et al., Docket Nos. G-18669, G-19865, G-19911, RI60-392, RI61-40, and RI61-170, are hereby severed from the proceedings in Docket Nos. AR61-2, et al.

(E) The rate suspension proceedings in Revised Appendix C hereto, which are identified therein by a double asterisk (**), are hereby consolidated with the proceedings in Docket Nos. AR61-2, et al.

(F) Owens Production Company, Inc., Southdown Inc., Whitehall Oil Company, Wolfe Oil & Gas Company, Southeastern Public Service Company, Midhurst Oil Corporation and Magna Oil Corporation,

are hereby made respondents to the proceedings in Docket Nos. AR61-2, et al.

(G) Grey-Wolf Drilling Company, Aluminum Company of America, Argo Oil Corporation, Slick Oil Corporation, Louis Ross, Thomas Jordan, Inc., Louisiana Natural Gas Corporation, Haroldson L. Hunt, Jr., Trust Estate, and The Grande Corporation are hereby deleted as respondents in the proceedings in Docket Nos. AR61-2, et al.

(H) All parties to these proceedings, desiring to receive copies of filings made herein by other parties shall, within 10 days of the issuance of this order, so notify the Secretary of the Commission by filing an original and three copies of a notice naming one specific representative to be served on their behalf, with a certificate of service showing that a copy thereof has been properly served on all parties to these proceedings. In addition, parties to the proceedings who have associated together in common interest groups for participation in such proceedings may designate one representative to be served on behalf of such common interest groups. On and after a date 10 days following the issuance of this order, the service required by § 1.17(b) of the Commission's rules of practice and procedure need be made only on the person named in the required notices and on staff counsel; *Provided, however*, That any party who has previously filed such notice with the Secretary shall not be required to do so again by this order.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

REVISED APPENDIX "A"

RESPONDENTS¹

Aladdin Exploration Co., Inc.
Amerada Petroleum Corp.
American Natural Gas Production Co.
Arnold, Agnes Cullen, et al.
Arnold, Isaac
Atlantic Refining Co., The
Austral Oil Co., Inc.
Barnhart, Paul F.
Bass, Perry R.
Earl G. Bateman, d/b/a, Bateman Drilling Co.
Beck Oil Co.
Bell Oil Corp.
Benedum Trees Oil Co.
Benin Oil Co.
Berkshire Oil Co.
Bradco Properties, Inc.
British American Oil Producing Co.
Brown, George R.
Brown, Herman
Bruner, Arnold H., & Co.
Wm. T. Burton Industries, Inc.
Cabot Corp.
The California Co., a division of California Oil Co.
Callery, F. A., Inc.
Callery Properties, Inc.
Carter, Reese E.
Chance, R. L., Sr.
Cheyenne Oil Corp. of Delaware
Chicago Stockyards Research
Christie Mitchell & Mitchell
Cities Service Co.
Cities Service Petroleum Co.
Cities Service Production Co.

Cocke, W. H.
Cockrell, E., Jr.
Cole, Howard S., Jr.
Colorado Oil & Gas Corp.
Columbian Fuel Corp.
Conover, William V.
Continental Oil Co.
Cordell, J. H.
Crow, David, Trustee
Crown Central Petroleum Corp.
Cunningham, James M.
Cyprus Oil Co.
Delhi Taylor Oil Corp.
Delta Drilling Co.
Delta Gulf Drilling Co.
Dillon, Herbert L., Jr.
Diversa, Inc.
Dixon Management Corp.
Dorn & Miller Co.
Drew Petroleum, Inc.
Falcon Seaboard Drilling Co.
Fidelity Oil & Royalty Co.
Flaitz, J. M., & Mitchell, R. B.
F. O. Corp., The
Forest Oil Corp.
Frankel, J. R.
Frankel, R. E.
Freedom Minerals, Inc.
Freeport Oil Co.
Gas Gathering Corp.
General American Oil Co. of Texas
General Crude Oil Co.
Geological Geophysical Associates, Inc.
Gilger, C. C.
Glassell, Alfred C., Jr.
Goff, J. R., Trustee
Goodrich, R. H.
Graridge Corp.
Grigsby, Jack W.
Gulf Interstate Co.
Gulf Oil Corp.
Halbouty, Michel T.
Harbor Oil Co., Inc.
H. L. Hawkins & H. L., Jr.
Helis Petroleum Corp.
Hells, Wm. G., Estate of
Herrington, Mrs. Louise H.
Hibbert, R. E.
Hope Natural Gas Co.
Hudson, E. J.
Hudson Gas & Oil Corp.
Roy M. Huffington, Inc.
Humble Gas Transmission Corp.
Humble Oil & Refining Co.
Hunt, H. L.
Hunt, Hassie Trust
Hunt, Lamar
Hunt, Lyda, Margaret Trusts
Hunt, Lyda, Caroline Trusts
Hunt, Lyda, Herbert Trusts
Hunt, Lyda, Bunker Trusts
Hunt, Lyda, Lamar Trusts
Hunt Oil Co.
Hunt, W. H.
Hunt, Wm. Herbert, Trust Estate
Hurley Oil & Gas
Hurt Oil & Gas Corp.
Jameson, F. E., et al.
Jefferson Lake Sulphur Co.
Johnston, C. N.
Jones, Joseph M.
Kellerman, R. E.
Kerr-McGee Oil Industries
Kilroy Properties, Inc.
Lamson & Bennett, Inc.
Langton, Claude M., Trustee
Lone Star Producing Co.
Lyons and Logan
Lyons, C. H., Jr.
Lyons, C. H., Sr.
Magna Oil Co.
MPS Production Co., Inc.
McCain, M. F.
J. Ray McDermott Co., Inc.
McGhee, George C.
McIntyre Oil Co.
McKnight, W. L., d/b/a LaGorce Oil Co.
McLean, Harvey
Maracaibo Oil Exploration Corp.
Mayfield, M. L.
Mayronne, R. W., Jr.

¹ All persons named herein and all parties on whose behalf such persons have filed FPC Gas Rate Schedules for sales in Southern Louisiana are respondents in this proceeding.

Mecom, John W., Mecom Petroleum
Midhurst Oil Corp.
Midwest Oil Corp.
Mississippi River Fuel Corp.
Monsanto Chemical Co.
Moore, Homer T.
Mosbacher, Robert
Mound Co.
Newmont Oil Co.
Nicklos Oil & Gas Co.
North Central Oil Corp.
O'Meara, M. P.
O'Meara, Robert W.
Ocean Drilling & Exploration Co.
Ohio Oil Co.
Oil Participations, Inc.
Olin Gas Transmission Corp.
Owen, J. P.
Owens Production Co.
Pan American Petroleum Corp.
Pareti, John D.
Peltier, Harvey
Penton, E. Doyle, & Penton, D. N., d/b/a,
Penton & Penton
Petroleum, Inc.
Petroleum Offshore Leaseholds
Petroleum Leaseholds, Inc.
Phillips Petroleum Co.
Phillips, R. P.
Pioneer Oil & Gas Co.
Placid Oil Co.
Pray, Max
Prentice, Robert B.
Preston Oil Co., The
Pure Oil Co., The
Rasberry, Elge
Rauch, Morris
Rault, Joseph M., Jr., Inc.
Rebstock & Reeves Drilling Co.
Recle, Sam J.
Rimrock Tidelands, Inc.
Riverside Oil Co.
Royalite Oil Co., Inc.
Rutherford, P. R.
Rycade Oil Corp.
Samedan Oil Corp.
San Jacinto Oil & Gas Co.
Sands, Caroline Hunt
Joseph E. Seagram & Sons, Inc.
Secure Trusts
Shallow Oil Co., Inc.
Shell Oil Co.
Shoreline Exploration, Inc.
Sinclair Oil & Gas Co.
Skelly Oil Co.
Socony Mobil Oil Co., Inc.
Sohio Petroleum Co.
Southdown, Inc.
Southeastern Public Service Co.
Southern Natural Gas Co.
Southwest Gas Producing Co., Inc.
Southwest Resources, Inc.
State Exploration Co.
Stokes, Winston L.
Sun Oil Co.
Sunnyland Contracting Co., Inc.
Sunray Mid-Continent Oil
Superior Oil Co., The
Sword Co.
Tamborello, Anthony J.
Tenneco Corp.
Tenneco Oil Co.
Tennessee-Louisiana Oil Co.
Texaco, Inc.
Texas Crude Oil Co.
Texas Gas Exploration Corp.
Texas Gulf Producing Co.
Texas Liberty Gas Corp.
Texas Liberty Oil Co.
Texas National Petroleum Co.
Texas Pacific Coal & Oil Co.
Tex-Star Oil and Gas Corp.
Texstar Corp.
Tidewater Oil Co.
Trahan, J. C., Drilling Contractor, Inc.
Trice Production Co.
Trunkline Gas Co.
The TXL Oil Corp.
Union Oil Co. of California
Union Producing Co.
Union Texas Natural Gas Corp.

Union Texas Petroleum, a division of Allied
Chemical Corp.
U.S. Oil of Louisiana, Inc.
Vincent and Welch, Inc.
W. W. F Oil Corp.
Walker, Willard E.
Walker, W. E.
Walker, W. E. & Meeker, Jr.
Webster, C. B.
Weiner, Ted
Whitehall Oil Co., Inc.
Williams Brothers Co.
Wolfe Oil and Gas Co.
Wrightsmen, Charles B.
Young, Marshall R.
Zapata Offshore Co.

Producer¹ and Docket Nos.

Amerada Petroleum Corp., RI62-505**
Arnold, Agnes Cullen, et al., RI61-222
Atlantic Refining Co., G-11844, G-12159,
G-13440, G-16127, G-16518, G-16723, G-
17741, G-19536, G-19922, RI61-128, RI61-
485, RI62-276, RI61-335, RI63-92,** RI63-
93**
Austral Oil Co., Inc. (Operator), et al., G-
13842, G-16891, G-17797, G-19330, RI61-
179, RI62-93, RI62-484,** RI63-146**
Austral Oil Co., Inc. (Operator), Agent for
Oil Participations, Inc., RI61-175, RI62-
94, RI62-360, RI63-143,** RI63-154,**
RI63-155**
Benedum Trees Oil Co., RI62-191
The British American Oil Producing Co.
(Operator), et al., RI61-174, RI61-540,
RI62-184, RI62-274
Berkshire Oil Co., RI62-266, G-19948, RI60-
334
Cabot Corp., RI62-208
Brown, George R., RI62-145
The California Co., a division of California
Oil Co., G-14313, G-16682, G-19535, G-
20346
Chicago Stockyards Research Co. (Operator),
et al., RI61-23
Columbian Fuel Corp., G-14101, G-17157, G-
19942, RI61-238, RI63-188**
Continental Oil Co., G-16701, G-17936, RI60-
165, RI61-470, RI63-168**
William V. Conover, RI63-68**
Crescent Oil & Gas Corp.,² G-12439
Crow, David, Trustee, G-20083
Cunningham, James M. (Operator), et al.,
RI60-232
Delhi-Taylor Oil Corp., RI62-506**
Dixon Management Corp., RI61-552
Falcon Seaboard Drilling Co., RI61-509
F. O. Corp., The, RI62-214
Forest Oil Corp., G-16726, G-19939, G-19940,
RI61-186, RI61-187, RI62-68, RI62-69,
RI63-120,** RI63-136**
Frankel, R. R., G-17671**
Gas Gathering Corp., G-20118
General American Oil Co. of Texas, G-19476,
RI61-321, G-19874, G-19875, G-19924,
RI62-133, RI62-392,** RI63-127,** RI61-
173, RI62-234, RI63-161**
General Crude Oil Co., G-16727, RI61-548,
RI62-359, RI63-389**
Goff, J. R. Trustee, G-14053, G-17527, G-
20441, RI60-472, RI62-169
Jack W. Grigsby, RI62-536**
Hawkins, H. L., and Hawkins, H. L., Jr.,
G-16314
Herrington, Mrs. Louise H., RI62-270
Hudson, E. J., et al., RI60-211
Humble Oil & Refining Co., G-9508, G-9521,
G-9522, G-9523, G-9574, G-9679, G-11313,
G-11314, G-11315, G-11316, G-11317, G-
11539, G-13443, G-13609, G-13615, G-
15180, G-16687, G-16698, G-16801, G-
16957, G-16958, G-19903, G-20014, G-20214,
RI60-187, RI61-78, RI61-132, RI62-82,
RI62-321, RI62-83, RI61-133, RI62-287,
RI62-393,** RI63-94-94,** RI63-95,**
RI63-172, RI63-186**
Hunt, H. L., G-13837, G-17163, G-20071, G-
20340, RI60-427, RI62-228
Hunt, Estate of Lyda Bunker, G-13840, G-
17162, G-20445, RI60-432

See footnotes at end of list.

Hunt, W. H., G-19930
Hassie Hunt Trust, RI62-227
Hurt Oil & Gas Corp., RI61-299
Jameson, F. E., et al., G-18672
Jefferson Lake Sulphur Co., G-12303, G-
17997, RI61-330
Kerr-McGee Oil Industries, Inc., G-16082,
G-16697, G-17155, G-17882, G-19872, G-
19914, RI60-452, RI61-191, RI61-514, RI-
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Langton, Claude M., Trustee, G-14054, G-
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*This proceedings is consolidated only
insofar as it pertains to sales in South
Louisiana.

**Consolidated with the proceedings in
Docket Nos. AR61-2, et al., by the instant
order.

†This producer designation is for general
identification and may not include all of the
respondents designated in the respective
orders initiating rate suspension proceedings.

*Now Southwest Resources, Inc.

†Now Austral Oil Co., Inc., agent for Oil
Participations, Inc.

[F.R. Doc. 63-9528; Filed, Sept. 5, 1963;
8:46 a.m.]

[Docket No. RI64-118]

ALFRED D. MCKELVY ET AL.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

AUGUST 30, 1963.

On July 31, 1963, Alfred D. McKelvy
(Operator), et al. (McKelvy)¹ tendered
for filing a proposed change in its pres-
ently effective rate schedule for sale of
natural gas subject to the jurisdiction
of the Commission. The proposed
change, which constitutes an increased
rate and charge, is contained in the fol-
lowing filing:

Description: Notice of change, dated
July 29, 1963.

Purchaser and producing area: Northern
Natural Gas Co. (Hugoton Field, Finney
County, Kans.).

Rate Schedule Designation: Supplement
No. 11 to Alfred D. McKelvy (Operator),
et al. FPC Gas Rate Schedule No. 1.

Effective date: August 31, 1963.²

Amount of annual increase: \$66,000.³

Effective rate: 8.7 cents per Mcf.⁴

¹ Address is 49 Lloyd Lane, Atherton,
Calif.

² The stated effective date is the first day
after expiration of the required thirty days'
notice.

³ Amount of increase for 690 Btu gas is
\$46,000.

⁴ Subject to downward Btu adjustment for
gas containing less than 950-Btu per cubic
foot.

Proposed rate: 12.0 cents per Mcf.⁵
Pressure base: 14.65 psia.

A full proportionate downward Btu
adjustment is provided for gas containing
less than 950 Btu's per cubic foot in the
original contract. However, this provi-
sion has been amended to provide that in
no event shall buyer pay seller less than
than 11.0 cents per Mcf for the gas in-
volved. The estimated Btu content of
the gas for the succeeding twelve month
period as reported in the notice of
change is 690 Btu's per cubic foot. Ap-
plication of the proposed 11.0 cents per
Mcf minimum price to the 690 Btu gas
is the equivalent of 15.1448 cents per
Mcf for 950 Btu gas. Therefore, the pro-
posed rate change may result in the sale
of less than pipeline quality gas at the
applicable area price level of 11.0 cents
per Mcf for pipeline quality gas as set
forth in the Commission's Statement of
General Policy No. 61-1, as amended (18
CFR, Ch. I, Part 2, § 2.56).

The proposed increased rate and
charge may be unjust, unreasonable, un-
duly discriminatory, or preferential, or
otherwise unlawful.

The Commission finds: It is necessary
and proper in the public interest and to
aid in the enforcement of the provisions
of the Natural Gas Act that the Commis-
sion enter upon a hearing concerning the
lawfulness of the proposed change, and
that Supplement No. 11 to McKelvy's
FPC Gas Rate Schedule No. 1 be sus-
pended and the use thereof deferred as
hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the
Natural Gas Act, particularly sections
4 and 15 thereof, the Commission's rules
of practice and procedure, and the regu-
lations under the Natural Gas Act (18
CFR Ch. I), a public hearing be held
upon a date to be fixed by notice from the
Secretary concerning the lawfulness of
the proposed increased rate and charge
contained in Supplement No. 11 to Mc-
Kelvy's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and deci-
sion thereon, said rate schedule and sup-
plement thereto are hereby suspended
and the use thereof deferred until Janu-
ary 31, 1964, and thereafter until such
further time as it is made effective in
the manner prescribed by the Natural
Gas Act.

(C) Neither the rate schedule and
supplement hereby suspended, nor the
rate schedule sought to be altered there-
by, shall be changed until this proceed-
ing has been disposed of or until the
period of suspension has expired, unless
otherwise ordered by the Commission.

(D) Notices of intervention or peti-
tions 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 and
1.37(f)) on or before October 18, 1963.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-9529; Filed, Sept. 5, 1963;
8:46 a.m.]

⁵ Rate to be not less than 11.0 cents per
Mcf regardless of Btu content (Btu content
is 690 Btu's per cubic foot).

[Docket No. CP64-13]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of Application and Date of Hearing

AUGUST 30, 1963.

Take notice that on July 16, 1963, Nat-
ural Gas Pipeline Company of America
(Applicant), 122 South Michigan Ave-
nue, Chicago 3, Illinois, filed its so-called
Amended Application For Certificate of
Public Convenience and Necessity in
Docket No. CP63-264. This filing in fact
covers only a part of the original appli-
cation in Docket No. CP63-264 and is
being treated as a new application as-
signed the designation Docket No. CP64-
13.

The authorization requested herein
covers the acquisition of certain under-
ground storage rights and the construc-
tion and operation of pipeline and well
facilities for evaluation of the character-
istics and capabilities for development
of an underground natural gas storage
reservoir described as the Keota Storage
Area, located in Washington County,
Iowa, all as more fully set forth in said
application which is on file with the Com-
mission and open to public inspection.

The facilities proposed include:

(1) 1.1 miles of 10-inch lateral pipe-
line extending from Applicant's main
transmission system to the proposed Ke-
ota Storage Area;

(2) 1.2 miles of 6-inch gathering line
in the same area;

(3) 6 injection-withdrawal and 8 ob-
servation wells; and other appurtenant
facilities.

The estimated cost of the project in-
cluding cushion gas and acquisition of
storage rights is \$1,086,550, to be fi-
nanced from funds on hand. Applicant
proposes to inject approximately 1,500,-
000 Mcf of natural gas into the St. Peter
formation in the Keota Storage Area as
the initial stage of its development pro-
gram.

Applicant states that the proposed
storage project, if successful, will provide
an economical means of augmenting Ap-
plicant's ability to meet the increased
peak-day requirements of its customers
and that further authorization to so uti-
lize the proposed storage will be requested
upon completion of the initial testing
and development program.

This matter is one that should be dis-
posed 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 pro-
cedure, a hearing will be held on Sep-
tember 26, 1963, at 9:30 a.m., e.d.s.t., in
a hearing room of the Federal Power
Commission, 441 G Street NW., Wash-
ington, D.C., concerning the matters in-
volved in and the issues presented by
such application: *Provided, however,*
That the Commission may, after a non-
contested hearing, dispose of the pro-
ceedings 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 Applicant 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 September 23, 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.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-9530; Filed, Sept. 5, 1963;
8:46 a.m.]

[Docket No. RI64-119]

WESTERN NATURAL GAS CO.

Order Providing for Hearing on and Suspension of Proposed Change in Rate

AUGUST 30, 1963.

On August 2, 1963, Western Natural Gas Company (Western)¹ tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The sale is made at a pressure base of 14.65 psia. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated August 1, 1963.

Purchaser and producing area: El Paso Natural Gas Co. (Brown Bassett Field, Ellenburger Formation, Terrell County, Texas) (E.R. District No. 7-C).

Rate schedule designation: Supplement No. 6 to Western Natural Gas Co. FPC Gas Rate Schedule No. 26.

Effective date: September 2, 1963.²

Amount of annual increase: \$33,850.

Effective rate: 16.0 cents per Mcf.³

Proposed rate: 17.0 cents per Mcf.⁴

Pressure base: 14.65 psia.

An affiliation exists between Western Natural Gas Co. and El Paso Natural Gas Co. inasmuch as El Paso owns 19 percent of the common stock of Western.

The proposed increased rate exceeds the applicable 11.0 cents per Mcf area ceiling for increased rates as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

The proposed changed rate and charge may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and

to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 6 to Western Natural Gas Co. FPC Gas Rate Schedule No. 26 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Western Natural Gas Co. FPC Gas Rate Schedule No. 26.

(B) Pending such hearing and decision thereon, Supplement No. 6 to Western Natural Gas Co. FPC Gas Rate Schedule No. 26 is hereby suspended and the use thereof deferred until February 2, 1964, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before October 11, 1963.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-9531; Filed, Sept. 5, 1963;
8:46 a.m.]

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 regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 561 (27 F.R. 4001), the establishments listed in the 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 estab-

lishment 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 I

Ann-Hope Factory Outlet, Inc., Mill Street, Cumberland, R.I.; effective 8-8-63 to 3-31-64 (department store; 501 employees).

REGION III

F. W. Woolworth Co., No. 1578, 6174 Ridge Avenue, Philadelphia, Pa.; effective 8-9-63 to 3-31-64 (variety store; 23 employees).

REGION IV

T.G. & Y. Stores Co. of Louisiana, Inc., d/b/a T.G. & Y. Stores Co., No. 210, 7929 Airline Highway, New Orleans, La.; effective 8-31-63 to 3-31-64 (variety store; 15 employees).

REGION VI

Park 'n Shop Supermarket, East Jefferson, Culver, Ind.; effective 7-29-63 to 3-31-64 (food store; 12 employees).

Park 'n Shop Supermarket, 5497 Mayflower Road, South Bend, Ind.; effective 7-29-63 to 3-31-64 (food store; 10 employees).

Thompson Food Basket, Inc., 646 West Jackson Street, Morton, Ill.; effective 7-26-63 to 3-31-64 (food store; 20 employees).

Thompson Food Basket, Inc., 1724 North Knoxville Avenue, Peoria, Ill.; effective 7-26-63 to 3-31-64 (food store; 10 employees).

Thompson Food Basket, Inc., 330 North Western Avenue, Peoria, Ill.; effective 7-26-63 to 3-31-64 (food store; 13 employees).

Ward D. Prickett, Inc., d/b/a Prickett's Super Market, 4001 Lincolnway East, Mishawaka, Ind.; effective 6-10-63 to 3-31-64 (food store; 33 employees).

REGION VII

Hested Stores Co., No. 773, 2700 South Colorado Boulevard, Denver, Colo.; effective 6-10-63 to 3-31-64 (variety store; 18 employees).

S. S. Kresge Co., No. 692C, 1700-1702 South Federal Avenue, Mason City, Iowa; effective 6-10-63 to 3-31-64 (variety store; 34 employees).

S. S. Kresge Co., No. 93, 132 East Main Street, Ottumwa, Iowa; effective 6-10-63 to 3-31-64 (variety store; 37 employees).

S. S. Kresge Co., No. 152, 219 East Fourth Street, Waterloo, Iowa; effective 6-10-63 to 3-31-64 (variety store; 40 employees).

S. S. Kresge Co., No. 127, 413 Delaware, Leavenworth, Kans.; effective 6-10-63 to 3-31-64 (variety store; 37 employees).

S. S. Kresge Co., No. 697, Parklane Shopping Center, 1012 South Oliver, Wichita, Kans.; effective 6-10-63 to 3-31-64 (variety store; 36 employees).

Younger Brothers, Inc., 118 High Street West, Oskaloosa, Iowa; effective 7-16-63 to 3-31-64 (department store; 19 employees).

REGION VIII

H. E. B. Food Store, No. 31, 824 West 12th Street, Austin, Tex.; effective 8-13-63 to 3-31-64 (food store; 25 employees).

¹ Address is: P.O. Box 1508, Houston 1, Texas.

² The stated effective date is the first day after expiration of the required statutory notice.

³ Ellenburger Gas is subject to 4.5 cents per Mcf diluent removal charge paid by seller, and subject to a further deduction for carbon dioxide content and shrinkage.

⁴ Periodic increase.

REGION IX

Jack's West End, 703 West Main, Mesa, Ariz.; effective 8-14-63 to 3-31-64 (food store; 17 employees).

REGION X

Kuhn's 5-10-25¢ Store, Natchez Trace Drive, Lexington, Tenn.; effective 8-2-63 to 3-31-64 (variety store; 14 employees).

REGION XI

Richbourg Brothers Markets, Inc., 700 Bleckley Street, Anderson, S.C.; effective 8-20-63 to 3-31-64 (food store; 22 employees).

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 29 CFR, Part 519. The certificates permit the employment of full-time students at rates of not less than 85 cents an hour in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below \$1.00 an hour to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

Food Mart, No. 32, 800 West Hobbs, Roswell, N. Mex.; effective 8-15-63 to 3-31-64; bag boy, carry-out boy, janitor, stock clerk, checker; 10 percent for each month (food store; 28 employees).

Food Mart, No. 28, 7406 Alameda, El Paso, Tex.; effective 8-7-63 to 3-31-64; bagger, carry-out boy, checker, stock clerk, janitor; between 9.2 percent and 10 percent (food store; 17 employees).

Jupiter Discount Store, No. 4504, 648 Penn Street, Reading, Pa.; effective 8-15-63 to 3-31-64; sales clerk; between 4.5 percent and 10 percent (variety store).

S. S. Kresge Co., No. 554, King Plaza Center, 23d Avenue at 41st, Moline, Ill.; effective 7-17-63 to 3-31-64; sales; 10 percent for each month (variety store; 40 employees) (replacement certificate).

S. S. Kresge Co., No. 450, South Shore Plaza, Granite Street (Route 37) and Route 128, Braintree, Mass.; effective 8-7-63 to 3-31-64; sales clerk; 10 percent for each month (variety store; 50 employees).

S. S. Kresge Co., No. 468, Arborland Shopping Center, 3601 Washtenaw Avenue, Ann Arbor, Mich.; effective 8-13-63 to 3-31-64; sales clerk; 10 percent for each month (variety store; 42 employees).

S. S. Kresge Co., Westgate Center, 2511 Jackson Road, Ann Arbor, Mich.; effective 8-13-63 to 3-31-64; sales clerk; 10 percent for each month (variety store; 34 employees).

S. S. Kresge Co., No. 465, 17101 Kercheval Avenue, Grosse Pointe, Mich.; effective 8-13-63 to 3-31-64; sales clerk; 10 percent for each month (variety store; 34 employees).

S. S. Kresge Co., No. 516, Pontiac Mall Shopping Center, 343 North Telegraph Road, Pontiac, Mich.; effective 8-13-63 to 3-31-64; sales clerk; 10 percent for each month (variety store; 75 employees).

S. S. Kresge Co., No. 364, 29134 Van Dyke Avenue, Warren, Mich.; effective 8-21-63 to 3-31-64; sales clerk; between 8.1 percent and 10 percent (variety store; 47 employees).

S. S. Kresge Co., No. 274, Preakness Shopping Center, Paterson-Hamburg Turnpike,

Wayne, N.J.; effective 8-9-63 to 3-31-64; sales clerks; 10 percent for each month (variety store; 33 employees).

S. S. Kresge Co., No. 434, Brookgate Shopping Center, 5837 Smith Road, Cleveland, Ohio; effective 8-13-63 to 3-31-64; sales clerk; 10 percent for each month (variety store; 28 employees).

S. S. Kresge Co., No. 814, 7851 Ridgewood Drive, Parma, Ohio; effective 8-21-63 to 3-31-64; sales clerk; 10 percent for each month (variety store; 42 employees).

S. S. Kresge Co., No. 62, West Hills Shopping Center, 925 Broadhead Road, Coraopolis, Pa.; effective 8-13-63 to 3-31-64; sales clerk; between 1.1 percent and 10 percent (variety store; 37 employees).

S. S. Kresge Co., No. 189, 19 Olmsted Plaza Shopping Center, West Harrisburg Pike, Middletown, Pa.; effective 8-13-63 to 3-31-64; sales clerk; 10 percent for each month (variety store; 25 employees).

S. H. Kress & Co., Cache Road Square Shopping Center, 38th and Cache Road, Lawton, Okla.; effective 8-13-63 to 3-31-64; sales clerk; between 5.6 percent and 10 percent (variety store; 34 employees).

Mart Grocers, Inc., 501 East Armour, North Kansas City, Mo.; effective 8-9-63 to 3-31-64; bag boys, carry-out boys; 10 percent for each month (food store; 12 employees).

G. C. Murphy Co., No. 240, Roanoke-Salem Shopping Center, 4142-14 Melrose Avenue, Roanoke, Va.; effective 8-22-63 to 3-31-64; sales clerk; stock clerk, janitor, clerk; between 9.2 percent and 10 percent (variety store; 38 employees).

G. C. Murphy Co., No. 156, 642 Jefferson Davis Highway, Woodbridge, Va.; effective 8-22-63 to 3-31-64; sales clerk, stock clerk, janitor, clerk; 10 percent for each month (variety store; 37 employees).

Newberry Poplar Bluff Corp., No. 527, Valley Plaza Shopping Center, Poplar Bluff, Mo.; effective 8-13-63 to 3-31-64; office clerk, stock clerk, sales clerk; 10 percent for each month (variety store; 59 employees).

Rose's Stores, Inc., No. 149, 322 Main Street, Tarboro, N.C.; effective 8-6-63 to 3-31-64; sales clerks, cashiers; between 1.9 percent and 10 percent (variety store; 16 employees).

Rose's 5-10-25¢ Store, 4840 Forest Drive, Trenholm Plaza, Columbia, S.C.; effective 8-16-63 to 3-31-64; sales clerk, stock clerk; between 6.0 percent and 10 percent (variety store; 23 employees).

Sam Glass Minimax, Inc., 1301 East Levee, Brownsville, Tex.; effective 8-9-63 to 3-31-64; bagger, carry-out, janitorial, errand boy; between 9.5 percent and 10 percent (food store; 50 employees).

Wm. A. Lewis Clothing Co., Elmhurst Road (Route 83) and Rand Road, Mount Prospect, Ill.; effective 8-20-63 to 3-31-64; receptionist, check writers, wrappers; between 9.1 percent and 10 percent (apparel store; 29 employees).

F. W. Woolworth Co., No. 399, 150 East Front Street, Traverse City, Mich.; effective 8-13-63 to 3-31-64; sales clerk, stock clerk; 10 percent for each month (variety store; 36 employees).

F. W. Woolworth Co., No. 2461, Town Plaza Shopping Center, U.S. Highway No. 61 and William Street, Cape Girardeau, Mo.; effective 8-13-63 to 3-31-64; sales clerk; between 8.8 percent and 10 percent (variety store; 22 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 22d day of August 1963.

ROBERT G. GRONEWALD,
*Authorized Representative of
the Administrator.*

[F.R. Doc. 63-9484; Filed, Sept. 4, 1963;
8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

SEPTEMBER 3, 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. 38511: *Liquid caustic soda to Franklin, Va.* Filed by O. W. South, Jr., Agent (No. A4370), for interested rail carriers. Rates on liquid caustic soda, in tank-car loads, from Brunswick, Ga., to Franklin, Va.

Grounds for relief: Market competition.

Tariff: Supplement 95 to Southern Freight Association, Agent, tariff I.C.C. S-194.

FSA No. 38512: *Liquid caustic soda from Evans City, Ala.* Filed by O. W. South, Jr., Agent (No. A4371), for and on behalf of Southern Railway Company. Rates on liquid caustic soda, in tank-car loads, from Evans City, Ala., to Enka and Pisgah Forest, N.C.

Grounds for relief: Market competition.

Tariff: Supplement 95 to Southern Freight Association, Agent, tariff I.C.C. S-194.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 63-9545; Filed, Sept. 5, 1963;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—SEPTEMBER

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