FEDERAL REGISTER

VOLUME 32 • NUMBER 94

Tuesday, May 16, 1967 • Washington, D.C.

Pages 7239–7326

(Part II begins on page 7311)

Agencies in this issue—

Detailed list of Contents appears inside.

FEDERAL REGISTER

Area Code 202 Phone 962-8626

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., Ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15 per year, payable in advance. The charge for individual copies varies in proportion to the size of the issue (15 cents for the first 80 pages and 5 cents for each additional group of 40 pages, as actually bound). Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements are listed in the first FEDERAL REGISTER issue of each month.

Contents

(Continued on next page)

List of CFR Parts Affected

(Codification Guide)

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1967, and specifies how they are affected.

5 CFR

531 ---- 7246

7 CFR

876 ---- 7243
944 ---- 7245
1421 ---- 7246
PROPOSED RULES:
33 ---- 7289
725 ---- 7287

10 CFR

31 ---- 7247
32 ---- 7247

14 CFR

39 (4 documents) ---- 7247, 7248
61 ---- 7249
71 (12 documents) ---- 7250–7254
97 ---- 7254
PROPOSED RULES:
71 (6 documents) ---- 7290–7292

15 CFR

201 ---- 7312

16 CFR

15 ---- 7262

19 CFR

1 ---- 7262

21 CFR

19 ---- 7263
121 (4 documents) ---- 7263–7265

25 CFR

PROPOSED RULES:
161 ---- 7287

39 CFR

812 ---- 7265
822 ---- 7265

41 CFR

8–1 (2 documents) ---- 7267
8–2 ---- 7267
8–6 ---- 7268
8–7 ---- 7268
8–10 ---- 7269
8–12 ---- 7269
8–52 ---- 7271
8–75 ---- 7271
9–4 ---- 7271
9–16 ---- 7278

46 CFR

540 ---- 7282

Rules and Regulations

Title 7—AGRICULTURE

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

SUBCHAPTER I—DETERMINATION OF PRICES

[Sugar Determination 876.19]

PART 876—SUGARCANE; HAWAII

Fair and Reasonable Prices for 1967 Crop

Pursuant to the provisions of section 301(c)(2) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation and due consideration of the evidence obtained at the public hearing held in Hilo, Hawaii, on December 15, 1966, the following determination is hereby issued:

§ 876.19 Fair and reasonable prices for the 1967 crop of Hawaiian sugarcane.

A producer of sugarcane in Hawaii who is also a processor of sugarcane (herein referred to as "processor") shall have paid, or contracted to pay, for sugarcane of the 1967 crop grown by other producers and processed by him, or shall have processed sugarcane of other producers under a toll agreement, in accordance with the following requirements:

(a) *Toll agreements.* (1) The rate for processing sugarcane under a toll agreement at Olokele Sugar Co., Ltd., and Kekaha Sugar Co., Ltd., shall be not more than the rate provided in the agreement between the producer and the processor applicable to the prior crop.

(2) (i) The rate for processing sugarcane delivered by a producer under a toll agreement to those processors listed below shall be not more than that established for each such processor.

Processor	Rate for processing (Percentage of gross proceeds from sugar and molasses)	Delivery point for sugarcane
Puna Sugar Co., Ltd.	34	Mill.
Kohala Sugar Co.	34	Do.
Laupahoehoe Sugar Co.	45	Loaded in trucks.
Mauna Kea Sugar Co., Inc.	45	Do.
Pepeekeo Sugar Co.	45	Do.
Paauhau Sugar Co., Ltd.	45	Do.
Hawaiian Agricultural Co.	45	Do.
Hutchinson Sugar Co., Ltd.	45	Do.

(ii) The gross proceeds from sugar and molasses shall be determined in accordance with the Standard Sugar Marketing Contract and the Standard Molasses Marketing Contract entered into by the producer, or his agent, with the California and Hawaiian Sugar Co. (a cooperative agricultural marketing association herein referred to as C & H): *Provided*, That the gross proceeds so determined to be applicable to the sugar and molasses recovered from the sugarcane of the producer shall be converted to dollars per hundredweight of sugar, raw value basis, for the purpose of applying the rate for processing.

(iii) The applicable rate for processing established in this subparagraph for sugarcane of the producer shall cover (*a*) all transporting, handling, and processing costs applicable to the producers' sugarcane from the delivery point specified herein until the raw sugar and molasses recovered therefrom leaves the bulk sugar bin or the molasses tank of the processor, except those costs incurred for insuring such raw sugar and molasses while stored therein; (*b*) the cost of insuring such sugarcane against loss by fire to the same extent that sugarcane of the processor is insured; (*c*) the costs of weighing, sampling, and taring such sugarcane; (*d*) the cost of general weed and rodent control other than in the sugarcane fields of producers and alongside the roads adjacent thereto; and (*e*) the cost of all research and experimental work applicable to the production and processing of such sugarcane.

(iv) The sugarcane received from producers shall be handled and processed by the processor in a manner which is no less favorable than the handling and processing of the sugarcane of the processor. The processor, in acting as agent for the producer, shall handle and deliver to C & H the raw sugar and molasses recovered from the sugarcane of the producer in a manner which is no less favorable than the handling and delivery to C & H of the raw sugar and molasses recovered from the sugarcane of the processor. The processor shall promptly transmit to the producer the amount of gross proceeds received for the sugar and molasses recovered from the sugarcane of the producer, less the applicable processing rate, and less the expenses paid by the processor, as agent for the producer, pursuant to the toll agreement. Handling and delivery expenses shall be limited to those direct expenses paid by the processor as agent for the producer, but shall not include overhead charges of the processor.

(b) *Purchase agreements.* (1) The price for sugarcane under adherent planter agreements shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop.

(2) The price for the producers' share of sugarcane under cultivation contracts at Laupahoehoe Sugar Co. shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop.

(3) The price for sugarcane under independent grower purchase agreements shall be not less than the price determined in accordance with the agreement between the processor and the producer applicable to the prior crop: *Provided*, That the items of expense which may be deducted in computing net returns for the 1967 crop shall be limited to the same items as for the 1966 crop, except that if the processor incurs handling and delivery expenses otherwise allowable under the agreement and which are incurred under abnormal conditions which the "State Executive Director" (i.e., the person employed to be responsible for the day-to-day operations of the Hawaiian Agricultural Stablization and Conservation Service State Office, or any employee in such office acting on behalf of such person), determines justify the incurrence of such expenses, such expenses also may be deducted.

(c) *Sugarcane weight and quality determination.* The determination of the net weight and quality of the sugarcane received from the producer, and the allocation of sugar and molasses recoveries to the producer shall be made in accordance with the methods customarily used by the processor; methods which have been approved by the Experiment Station of the Hawaiian Sugar Planters Association; or methods agreed upon between the processor and the producer, which will reflect the true weight and quality of sugarcane and the quantities of sugar and molasses recovered from the sugarcane of the producer.

(d) *Overhead charges for services furnished to producers.* If the processor, at the producer's request, furnishes labor, materials, or services used in producing, harvesting, or transporting the producer's sugarcane, or transports the producer's sugar or molasses from the mill to the port in the processor's own equipment, the processor may charge in addition to the direct costs of such labor, materials, or services, the applicable overhead expenses. If equipment is charged at standard or budgeted rates which include repair and maintenance charges, and such rates are applied equally to both the processors' and producers' producing, harvesting, and transporting operation, and if the standard or budgeted rates are adjusted periodically to reflect current conditions, such rates shall be considered as the direct costs for use of equipment. Charges for applicable overhead expenses shall be based on estimated current budgets and adjusted after the end of the calendar year so as not to exceed the actual costs for such year. In addition, the processor may also charge a profit not to exceed 5 percent of the sum of the direct and overhead charges for such labor, materials, or services. Overhead expenses shall be limited to those which are properly apportionable under generally accepted account-

ing principles, as approved by the "State Executive Director."

(e) *Reporting requirements.* The processor shall submit to the "State Executive Director" a certified statement of the gross proceeds and handling and delivery expenses paid under (1) purchase agreements providing for payment for sugarcane based upon net returns from sugar and molasses, and (2) toll and agency agreements providing for the deduction of handling and delivery expenses on sugar and molasses from the gross proceeds obtained therefrom.

(f) *Subterfuge.* The processor shall not reduce returns to the producer below those determined in accordance with the requirements herein through any subterfuge or device whatsoever.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination establishes the fair and reasonable rate requirements which must be met, as one of the conditions for payment under the act, by a producer who processes sugarcane of the 1967 crop grown by other producers.

(b) *Requirements of the act.* Section 301(c)(2) of the act provides, as a condition for payment, that the producer on the farm who is also, directly or indirectly a processor of sugarcane, as may be determined by the Secretary, shall have paid, or contracted to pay under either purchase or toll agreements, for any sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

(c) *Public hearing—Hawaiian Sugar Planters Association.* The representative of the Planters' Committee recommended that the fair price hearing be held in early April instead of in December of the prior year. He stated that in the past, fair price hearings have been scheduled late in the year preceding the crop for which the determination would apply; that final costs and related statistics are not known, and detailed information is compiled on an estimated basis; that a few months later when final crop figures are known this same information is brought up to date and submitted to the Department; and that the determination is issued after the receipt and evaluation of the final data. He said that in the interest of reducing the burden which the mass of material places upon the Department and the plantations, he recommended that future fair price hearings be scheduled after final costs and related data are known.

C. Brewer and Co. (representing Mauna Kea, Pepeekeo, Paauhau, Hawaiian Agricultural, and Hutchinson Sugar Cos.). The representative of these companies recommended a processing rate of 48 percent for the 1967 crop, and continuation of the profit charge allowed on services furnished producers. The witness submitted producing and processing costs data for the 5-year periods 1960–64, 1961–65, and 1962–66, and for the single year 1966 that indicated processing rates of 47.53 percent, 47.77 percent, 47.72 percent, and 47.11 percent, respectively, and stated that this shows that long term averages have been relatively stable. The witness testified that four of their five mills on the Island of Hawaii are faced with increased costs in waste disposal, since they will no longer be allowed to discharge waste materials into coastal waters. The witness stated that because of excess rainfall in the Hilo Coast and Kau districts, planting had been delayed and growth of the cane had been delayed, while in the Hamakua district rainfall had been well distributed during the first 10 months of 1966, and should result in an excellent crop for 1967. He said that final crop data would be available the first or second week in March.

The representative of independent producers at the Hawaiian Agricultural Co. recommended a processing rate of 42 percent and the elimination of the 5 percent profit charge on services and materials furnished producers by the company. He submitted 1966-crop growers' producing costs and returns indicating that producers made a profit of $4.98 per ton of sugar.

The representative of producers at Mauna Kea and Pepeekeo Sugar Cos. recommended a processing rate of 42 percent and elimination of the 5 percent charge on services. The witness submitted data on growers' returns and costs for the 1966 crop which indicated a loss of $9.60 per ton of sugar. He stated that growers did not favor a proposal of the processor to base the processing rate on the average costs for the most recent 5-year period.

Kohala Sugar Co. The representative of this company presented producing and processing cost data for 1966 and for the 5-year period 1962–66, that indicated processing rates of 40.16 percent and 41.45 percent, respectively. The witness requested the Department to set a processing rate for the 1967 crop that would result in an adequate return to the company for processing growers' sugarcane. The witness stated that in the summer of 1966 growing conditions had been better than in the past 5 years, and that although the wet conditions affected 1966-crop operations and juice quality, it helped 1967-crop growing conditions.

Puna Sugar Co. The representative of this company recommended a processing rate of 36 percent for the 1967 crop, and a 10 percent profit charge on services furnished to producers. The witness stated that no justification had been found for the decrease in the processing rate for the 1966 crop from 36 percent to 34 percent, and presented cost ratios based on actual cost data for the years 1962 through 1965 and estimates for 1966 showing processing rates slightly under 36 percent for 1962 and 1963, and over 36 percent for 1964, 1965, and 1966. He stated that growers' net returns in 1966 will be the highest, with the exception of the high sugar price year of 1963, since the start of the tolling system in 1956; and that while much of this increase is due to higher refinery returns, a substantial part is attributable to higher efficiencies in the milling and harvesting operations resulting from substantial capital improvements made by the processor, and higher yields per acre resulting from intensive efforts on the part of the processor in agricultural research. The witness stated that the 5 percent profit on services furnished to producers is small when compared to the risks assumed by the company in providing such services; that the company has substantial investment in equipment used in performing these services, and no interest on this investment is charged to producers; and that when interest is subtracted from the 5 percent allowed, the net return on services averages about 3.2 percent.

The representative of independent producers at Puna recommended a processing rate of 30 percent for the 1967 crop, and the elimination of a 5 percent profit charge on services furnished to producers by the company. The witness stated that growers made a profit of 10 cents per ton of sugar in 1966. In a supplemental brief it was stated that the company's estimate of growers cultivating costs is lower than the costs actually incurred by growers; that growers rejected the company's proposal to use 5-year average costs as the basis for the processing rate, since the costs of cultivating, harvesting, hauling, and road maintenance, are more sensitive to changes in the weather than are processing costs; and that the older equipment assigned to grower's cane increases the grower's costs.

Laupahoehoe Sugar Co. The representative of this company recommended a processing rate of 50 percent for the 1967 crop and continuation of all other provisions of the 1966 price determination applicable to Laupahoehoe. The witness stated that the scheduled 1966 start of the new and enlarged processing facilities at Ookala was delayed by construction problems and it was necessary to operate the Papaaloa factory for the full 1966 season; that the entire 1967 crop is scheduled for processing at the new factory, and the Papaaloa factory is being dismantled. The witness stated that the indicated processing rate of 61.21 percent, based on estimates for 1966, include the abnormal factory start up costs in 1966; that this high level should not continue; that depreciation charges of over $6,000,000 investment in new processing facilities and the interest cost of this investment over the next several years is expected to offset the operating savings that will be realized; and that even with the most conservative accounting treatment, the cost ratio in the next few years will continue to reflect a processing rate of approximately 50 percent.

(d) *1967 price determination.* This determination continues the provisions of the 1966 determination without change.

Consideration has been given to the recommendations and information submitted in connection with the hearing; to the returns, costs, and profits of producing and processing sugarcane obtained by field study and recast in terms

of prospective price and production conditions for the 1967 crop; and to other pertinent factors.

The recommendations of producers and processors for changes in the processing rates applicable to several of the companies have been given careful consideration. Analysis of the projected returns, costs, and profits for the 1967 crop, based upon prospective price, production, and yield conditions, indicates that changes in the relationship of producing and processing costs have not been sufficient to warrant an adjustment in processing rates and none is made in this determination.

The recommendations for changes in the profit charges on services furnished to producers by the processor have also been considered. Producer representatives generally contend that no profit should be permitted noting that the small producers are not able to obtain these services from other sources; that the company does not incur any expense in obtaining this business; and that the purchasing of these services from the company benefits the company by reducing the unit material and acquisition costs of the company for its own needs. One processor recommended an increase in the profit charge to 10 percent, stating that the company has a substantial investment in equipment used in performing such services; and that the allowed 5 percent profit is small compared to the risks assumed by the company in providing these services. The 5 percent rate of profit on services is believed to be equitable and is continued in this determination.

After consideration of all pertinent factors this determination is considered to be fair and reasonable. Accordingly, I hereby find and conclude that the foregoing determination will effectuate the price provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U.S.C. Sup. 1153, sec. 301, 61 Stat. 929, as amended; 7 U.S.C. Sup. 1131)

Effective date. This determination shall become effective when published in the FEDERAL REGISTER and is applicable to the 1967 crop of Hawaiian sugarcane.

Signed at Washington, D.C., on May 11, 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-5454; Filed, May 15, 1967; 8:50 a.m.]

Chapter IX—Consumer and Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Nuts), Department of Agriculture

[Avocado Reg. 15]

PART 944—FRUIT; IMPORT REGULATIONS

Avocados

§ 944.7 Avocado Regulation 15.

(a) On and after the effective time of this section, the importation into the United States of any avocados is prohibited unless such avocados are inspected and meet the following requirements:

(1) All avocados imported during the period May 20, 1967, through April 30, 1968, shall grade not less than U.S. No. 3.

(2) Avocados of the Pollock variety shall not be imported (i) prior to July 17, 1967; and (ii) from July 17, 1967, through July 30, 1967, unless the individual fruit in each lot of such avocados weighs at least 16 ounces or measures at least 3 7/16 inches in diameter;

(3) Avocados of the Catalina variety shall not be imported (i) prior to October 23, 1967; and (ii) from October 23, 1967, through November 12, 1967, unless the individual fruit in each lot of such avocados weighs at least 18 ounces;

(4) Avocados of the Trapp variety shall not be imported (i) prior to August 14, 1967; and (ii) from August 14, 1967, through September 10, 1967, unless the individual fruit in each lot of such avocados weighs at least 12 ounces or measures at least 3 7/16 inches in diameter;

(5) Avocados of any variety other than Pollock, Catalina, and Trapp shall not be imported (i) prior to July 3, 1967; (ii) from July 3, 1967, through July 9, 1967, unless the individual fruit in each lot of such avocados weighs at least 16 ounces; (iii) from July 10, 1967, through July 30, 1967, unless the individual fruit in each lot of such avocados weighs at least 14 ounces; and (iv) from July 31, 1967, through September 17, 1967, unless the individual fruit in each lot of such avocados weighs at least 10 ounces: *Provided*, That any lot of such avocados may be imported without regard to the minimum weight requirements of this paragraph if such avocados, when mature, normally change color to any shade of red or purple and any portion of the skin of the individual fruit has changed to the color normal for that fruit when mature.

(6) Notwithstanding the provisions of subparagraphs (2) through (5) of this paragraph regarding the minimum weight or diameter for individual fruit, not to exceed 10 percent, by count, of the individual fruit contained in each lot may weigh less than the minimum specified weight and be less than the minimum specified diameter: *Provided*, That such avocados weigh not more than 2 ounces less than the applicable specified weight for the particular variety specified in such subparagraphs. Such tolerances shall be on a lot basis, but not to exceed double such tolerances shall be permitted for an individual container in a lot.

(b) The Federal or Federal-State Inspection Service, Fruit and Vegetable Division, Consumer and Marketing Service, U.S. Department of Agriculture, is hereby designated as the governmental inspection service for the purpose of certifying the grade, size, quality, and maturity of avocados that are imported into the United States. Inspection by the Federal or Federal-State Inspection Service with appropriate evidence thereof in the form of an official inspection certificate, issued by the respective service, applicable to the particular shipment of avocados, is required on all imports of avocados. Such inspection and certification services will be available upon application in accordance with the rules and regulations governing inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title) but, since inspectors are not located in the immediate vicinity of some of the small ports of entry, such as those in southern California, importers of avocados should make arrangements for inspection, through the applicable one of the following offices, at least the specified number of days prior to the time when the avocados will be imported:

Ports	Office	Advance notice
All Texas points.	W. T. McNabb, 222 McClendon Bldg., Harlingen, Tex. 78551 (Phone—Garfield 3-5644)	1 day.
	or	
	James L. Williams, Room 516 U.S. Courthouse, El Paso, Tex. 79901 (Phone—533-9331, Ext. 5346).	Do.
All New York points.	Edward J. Beller, 346 Broadway, Room 306, New York, N.Y. 10013 (Phone—Rector 2-8000, Ext. 7807).	Do.
All Arizona points.	R. H. Bertelson, 136 Grand Ave., Post Office Box 1646, Nogales, Ariz. 85612 (Phone—Atwater 7-2902).	Do.
All Florida points.	Hubert S. Flynt, 775 Warner St., Post Office Box 6097, Orlando, Fla. 32803 (Phone—841-2141)	Do.
	or	
	Lloyd W. Boney, 1350 Northwest 12th Ave., Room 538, Miami, Fla. 33136 (Phone—371-2517).	Do.
All California points.	Carley D. Williams, 784 South Central Ave., Room 294, Los Angeles, Calif. 90021 (Phone—622-8756).	3 days.
All other points.	D.S. Matheson, Fruit and Vegetable Division, C&MS, Washington, D.C. 20250 (Phone—Dudley 8-5870 and 4560).	Do.

(c) Inspection certificates shall cover only the quantity of avocados that is being imported at a particular port of entry by a particular importer.

(d) The inspection performed, and certificates issued, by the Federal or Federal-State Inspection Service shall be in accordance with the rules and regulations of the Department governing the inspection and certification of fresh fruits, vegetables, and other products (Part 51 of this title). The cost of any inspection and certification shall be borne by the applicant therefor.

(e) Each inspection certificate issued with respect to any avocados to be imported into the United States shall set forth, among other things:

(1) The date and place of inspection;

(2) The name of the shipper, or applicant;

(3) The commodity inspected;

(4) The quantity of the commodity covered by the certificate;

(5) The principal identifying marks on the container;

(6) The railroad car initials and number, the truck and the trailer license number, the name of the vessel, or other identification of the shipments; and

(7) The following statement, if the facts warrant: "Meets U.S. import requirements under section 8e of the Agricultural Marketing Agreement Act of 1937, as amended."

(f) Notwithstanding any other provisions of this section, any importation of avocados which, in the aggregate, does not exceed 55 pounds may be imported without regard to the restrictions specified herein.

(g) It is hereby determined, on the basis of the information currently available, that the maturity requirements set forth in this section are comparable to the maturity regulations applicable, during the effective time hereof, to shipments of avocados grown in south Florida.

(h) No provisions of this section shall supersede the restrictions or prohibitions on avocados under the Plant Quarantine Act of 1912.

(i) Nothing contained in this section shall be deemed to preclude any importer from reconditioning prior to importation any shipment of avocados for the purpose of making it eligible for importation.

(j) The terms relating to grade and diameter, as used herein, shall have the same meaning as when used in the U.S. Standards for Florida Avocados (§§ 51.3050–51.3069 of this title). Importation means release from custody of the U.S. Bureau of Customs.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective time of this regulation beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) such regulation imposes the same grade and comparable maturity requirements on imports of avocados as are being made applicable to the shipment of avocados grown in Florida under Avocado Regulation 9 which becomes effective May 15, 1967; (c) such domestic and import restrictions should become effective at as near the same time as is reasonably practicable; (d) compliance with this import regulation will not require any special preparation which cannot be completed by the effective time hereof; (e) notice hereof in excess of 3 days, the minimum prescribed by said section 8e, is given with respect to this import regulation; and (f) such notice is hereby determined, under the circumstances, to be reasonable.

Dated, May 11, 1967, to become effective May 20, 1967.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-5456; Filed, May 15, 1967; 8:51 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Texas Flaxseed Bulletin, 1967 Supp.]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—1967 Texas Flaxseed Purchase Program

A special purchase program has been authorized for 1967 crop flaxseed produced in designated Texas counties. This subpart contains provisions applicable to the 1967 program and together with the provisions contained in CCC Texas Flaxseed Bulletin (26 F.R. 3979, 29 F.R. 6245) constitutes the 1967 Texas Flaxseed Purchase Program.

§ 1421.3106 Purchase prices, premiums, and discounts.

(a) *1967 county purchase prices.* Basic purchase prices per bushel of eligible flaxseed of the 1967 crop which is produced in the counties listed below and which is delivered to authorized dealers under this program for the account of CCC will be at the rate established for the county where the flaxseed is delivered. The basic purchase prices for flaxseed grading No. 1 and containing from 9.1 to 9.5 percent moisture are as follows:

TEXAS

County	Rate per bushel	County	Rate per bushel
Aransas	$2.86	Karnes	$2.82
Atascosa	2.76	Kimble	2.64
Bastrop	2.72	Kleberg	2.84
Bee	2.85	La Salle	2.69
Bell	2.69	Lavaca	2.73
Bexar	2.75	Lee	2.75
Blanco	2.70	Live Oak	2.83
Bowie	2.61	McCulloch	2.64
Brooks	2.77	McMullen	2.78
Brown	2.65	Mason	2.65
Burnet	2.67	Matagorda	2.77
Caldwell	2.73	Maverick	2.62
Calhoun	2.78	Medina	2.72
Cameron	2.69	Milam	2.71
Coleman	2.63	Mills	2.65
Collin	2.65	Nueces	2.87
Colorado	2.78	Real	2.66
Comal	2.73	Red River	2.60
Concho	2.63	Refugio	2.86
De Witt	2.77	Runnels	2.61
Dimmit	2.65	San Patricio	2.87
Duval	2.79	San Saba	2.65
Frio	2.72	Taylor	2.59
Galveston	2.83	Travis	2.72
Goliad	2.83	Uvalde	2.68
Gonzales	2.75	Victoria	2.80
Guadalupe	2.74	Webb	2.71
Hamilton	2.62	Wharton	2.79
Hays	2.72	Willacy	2.73
Hidalgo	2.72	Williamson	2.71
Jackson	2.76	Wilson	2.79
Jim Hogg	2.75	Zapata	2.67
Jim Wells	2.84	Zavala	2.65

(b) *1967 terminal market purchase prices.* The basic purchase price shall be $2.98 per bushel for flaxseed grading No. 1 and containing from 9.1 to 9.5 percent moisture delivered by rail or truck to authorized dealers at the Corpus Christi and Houston, Tex., terminal markets. There shall be deducted from such rate the transportation cost, if any, as determined by the Kansas City ASCS Commodity Office, for moving the flaxseed to a tidewater facility located within the switching limits of the terminal market to which it was delivered. In determining the purchase price for flaxseed delivered by truck to authorized dealers at such terminal markets, there shall also be deducted from the terminal rate 4.5 cents per bushel.

(c) *Premium for low moisture content.* A premium of 1 cent per bushel shall be applied to eligible flaxseed which grades No. 1 or No. 2 and contains 9 percent or less moisture.

(d) *Grade discounts.* The following discounts shall be applied to eligible flaxseed which grades No. 2 or Sample Grade:

(1) No. 2—6 cents per bushel.

(2) Sample Grade—6 cents per bushel plus the following discounts, as applicable:

(i) Moisture:

Percent	Cents
9.6–10.0	1
10.1–10.5	2
10.6–11.0	3
Above 11.0	[1] 3

[1] Plus 1 cent for each one-tenth percent of moisture in excess of 11 percent.

(ii) Test weight: 3 cents for each one-half pound or fraction thereof of test weight below 47 pounds.

(iii) Other factors: Discounts established by CCC for quality factors not specified above which affect the value of the flaxseed, such as (but not limited to) heat damage, musty, and sour. The discounts established will be based upon the market discounts for the factors at the time the flaxseed is delivered to CCC, as determined by CCC. Producers may obtain schedules of such factors and discounts at ASCS county offices.

(Sec. 4, 62 Stat. 1070, as amended; sec. 5, 62 Stat. 1072; secs. 301, 401, 63 Stat. 1053, 1054, as amended; 15 U.S.C. 714 b and c; 7 U.S.C. 1447, 1421)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on May 10, 1967.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 67-5423; Filed, May 15, 1967; 8:48 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 531—PAY UNDER THE CLASSIFICATION ACT SYSTEM

Superior Qualifications Appointments

Section 531.203(b) is amended to enable agencies to grant a superior qualifications appointment to an employee serving under a temporary appointment in a postdoctoral research program, or as

part of a predoctoral or postdoctoral training program during which the employee receives a stipend, without first requiring the employee to take a 90 calendar day break in service. Effective on publication in the FEDERAL REGISTER subparagraph (2) of paragraph (b) of § 531.203 is amended as set out below.

§ 531.203 General provisions.

* * * * *

(b) *Superior qualifications appointments.* * * *

(2) A department may make a superior qualifications appointment by new appointment or by reemployment except that when made by reemployment, the candidates must have a break in service of at least 90 calendar days from his last period of Federal employment or employment with the municipal government of the District of Columbia (other than employment under an appointment as an expert or consultant under section 3109 of title 5, United States Code, or employment under a temporary appointment effected primarily in furtherance of a postdoctoral research program or effected as a part of a predoctoral or postdoctoral training program during which the employee receives a stipend).

* * * * *

(5 U.S.C. 5338)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant to the Commissioners.

[F.R. Doc. 67-5446; Filed, May 15, 1967; 8:50 a.m.]

Title 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 31—GENERAL LICENSES FOR CERTAIN QUANTITIES OF BYPRODUCT MATERIAL AND BYPRODUCT MATERIAL CONTAINED IN CERTAIN ITEMS

PART 32—SPECIFIC LICENSES TO MANUFACTURE, DISTRIBUTE, OR IMPORT EXEMPTED AND GENERALLY LICENSED ITEMS CONTAINING BYPRODUCT MATERIAL

Increase in Quantity Limit for Tritium in Generally Licensed Self-Luminous Aircraft Safety Devices

On February 8, 1967, the Atomic Energy Commission published in the FEDERAL REGISTER (32 F.R. 2649) proposed amendments to its regulations 10 CFR Parts 31 and 32 which would increase the quantity limit of generally licensed tritium in any single aircraft safety device from four curies to ten curies.

Interested persons were invited to submit written comments and suggestions for consideration in connection with the proposed amendments within 30 days after publication of the notice of proposed rule making in the FEDERAL REGISTER. After consideration of the comments received and other factors involved, the Commission has adopted the proposed amendments. The text of the amendments set out below is identical to the text of the proposed amendments published February 8, 1967.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, as amended, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 31 and 32 are published as a document subject to codification effective thirty (30) days after publication in the FEDERAL REGISTER.

1. Paragraph (a) of § 31.7 of 10 CFR Part 31 is revised to read as follows:

§ 31.7 Luminous safety devices for use in aircraft.

(a) A general license is hereby issued to own, receive, acquire, possess, and use tritium or promethium 147 contained in luminous safety devices for use in aircraft, provided each device contains not more than 10 curies of tritium or 100 millicuries of promethium 147 and that each device has been manufactured, assembled or imported in accordance with a license issued under the provisions of § 32.53 of this chapter or manufactured or assembled in accordance with a specific license issued by an agreement State which authorizes manufacture or assembly of the device for distribution to persons generally licensed by the agreement State.

* * * * *

2. Paragraph (c) of § 32.53 of 10 CFR Part 32 is revised to read as follows:

§ 32.53 Luminous safety devices for use in aircraft: requirements for license to manufacture, assemble, repair or import.

* * * * *

(c) Each device will contain no more than 10 curies of tritium or 100 millicuries of promethium 147. The levels of radiation from each device containing promethium 147 will not exceed 0.5 millirad per hour at 10 centimeters from any surface when measured through 50 milligrams per square centimeter of absorber.

* * * * *

(Sec. 81, 68 Stat. 935; 42 U.S.C. 2111; Sec. 161, 68 Stat. 948; 42 U.S.C. 2201)

Dated at Washington, D.C., this 1st day of May 1967.

For the Atomic Energy Commission.

W. B. McCOOL,
Secretary.

[F.R. Doc. 67-5381; Filed, May 15, 1967; 8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Administration, Department of Transportation

SUBCHAPTER C—AIRCRAFT

[Docket No. 67-EA-42; Amdt. 39-412]

PART 39—AIRWORTHINESS DIRECTIVES

Fairchild F-27 and FH-227 Type Airplanes

Amendment 39-217 (31 F.R. 4837), AD 66-8-3, requires repetitive inspection of the horizontal stabilizer and repair or replacement if cracks are found on Fairchild F-27 type airplanes. After issuing Amendment 39-17, the FH-227 type airplane was certificated, which is a modification of the F-27 type airplane. The Agency determined that, due to service experience, both airplanes should be reinspected at intervals not to exceed 150 hours' time in service from the last inspection unless modified, after which modification the intervals may be increased to 1,200 hours' time in service. Therefore, the AD 66-8-3 is being superseded by a new AD that similarly applies to FH-227 type airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by deleting amendment 39-217 and adding the following new airworthiness directive:

FAIRCHILD. Applies to F-27 Type Airplanes Serial Numbers 1 through 122 Inclusive, and FH-227 Type Airplanes Serial Numbers 501 through 529 Inclusive.

Compliance required as indicated.

To detect cracks in the skin of the upper inboard forward part of the horizontal stabilizer, accomplish the following:

(a) Within the next 50 hours' time in service after the effective date of this AD, unless already accomplished within the last 100 hours' time in service, and thereafter at intervals not to exceed 150 hours' time in service from the last inspection, remove the stabilizer inboard leading edge fairing and inspect the top skin for cracks in the area from Stabilizer Station 0 to Station 30.0 and aft from the front spar to stringer No. 10, using X-ray, or visually with a glass of at least 10 power, or an FAA approved equivalent inspection.

(b) If a crack is found during an inspection, repair the crack before further flight with an FAA approved repair, or replace the cracked part with a part of the same part number that has been inspected in accordance with paragraph (a) and found free of cracks, or with an FAA approved equivalent part.

(c) The repetitive inspection interval specified in paragraph (a) may be increased from 150 hours' time in service to 1,200

hours' time in service from the last inspection on Model F-27 Series airplanes modified in accordance with Fairchild Hiller Service Bulletin 55-11, Revision 1, dated November 17, 1966, or later FAA approved revision, or an FAA approved equivalent modification, and on Model FH-227 airplanes modified in accordance with Fairchild Hiller Service Bulletin 55-1, Revision 1, dated November 17, 1966, or later FAA approved revision, or an FAA approved equivalent modification.

(d) Equivalent inspections and repairs may be approved by an FAA maintenance inspector. Equivalent parts, Service Bulletin revisions, and modifications, must be approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(e) Upon request with substantiating data submitted through an FAA maintenance inspector, compliance times specified in this AD may be increased by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This supersedes Amendment 39-217 (31 F.R. 4837), AD 66-8-3.

This amendment is effective upon publication in the FEDERAL REGISTER.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Jamaica, N.Y., on May 1, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5397; Filed, May 15, 1967; 8:46 a.m.]

[Docket No. 67-EA-43; Amdt. 39-411]

PART 39—AIRWORTHINESS DIRECTIVES

Grumman G-159 Type Airplane

There have been reported incidents of chafing of the upper diagonal engine mount tube with the engine exhaust tail pipe blanket, on the Grumman Type G-159, Grumman Gulfstream, airplane. Since this condition is likely to exist or develop in other airplanes of the same type, an airworthiness directive is being issued requiring inspection of the mount tubes with an option to install chafe guards.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure herein are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

GRUMMAN. Applies to Type G-159 Airplanes (Grumman Gulfstream).

Compliance required as indicated.

To detect wear of the upper diagonal engine mount tube, caused by contact with the engine exhaust tail pile blanket, accomplish the following:

(a) Within the next 100 hours' time in service after the effective date of this AD, unless already accomplished within the last 100 hours' time in service, and thereafter at intervals not to exceed 200 hours' time in service from the last inspection, visually inspect the lower half of the upper diagonal engine mount tubes, P/N 159W10172-11, left engine, and P/N 159W10172-13, right engine, for wear. If any indication of wear is found, determine the depth of wear.

(b) Tubes found to have wear depth as measured from the outer edge of the tube greater than 0.030 inch deep must be replaced before further flight, with a part of the same part number or with an FAA-approved equivalent part. Tubes found to have wear of 0.030 inch deep or less may be repaired with an FAA-approved repair or replaced with a part of the same part number or with an FAA-approved equivalent part.

(c) The repetitive inspection interval specified in (a) may be discontinued when chafe guards, P/N 159WP10017-11, are installed in accordance with Gruman Gulfstream Service Change Number 180, dated October 17, 1966, or later FAA-approved revision, or when an FAA-approved equivalent chafe guard is installed. The chafe guard must be inspected at intervals not to exceed 2500 hours' time in service from the last inspection and replaced if indications of chafing are found.

NOTE: Inspection of the modification can be most easily performed during engine change.

(d) Equivalent inspections and repairs must be approved by an FAA maintenance inspector. Equivalent parts, Service Change revisions, and modifications, must be approved by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

(e) Upon request with substantiating data submitted through an FAA maintenance inspector compliance times specified in this AD may be increased by the Chief, Engineering and Manufacturing Branch, FAA Eastern Region.

This amendment is effective upon publication in the FEDERAL REGISTER.

(Secs. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421, and 1423)

Issued in Jamaica, N.Y., on May 5, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5398; Filed, May 15, 1967; 8:46 a.m.]

[Docket No. 7297; Amdt. 39-413]

PART 39—AIRWORTHINESS DIRECTIVES

Sensenich Propellers

Amendment 39-289, AD 66-23-2 requires the removal of water soluble decals from the blades of Sensenich propellers and an inspection of the exposed surface for signs of corrosion and cracks. As part of the applicability paragraph reference was made to Sensenich propeller bulletins R-10 and R-11. It has been determined that these bulletins have tended to be misconstrued and exempt certain propellers from the inspection. Since the A.D. was intended and does apply to all propellers, it is found that no cause exists for retaining the reference to the service bulletins in the applicability heading.

Since this amendment provides a clarification only notice and procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator, 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations, Amendment 39-289, AD 66-23-2 is amended as follows:

1. By deleting from the applicability paragraph all after "Mid-Blade Decals" and before "Compliance required."

2. By deleting the ultimate bulletin references and insert in lieu thereof:

Sensenich Propeller Bulletins Nos. R-11, dated March 1, 1966; R-12 dated August 1, 1966, and R-12A, dated February 6, 1967, pertain to this subject.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958; 49 U.S.C. 1354(a), 1421 and 1423)

This amendment is effective upon publication in the FEDERAL REGISTER.

Issued in Jamaica, N.Y., on May 1, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5399; Filed, May 15, 1967; 8:46 a.m.]

[Docket No. 67-EA-44; Amdt. 39-415]

PART 39—AIRWORTHINESS DIRECTIVES

Sikorsky S-55 Series Helicopters

There have been incidents of fatigue fractures of the pylon lower rings, P/N S14-20-3013, installed in the tail pylon of the S-55 series helicopters. The fracture of these rings can result in the loss of the pylon and ultimately the helicopter. Since this condition is likely to exist or develop in other helicopters of the same type, an airworthiness directive is being issued to require 10-hour visual inspections of the pylon lower rings and eventual removal and replacement upon termination of certain time periods.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure herein are impractical and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator 14 CFR 11.85 (31 F.R. 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SIKORSKY. "Applies to S-55 Series Helicopters Equipped with S14-20-5300 Series Tail Cone and Pylon Assembly (Straight Tail Cone)."

Compliance required as indicated.

To prevent operation with fatigue cracks in the pylon lower ring accomplish the following.

(a) Within the next 10 hours' time in service and thereafter at intervals not to exceed 10 hours' time in service from the last inspection, remove the pylon lower access cover and visually inspect for cracks pylon lower ring, P/N S14-20-3013, with 3,500 or more hours' time in service on the effective date of the A.D.

NOTE: Where excess paint that may hinder the visual inspection is present, remove with MIL-R-8633 water-soluble paint remover and apply a light coat of MIL-P-8585 zinc chromate primer.

(b) If a crack is found, replace the pylon lower ring assembly, P/N S14-20-3052, before further flight.

(c) Remove from service pylon lower ring assembly, P/N S14-20-3052, with 3,400 or more hours' time in service on the effective date of this A.D. within the next 100 hours' time in service.

(d) Remove from service all other pylon lower ring assemblies, P/N S14-20-3052, before the accumulation of 3,500 hours' time in service.

(e) Operators who have not kept records of hours of time in service on pylon lower ring assembly, P/N S14-20-3052, shall substitute helicopter hours of time in service in lieu thereof.

(Sikorsky Service Bulletin 55B20-1E covers this subject.)

This amendment is effective 5 days after publication in the FEDERAL REGISTER.

(Sec. 313(a), 601, 603, Federal Aviation Act of 1958, 49 U.S.C. 1354(a), 1421 and 1423)

Issued in Jamaica, N.Y., on May 1, 1967.

WAYNE HENDERSHOT,
Acting director, Eastern Region.

[F.R. Doc. 67-5400; Filed, May 15, 1967; 8:46 a.m.]

SUBCHAPTER D—AIRMEN

[Docket No. 7538; Amdt. 61-33]

PART 61—CERTIFICATION: PILOTS AND FLIGHT INSTRUCTORS

Recognition of Foreign Pilot Licenses and Issuance of Instrument and Aircraft Ratings

The purpose of these amendments is to extend the issuance of the special purpose pilot certificate requirements of § 61.33 of the Federal Aviation Regulations to any holder of a foreign pilot license issued by a member State of ICAO, regardless of whether the holder is a citizen of the State that issued the certificate.

A notice of proposed rule making regarding this action was circulated as Notice 66-31 and published in the FEDERAL REGISTER on August 4, 1966 (31 F.R. 10475). In response to the notice, the FAA received several comments from interested persons and pilot associations. While these comments were generally favorable to the proposal, suggestions were made which were given due consideration, and where appropriate were adopted in the amendment.

It was pointed out in two comments that while the term validation was used in the notice, the proposal is for the issuance of a special U.S. certificate based upon the foreign license rather than a true validation of that license. One comment favored on actual validation thereby eliminating the need for the issuance of a certificate by the FAA. The other comment suggested the elimination of the term "special purpose" as being confusing. After due consideration, it was decided that, as proposed, a certificate should be issued based upon recognition of the foreign pilot license. Moreover, to distinguish these certificates from other pilot certificates issued by the FAA, the term special purpose pilot certificate has been retained. However, to avoid any misunderstanding as to the method by which the special purpose pilot certificate is issued, the use of the term validation has been eliminated from the final rule.

Two comments urged that a special purpose pilot certificate should be issued only to a holder of a pilot license issued by a State that reciprocates in the same manner to the holder of a U.S. pilot certificate. This was considered but was not adopted for the reason that such a restriction would not be in accord with the objectives of ICAO Circular 68-AN/60 referred to in the notice erroneously as 63-AN/60.

One comment recommended that in the case of an instrument rating, the applicant should be required to pass the written and flight tests required by §§ 61.35 and 61.37. These tests would be required before an instrument rating would be issued if the applicant does not hold an instrument rating on his foreign pilot license. However, since a foreign licensed pilot with an instrument rating on that license may exercise IFR privileges in the United States when piloting a foreign registered aircraft, the granting of that privilege with respect to aircraft of U.S. registry is consistent with the objectives sought by the amendments.

With regard to the proposed commercial pilot privileges, there were comments objecting to allowing foreign pilots to fly U.S. registered aircraft for compensation or hire, particularly with respect to aircraft manufacturer flight test programs and for business or executive aircraft operations. In addition, it was pointed out that some misunderstanding could occur in determining what amounted to carrying property for hire, as in crop dusting or banner towing operations for example.

The proposal was primarily to permit foreign pilot representatives to participate, for hire, in aircraft development programs in which they and the manufacturer have a mutual interest, and to permit foreign pilots to fly for hire in connection with business activities in the United States using U.S. registered aircraft. While the rule would not prohibit gainful employment with any manufacturer or executive aircraft operator, this is not considered objectionable from a safety standpoint. The FAA does not consider the employment practices with respect to the hiring of foreign pilots to be a matter within its jurisdiction unless those practices affect safety. As the notice pointed out, this authorization to act as a pilot for compensation or hire does not thereby relieve the pilot from compliance with other requirements applicable to the employment of aliens in the United States. As to the question of carrying property for hire such as in agricultural or banner towing operations, the commercial privileges granted in the special purpose pilot certificate will be applicable. However, before a foreign pilot can engage in those type activities, he must be in compliance with the other provisions of this chapter governing those activities as well as with all other requirements applicable to employment of aliens.

Some comments indicated confusion as to the applicability of the limitation imposed if the applicant cannot read, speak or understand the English language. This limitation in the proposed § 61.33(b) under the title "Tests" was interpreted as a limitation on an applicant for an instrument rating. By placing this limitation in § 61.33(d) *Certificate and ratings issued* the ambiguity is eliminated and the rule is clear that it applies to all applicants for a pilot certificate.

To clarify the requirements that the medical qualifications must be current the word "current" was added to §§ 61.3 and 61.33(c) where medical qualifications are discussed. Under the notice, it was proposed that a medical certificate issued under Part 67 would be accepted as evidence of medical qualification if it is also accepted by the State of issuance as evidence that the applicant meets the medical standards. However, to accommodate persons such as Embassy and Consular personnel who are unable to obtain a foreign medical certificate or renewal thereof while stationed in the United States, § 61.33(c) of the rules as adopted has been changed to permit the use of a medical certificate issued under Part 67 for flights within the United States.

One further liberalization was suggested and incorporated in the final rules adopted herein. As proposed § 61.33(f) required an applicant for renewal to apply at least 30 days before his certificate expires. This has been deleted and replaced by a requirement that application must be made before the certificate expires. This places no additional burden upon the FAA and the relaxation was therefore deemed appropriate.

In consideration of the foregoing and for the reasons previously stated in the Notice No. 66-31, Part 61 of the Federal Aviation Regulations is amended, as hereinafter set forth, effective June 15, 1967:

§ 61.3 [Amended]

1. By amending the last sentence of paragraph (c) of § 61.3 to read as follows: "However, in the case of a pilot certificate issued under § 61.33, evidence of current medical qualification accepted for the issue of that certificate is used in place of a medical certificate."

2. By amending paragraph (d) of § 61.9 to read as follows:

§ 61.9 Duration of certificates.

* * * * *

(d) *Special purpose pilot certificate.* A pilot certificate, with any amendment thereto, issued under § 61.33, expires at the end of the 24th month after the month in which the certificate was issued or renewed. However, the holder may exercise the privileges of that certificate only while the foreign pilot license on which that certificate is based is effective.

* * * * *

3. By amending § 61.33 to read as follows:

§ 61.33 Special purpose pilot certificate other than airline transport.

(a) *Purpose.* The holder of a current foreign pilot license issued by a contracting State to the Convention on International Civil Aviation, who meets the requirements of this section, may have a pilot certificate issued to him for the operation of civil aircraft of U.S. registry. Each pilot certificate issued under this section specifies the number and State of issuance of the foreign pilot license on which it is based.

(b) *Tests.* An applicant for a pilot certificate with an instrument rating must pass a test on the instrument flight rules in Subpart B of Part 91 of this chapter, including the related procedures necessary for the operation of the aircraft under instrument flight rules.

(c) *Medical standards and certification.* An applicant must submit evidence that he currently meets the medical standards for the foreign pilot license on which the application for a certificate under this section is based. A current medical certificate issued under Part 67 of this chapter will be accepted as evidence that the applicant meets those standards. However, a medical certificate issued under Part 67 is not evidence that the applicant meets those standards outside the United States unless the State that issued the applicant's foreign pilot license also accepts that medical certificate as evidence of the applicant's physical fitness for his foreign pilot license.

(d) *Certificates issued.* An applicant who holds a current foreign pilot license that authorizes private pilot privileges is issued a pilot certificate with the same privileges. An applicant who holds a current foreign pilot license that authorizes commercial pilot privileges may obtain a certificate with either private or commercial pilot privileges. If the applicant cannot read, speak, and understand the English language, the Administrator may place any limitation on the certificate that he considers necessary for safety. This section does not authorize the issue of airline transport pilot certificates.

(e) *Ratings issued.* Aircraft and instrument ratings listed on the applicant's foreign pilot license, in addition to any issued to him after testing under the provisions of this part, are placed on the applicant's pilot certificate.

(f) *Privileges and limitations.* The holder of a pilot certificate issued under this section may act as a pilot of a civil aircraft of U.S. registry subject to the limitations of this part and any additional limitations placed on his certificate by the Administrator. He is subject to these limitations while he is acting as a pilot of the aircraft within or outside the United States. However, he may not act as pilot in command, or in any other capacity as a required pilot flight crewmember, of a civil aircraft of U.S. registry that is carrying persons or property for compensation or hire.

(g) *Renewal of certificate and ratings.* The holder of a certificate issued under this section may have that certificate and the ratings placed thereon renewed if, at the time of application for renewal, the foreign pilot license on which that certificate is based is in effect. Application for the renewal of the certificate and ratings thereon must be made before the expiration of the certificate.

(Secs. 313(a), 601, 602, Federal Aviation Act of 1958; 49 U.S.C. 1354, 1421, 1422)

Issued in Washington, D.C., on May 9, 1967.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 67-5412; Filed, May 15, 1967; 8:47 a.m.]

SUBCHAPTER E—AIRSPACE

[Airspace Docket No. 66-EA-77]

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

Alteration of Control Zone

On Page 3779 of the FEDERAL REGISTER dated March 7, 1967 the Federal Aviation Administration published a proposed regulation which would amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the John F. Kennedy International Airport, N.Y., Control Zone.

Interested parties were given 30 days in which to submit written data or views. No objections to the proposed regulation have been received.

In view of the foregoing, the proposed regulation is hereby adopted effective 0001 e.s.t., June 22, 1967.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on April 24, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the description of the John F. Kennedy International Airport, N.Y., control zone by deleting the coordinates "(40°38'30" N., 73°47'10" W.)" and the phrase, "within 2 miles each side of the Kennedy VOTAC 053° radial, extending from the 5.5-mile radius zone to 7 miles E of the VORTAC;" and insert in lieu thereof the coordinates, "(40°38'20" N., 73°47'10" W.)" and the phrase, "within 2 miles each side of the Kennedy VORTAC 037° radial, extending from the 5.5-mile radius zone to 8 miles NE of the VORTAC;". After the phrase, "extending from the 5.5-mile radius zone to 8 miles SW of the OM-RBN;", insert the phrase, "within 2 miles each side of the Canarsie VOR 030° radial, extending from the VOR to 4.5 miles NE of the VOR;".

[F.R. Doc. 67-5401; Filed, May 15, 1967; 8:46 a.m.]

[Airspace Docket No. 66-EA-106]

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

Alteration of Control Zone

The Federal Aviation Administration is amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Concord, N.H., control zone.

The VOR instrument final approach course has been changed 1 degree from 120° to 119° and the ADF has been changed 3 degrees from 331° to 328°.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In view of the foregoing, the amendment is hereby adopted effective 0001 e.s.t., June 22, 1967 as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the Concord, N.H., control zone the figures 285° and 136° and insert in lieu thereof 284° and 133° respectively.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on April 25, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5402; Filed, May 15, 1967; 8:46 a.m.]

[Airspace Docket No. 67-EA-9]

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

Alteration of Control Zone

The Federal Aviation Administration is amending § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the Westfield, Mass., control zone.

Because of the closing of Runway 27 at Barnes Municipal Airport, Westfield, Mass., the control zone extension to the west may be deleted.

Since this amendment does not impose additional burden on any person, notice and public procedure hereon are unnecessary.

In view of the foregoing, the amendment is hereby adopted effective 0001 e.s.t., June 22, 1967, as follows:

1. Amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to delete in the Westfield, Mass., control zone the phrase "and within 2 miles each side of the centerline of Runway 27 extended 7 miles west from the end of the runway."

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on April 27, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5403; Filed, May 15, 1967; 8:47 a.m.]

[Airspace Docket No. 67-EA-52]

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

Alteration of Control Zone

On January 31, 1967, F.R. Doc. 67-1070 was published in the FEDERAL REGISTER (32 F.R. 1086) which amended the Manchester, N.H., control zone to reduce the period of control from 24 hours daily to

16 hours daily. This amendment would have become effective April 1, 1967. However, it was extended to May 1, 1967, by Docket 67-EA-41.

Since the publication of 67-EA-41, it has again been brought to the attention of the Administrator by the State Aeronautics Commission of New Hampshire, civil users and the community that 24-hour operation of the control zone should be continued for an additional 60-day period to continue a revaluation of the terminal airspace requirements for Manchester, N.H. In view of the fact that the prime users of the aforementioned airspace are the petitioners for revaluation, it is found in the public interest that the control zone should be continued for a 60-day period.

For the reasons stated above, the Administrator finds that a situation exists requiring immediate action in the public interest, therefore notice and public procedure therein are contrary to said public interest and good cause exists for making this alteration effective immediately.

In consideration of the foregoing, F.R. Doc. 67-1070 is amended effective immediately as hereinafter set forth:

In numbered paragraph 2, of the text, the date "May 1, 1967" is deleted and "July 1, 1967" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y. on May 1, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5404; Filed, May 15, 1967; 8:47 a.m.]

[Airspace Docket No. 66-WE-56]

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

Alteration of Federal Airways

On March 1, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3400) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors on airway segments in the Denver, Colo., Air Route Traffic Control Center area.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

Subsequent to publication of the notice it was determined that the proposed floor on the segment of V-200 east of Meeker, Colo., would be less than 1,200 feet above the surface. Adjustment of this floor to provide adequate terrain clearance is taken herein.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth.

Section 71.123 (32 F.R. 2009, 3219) is amended as follows:

1. In V-4 all between "12 AGL Laramie, Wyo.;" and "12 AGL Hill City, Kans.;" is deleted and "12 AGL Denver, Colo., including a 12 AGL north alternate from Laramie to Denver via Gill, Colo.; 12 AGL Thurman, Colo.; 17 miles, 12 AGL, 33 miles, 65 MSL, 12 AGL Goodland, Kans.;" is substituted therefor.

2. In V-6 "12 AGL North Platte, Nebr.;" is deleted and "13 miles, 12 AGL, 26 miles, 57 MSL, 12 AGL North Platte, Nebr.;" is substituted therefor.

3. In V-8 all between "12 AGL Bryce Canyon," and "12 AGL Grand Island, Nebr.," is deleted and "excluding the airspace between the main and this north alternate; 12 AGL Hanksville, Utah, including a 12 AGL south alternate; 12 AGL Grand Junction, Colo., including a 12 AGL south alternate and also a 12 AGL north alternate from Bryce Canyon to Grand Junction via INT Bryce Canyon 048° and Grand Junction 259° radials; 33 miles, 12 AGL, 130 MSL Kremmling, Colo.; 9 miles, 130 MSL, 29 miles, 144 MSL, 11 miles, 127 MSL, 12 AGL Denver, Colo.; 12 AGL Akron, Colo.; including a 12 AGL south alternate via INT Denver 101° and Akron 238° radials; 12 AGL Hayes Center, Nebr., including a 12 AGL north alternate via INT Akron 063° and Hayes Center 276° radials and also a 12 AGL south alternate via INT Akron 094° Hayes Center 245° radials;" is substituted therefor.

4. In V-10 "via Lamar, Colo.;" is deleted and "18 miles, 12 AGL, 48 miles, 60 MSL, 12 AGL Lamar, Colo.;" is substituted therefor.

5. In V-19 all between "Pueblo 176° radials;" and "12 AGL Casper, Wyo.," is deleted and "12 AGL Kiowa, Colo., including a 12 AGL east alternate; 12 AGL INT Kiowa 005° and Denver, Colo., 101° radials; 12 AGL Denver; 12 AGL Cheyenne, Wyo.;" is substituted therefor.

6. In V-80 "to North Platte, Nebr." is deleted and "12 AGL North Platte." is substituted therefor.

7. In V-81 all after "12 AGL Tobe, Colo.;" is deleted and "12 AGL Pueblo, Colo.; 12 AGL Colorado Springs, Colo.; 12 AGL Denver, Colo." is substituted therefor.

8. In V-83 all after "12 AGL Alamosa, Colo.;" is deleted and "12 AGL INT Alamosa 075° and Pueblo, Colo., 203° radials; 12 AGL Pueblo; 12 AGL Colorado Springs, Colo.; 12 AGL Kiowa, Colo." is substituted therefor.

9. In V-89 all before "12 AGL Chadron," is deleted and "From INT Denver, Colo., 207° and Kiowa, Colo., 246° radials; 12 AGL Denver; 12 AGL Cheyenne, Wyo., including a 12 AGL east alternate from Denver to Cheyenne via Gill, Colo., and INT Gill 003° and Cheyenne 131° radials;" is substituted therefor.

10. In V-95 "From Gunnison, Colo., to Kiowa." is deleted and "From Gunnison, Colo., 15 miles, 125 MSL, 12 miles, 145 MSL, 22 miles, 157 MSL, 23 miles, 135 MSL, 9 miles, 128 MSL, 12 AGL Kiowa, Colo." is substituted therefor.

11. In V-100 "O'Neill, Nebr.;" is deleted and "41 miles, 12 AGL, 119 miles, 95 MSL, 12 AGL O'Neill, Nebr.;" is substituted therefor.

12. In V-108 all after "12 AGL Linden." is deleted and "From Colorado Springs, Colo.; 12 AGL Hugo, Colo., including a 12 AGL south alternate via INT Colorado Springs 153° and Hugo 250° radials; 74 miles, 65 MSL, 12 AGL Goodland, Kans.; 12 AGL Hill City, Kans." is substituted therefor.

13. In V-132 "From Cheyenne, Wyo., via Akron, Colo.; Goodland, Kans.," is deleted and "From Cheyenne, Wyo., 12 AGL Akron, Colo.; 17 miles, 12 AGL, 49 miles, 59 MSL, 12 AGL Goodland, Kans.;" is substituted therefor.

14. In V-148 all before "12 AGL Minneapolis, Minn.:" is deleted and "From Denver, Colo., 12 AGL INT Denver 174° and Kiowa, Colo., 268° radials; 12 AGL Kiowa; 12 AGL Thurman, Colo.; 17 miles, 12 AGL, 47 miles, 65 MSL, 12 AGL Hayes Center, Nebr.; 12 AGL North Platte, Nebr.; 21 miles, 12 AGL, 84 miles, 49 MSL, 12 AGL O'Neill, Nebr.; 10 miles, 12 AGL, 62 miles, 35 MSL, 12 AGL Sioux Falls, S. Dak.; 29 miles, 12 AGL, 46 miles, 31 MSL, 12 AGL Redwood Falls, Minn., including a south alternate from Sioux Falls 29 miles, 12 AGL, 49 miles, 31 MSL, 12 AGL Redwood Falls;" is substituted therefor.

15. In V-160 "to Sidney, Nebr." is deleted and "12 AGL Sidney, Nebr." is substituted therefor.

16. In V-168 "to O'Neill, Nebr." is deleted and "12 AGL O'Neill, Nebr." is substituted therefor.

17. In V-169 all before "12 AGL Scottsbluff, Nebr.;" is deleted and "From Tobe, Colo., 69 MSL Hugo, Colo.; 38 miles, 67 MSL, 12 AGL Thurman, Colo.; 12 AGL Akron, Colo.; 12 AGL Sidney, Nebr.;" is substituted therefor.

18. In V-172 all before "12 AGL INT North Platte 073°" is deleted and "From Denver, Colo., 12 AGL INT Denver 061° and Hayes Center, Nebr., 276° radials; 12 AGL INT Hayes Center 276° and North Platte, Nebr., 245° radials; 12 AGL North Platte;" is substituted therefor.

19. In V-187 "Grand Junction, Colo.;" is deleted and "17 miles, 12 AGL, 28 miles, 115 MSL, 12 AGL Grand Junction, Colo.;" is substituted therefor.

20. In V-200 all after "12 AGL Reno, Nev." is deleted and "From Provo, Utah, Myton, Utah, 30 miles, 79 MSL, 31 miles, 12 AGL, 98 MSL Meeker, Colo.; 37 miles, 12 AGL, 26 miles, 140 MSL, 130 MSL, Kremmling, Colo.; 9 miles, 130 MSL, 29 miles, 144 MSL, 11 miles, 127 MSL, 12 AGL Denver, Colo." is substituted therefor.

21. In V-207 "via Gill, Colo.," is deleted and "12 AGL Gill, Colo.;" is substituted therefor.

22. In V-210 all between "12 AGL Farmington, N. Mex.;" and "From Kansas City, Mo.," is deleted and "12 AGL Alamosa, Colo., including a 12 AGL south alternate via INT Farmington 086° and Alamosa 232° radials; 12 AGL INT Alamosa 075° and Lamar, Colo., 250° radials; 40 miles, 12 AGL, 51 miles, 65 MSL, 12 AGL Lamar." is substituted therefor.

23. In V-220 all before "12 AGL INT McCook 072°" is deleted and "From Kremmling, Colo., 12 miles, 130 MSL, 32 miles, 147 MSL, 8 miles, 115 MSL, 12

AGL INT Kremmling 081° and Denver, Colo., 334° radials; 12 AGL Akron, Colo., 12 AGL INT Akron 094° and McCook, Nebr., 264° radials; 12 AGL McCook;" is substituted therefor.

24. In V-244 all after "12 AGL Milford, Utah;" is deleted and "12 AGL Hanksville, Utah; 42 miles, 12 AGL, 95 MSL LaSal, Utah; 14 miles, 95 MSL, 57 miles, 115 MSL, 12 AGL Gunnison, Colo.; 33 miles, 122 MSL, 27 miles, 155 MSL, 12 AGL Pueblo, Colo.; 18 miles, 12 AGL, 48 miles, 60 MSL, 12 AGL Lamar, Colo.; 20 miles, 12 AGL, 57 miles, 65 MSL, 61 miles, 95 MSL, 24 miles, 50 MSL, 12 AGL Russell, Kans. The airspace within R-2531 is excluded." is substituted therefor.

25. In V-263, all before "From Pierre, S. Dak.," is deleted and "From Cimarron, N. Mex., 12 AGL Tobe, Colo., 54 miles, 69 MSL, 12 AGL Lamar, Colo.; 17 miles, 12 AGL, 63 MSL Hugo, Colo.; 12 AGL Kiowa, Colo." is substituted therefor.

26. In V-484 all after "Myton, Utah;" is deleted and "14 miles, 79 MSL, 33 miles, 100 MSL, 12 AGL Grand Junction, Colo.; 12 AGL Gunnison, Colo., including a 12 AGL south alternate via INT Grand Junction 129° and Gunnison 264° radials; 13 miles, 112 MSL, 131 MSL INT Gunnison 110° and Alamosa, Colo., 339° radials; 12 AGL Alamosa." is substituted therefor.

27. In V-524 "to North Platte, Nebr." is deleted and "18 miles, 12 AGL, 93 miles, 54 MSL, 12 AGL North Platte, Nebr." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 5, 1967.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-5405; Filed, May 15, 1967; 8:47 a.m.]

[Airspace Docket No. 66-WE-57]

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

Alteration of Federal Airways

On March 4, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3750) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would raise the floors of airway segments in the Salt Lake City, Utah, Air Route Traffic Control Center area.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

It was stated in the notice that no action would be taken on V-494 as it was proposed to revoke this airway in Airspace Docket No. 66-WE-59. Because of an unforeseen delay in processing Airspace Docket No. 66-WE-59, V-494 will not be revoked until after publication of the actions taken herein. Accordingly, action is taken herein to raise the floor on the segment of V-494 from Hazen, Nev., to Malad City, Idaho. The altitude of these floors is in consonance with the intent of Amendment 60-21/29 in that only that airspace is released that is not required for the control of IFR air traffic. In addition, a minor change in the floor of V-101 between Ogden, Utah, and Burley, Idaho, is made herein to protect altitudes currently used for radar vectors of aircraft.

Since the amendment to V-494 is in the interest of providing continuity in the floors of airways in the Salt Lake City ARTC Center Area and will impose no undue burden on any person, and since the amendment to V-101 is minor in nature and in the interest of safety, the Administrator has determined that notice and public procedure thereon is impracticable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended effective 0001 e.s.t., July 20, 1967, as hereinafter set forth.

Section 71.123 (32 F.R. 2009) is amended as follows:

1. In V-6 all between "Hazen, Nev.;" and "12 AGL Rock Springs, Wyo.;" is deleted and "12 AGL Battle Mountain, Nev., including a 12 AGL north alternate; 12 AGL INT Battle Mountain 062° and Wells, Nev., 256° radials; 12 AGL Wells; 5 miles, 12 AGL, 40 miles, 98 MSL, 85 MSL Lucin, Utah; 43 miles, 85 MSL, 12 AGL Ogden, Utah; 11 miles, 12 AGL, 50 miles, 105 MSL, 12 AGL Fort Bridger, Wyo.;" is substituted therefor.

2. In V-21 all between "12 AGL Milford, excluding the airspace between the main and this east alternate;" and "12 AGL Pocatello, Idaho;" is deleted and "12 AGL Delta, Utah; 12 AGL Provo, Utah; 12 AGL Salt Lake City, Utah; 12 AGL Ogden, Utah; 12 AGL Malad City, Idaho;" is substituted therefor.

3. V-32 is amended to read as follows:

V-32 From Battle Mountain, Nev.; 12 AGL Elko, Nev.; 12 AGL Bonneville, Utah, including a 12 AGL north alternate from Elko to Bonneville via Wells, Nev.; 37 miles, 85 MSL, 12 AGL Salt Lake City, Utah; 17 miles, 12 AGL, 45 miles, 105 MSL, 12 AGL Fort Bridger, Wyo.

4. V-101 is amended to read as follows:

V-101 From Ogden, Utah, 61 miles, 12 AGL, 26 miles, 109 MSL, 12 AGL Burley, Idaho.

5. In V-200 "Myton, Utah," is deleted and "10 miles, 12 AGL, 35 miles, 125 MSL, 12 AGL Myton, Utah;" is substituted therefor.

6. In V-235 all before "From Rock Springs, Wyo.," is deleted and "From Provo, Utah, 10 miles, 12 AGL, 15 miles, 135 MSL, 46 miles, 125 MSL, 12 AGL Fort Bridger." is substituted therefor.

7. V-236 is amended to read as follows:

V-236 From INT Bonneville, Utah, 084° and Ogden, Utah, 235° radials; 12 AGL Ogden.

8. In V-253 all before "12 AGL Boise, Idaho;" is deleted and "From Provo, Utah, 12 AGL INT Provo 326° and Salt Lake City, 265° radials; 24 miles, 12 AGL, 85 MSL Bonneville; 5 miles, 85 MSL, 90 MSL Lucin, Utah; 14 miles, 90 MSL 19 miles, 105 MSL, 12 AGL Twin Falls, Idaho;" is substituted therefor.

9. In V-257 all between "12 AGL Bryce Canyon, Utah;" and "12 AGL Pocatello, Idaho;" is deleted and "12 AGL INT Bryce Canyon 338° and Delta, Utah, 186° radials, 12 AGL Delta; 39 miles, 12 AGL 105 MSL INT Delta 004° and Malad City, Idaho, 179° radials; 20 miles, 118 MSL, 12 AGL Malad City;" is substituted therefor.

10. In V-269 "via Twin Falls, Idaho;" is deleted and "12 AGL Twin Falls, Idaho;" is substituted therefor.

11. V-288 is amended to read as follows:

V-288 From Lucin, Utah, 50 miles, 85 MSL, 12 AGL INT Lucin 080° and Fort Bridger, Wyo., 278° radials; 17 miles, 12 AGL, 50 miles, 105 MSL, 12 AGL Fort Bridger.

12. In V-484 "via Myton, Utah;" is deleted and "25 miles, 12 AGL, 31 miles, 125 MSL, 12 AGL Myton Utah;" is substituted therefor.

13. In V-494 all between "12 AGL Hazen:" and "The airspace within R-4802 and R-4803 is excluded." is deleted and "37 miles, 12 AGL, 102 MSL Mount Moses, Nev.; 47 miles, 115 MSL, 12 AGL Elko, Nev.; 12 AGL Wells, Nev.; 12 miles, 12 AGL, 30 miles, 115 MSL, 20 miles, 90 MSL, 36 miles, 115 MSL, 24 miles, 95 MSL, 12 AGL Malad City, Idaho." is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348)

Issued in Washington, D.C., on May 8, 1967.

H. B. HELSTROM,
Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-5406; Filed, May 15, 1967; 8:47 a.m.]

[Airspace Docket No. 67-SO-3]

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

Alteration of Federal Airway

On February 21, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 3100) stating that the Federal Aviation Agency was considering lowering the floor of V-437 between Savannah, Ga., and Charleston, S.C., from 4,500 feet MSL to 1,200 feet above the surface.

Interested persons were afforded an opportunity to participate in the proposed rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth.

Section 71.123 (32 F.R. 2009) is amended as follows: In V-437 "45 MSL Charleston, S.C.;" is deleted and "12 AGL Charleston, S.C.;" is substituted therefor.

(Sec. 307(a), Federal Aviation Act of 1958, 49 U.S.C. 1348)

Issued in Washington, D.C., on May 5, 1967.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-5407; Filed, May 15, 1967; 8:47 a.m.]

[Airspace Docket No. 67-EA-15]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Franklin, Pa. transition area.

A reevaluation of the geographical point of the Chess-Lamberton Airport, Franklin, Pa., radio beacon site indicates that minor coordinate changes and a 3 degree change in the southeasterly extension of the transition area are required.

Since the amendment is minor in nature, notice and public procedure hereon are unnecessary.

In view of the foregoing the amendment is hereby adopted effective 0001 e.s.t., June 22, 1967 as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the Franklin, Pa., transition area the coordinates and words "(latitude 41°22'44" N., longitude 79°51'39" W.)" and "099° bearing from the Franklin RBN" and insert in lieu thereof, "(41°22'35" N., 79°51'40" W.)" and "Franklin RBN (41°21'51" N., 79°46'10" W.) 102° bearing".

(Sec. 307(a), Federal Aviation Act of 1958; 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on April 27, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5408; Filed, May 15, 1967; 8:47 a.m.]

[Airspace Docket No. 67-EA-37]

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

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Plattsburgh, N.Y., 700-foot floor transition area.

On or about June 22, 1967, the Plattsburgh Air Force Base, N.Y., nondirectional radio beacon is scheduled to be decommissioned. This procedure will permit a deletion of the transition area extension based on the 004° bearing from the RBN.

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

In view of the foregoing the amendment is hereby adopted, effective 0001 e.s.t., June 22, 1967 as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete, in the Plattsburgh, N.Y., 700-foot floor transition area, the phrase "within 2 miles each side of the Plattsburgh radio beacon 004° bearing extending from the 13-mile radius area to 8 miles north of the RBN."

(Sec. 307(a), Federal Aviation Act of 1958, 72 Stat. 749; 49 U.S.C. 1348)

Issued in Jamaica, N.Y., on April 24, 1967.

WAYNE HENDERSHOT,
Acting Regional Director, Eastern Region.

[F.R. Doc. 67-5410; Filed, May 15, 1967; 8:47 a.m.]

[Airspace Docket No. 67-SO-23]

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

Alteration of Transition Areas

On March 23, 1967, a notice of proposed rule making was published in the FEDERAL REGISTER (32 F.R. 4429) stating that the Federal Aviation Agency was considering amendments to Part 71 of the Federal Aviation Regulations that would alter the Tri-City, Tenn., and the Hickory and Asheville, N.C., transition areas.

Interested persons were afforded an opportunity to participate in the rule making through the submission of comments. All comments received were favorable.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.d.s.t., July 20, 1967, as hereinafter set forth.

In § 71.181 (32 F.R. 2148) the Tri-City 1,200-foot transition area is amended by adding the following: "* * * within the area east of the 30-mile radius circle bounded on the south by V-310, on the east by longitude 81°30'00" W., and on the northwest by V-16; and within the area southeast of the 30-mile radius circle, bounded on the west by V-35, on the south by latitude 35°54'00" N., and on the northeast by V-259 * * *."

In § 71.181 (32 F.R. 2148) the Hickory transition area is amended to read:

HICKORY, N.C.

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Hickory Municipal Airport (latitude 35°44'24" N., longitude 81°23'30" W.); within 2 miles each side of the Hickory VOR 223° and 058° radials, extending from the 8-mile radius area to 8 miles northeast of the VOR; and that airspace extending upward from 1,200 feet above the surface bounded on the north by V-310, on the east by V-37, on the southeast by V-20 and on the southwest by V-259, excluding the portion that coincides with the Tri-City transition area.

In § 71.181 (32 F.R. 2148) the Asheville 1,200-foot transition area is amended to read:

ASHEVILLE, N.C.

And that airspace extending upward from 1,200 feet above the surface bounded by a line beginning at the intersection of a 25-mile arc centered at Asheville Airport (latitude 35°26'00" N., longitude 82°32'25" W.) and a line 10 miles southwest of and parallel to the centerline of V-185, extending clockwise along this arc to a line 7 miles northwest of and parallel to the centerline of V-222, thence northeast along this line to a line 7 miles southwest of and parallel to the centerline of V-259, thence northwest along this line to latitude 35°54'00" N., thence east along latitude 35°54'00" N. to the southwest boundary of V-259, thence southeast along the southwest boundary of V-259 to the northwest boundary of V-20, thence southwest along the northwest boundary of V-20 to the north boundary of V-296, thence west along the north boundary of V-296 to the southeast boundary of V-222, thence southwest along the southeast boundary of V-222 to a line 6 miles west of and parallel to the 160° and 340° bearings from the Broad River RBN, thence north along a line 6 miles west of and parallel to the 160° and 340° bearings from the Broad River RBN to a line 10 miles southwest of and parallel to the centerline of V-185, thence northwest along this line to the point of beginning.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348(a))

Issued in East Point, Ga., on May 5, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-5411; Filed, May 15, 1967; 8:47 a.m.]

[Airspace Docket No. 67-WA-14]

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

Designation of Reporting Point

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to designate the Clam Gulch, Alaska, intersection as a compulsory reporting point.

Since this amendment is minor in nature and involves a subject in which the public is not particularly interested, notice and public procedure are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0001 e.s.t., July 20, 1967, as hereinafter set forth.

Section 71.211 (32 F.R. 2287) is amended by adding:

Clam Gulch INT: Homer, Alaska, 294°, Kenai, Alaska, 216° radials.

(Sec. 307(a), Federal Aviation Act of 1958; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 5, 1967.

T. McCORMACK,
Acting Chief, Airspace and Air Traffic Rules Division.

[F.R. Doc. 67-5413; Filed, May 15, 1967; 8:47 a.m.]

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

[Airspace Docket No. 66-EA-105]

Alteration of Transition Area

The Federal Aviation Administration is amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the St. Clairsville, Ohio, Transition Area. The final approach course of the VOR instrument procedure for Alderman Field, St. Clairsville, Ohio, has been altered 2 degrees and thus will require a 2-degree change in the radial for the transition area.

Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In view of the foregoing the amendment is adopted effective 0001 e.s.t., June 22, 1967 as follows:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the St. Clairsville, Ohio, Transition Area the figure 291° and insert in lieu thereof the figure 289°.

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 Jamaica, N.Y., on April 24, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5417; Filed, May 15, 1967; 8:48 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 8132; Amdt. 535]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating 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 and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

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	
				T-dn	300-1	300-1	200-½
				C-dn	700-1	700-1	700-1½
				A-dn	800-2	800-2	800-2
				If Terry fan marker received, minimums become:			
				C-dn	600-1	600-1	600-1½

Radar required.
No procedure turn. Radar control will not descend aircraft below 3000' until passing Wade Int inbnd.
Minimum altitude over Margaret Int on final approach crs, 2600'; over Terry FM, 1540'.
Crs and distance, Wade Int to RBn, 095°—7.6 miles; Margaret Int to RBn, 095°—5.7 miles; breakoff point to runway, 078°—0.4 mile.
Crs and distance, Terry FM to airport, 095°—1.5 miles; to RBn, 1.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing FTY RBn, make left turn, climb to 3000' and return to Wade Int via 275° bearing from FTY RBn.
CAUTION: Water tank, 1219'—1.8 miles WNW and tower, 1375'—2.7 miles NW of airport.
MSA within 25 miles of facility: 000°-180°—4000'; 180°-270°—3700'; 270°-360°—3800'.

City, Atlanta; State, Ga; Airport name, Fulton County; Elev., 840'; Fac. Class., MH; Ident., FTY; Procedure No. NDB (ADF)-1, Amdt. 3; Eff. date, 3June 67; Sup. Amdt. No. NDB(ADF)-1, Amdt. 2; Dated, 18 Feb. 67

CYS VOR	LOM	Direct	8000	T-dn	300-1	300-1	200-½
Divide Int	LOM	Direct	7800	C-dn	500-1	500-1	500-1½
Egbert Int	LOM	Direct	7800	S-dn-26	400-1	400-1	400-1
Carpenter Int	LOM	Direct	8000	A-dn	800-2	800-2	800-2
Silver Crown	LOM	Direct	8500				

Procedure turn S side of crs, 082° Outbnd, 262° Inbnd, 7600' within 10 miles.
Minimum altitude over facility on final approach crs, 7500'.
Crs and distance, facility to airport, 262°—5.1 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing LOM, turn left, climb to 8000' on 166° magnetic bearing from CY LOM within 10 miles, or when directed by ATC, turn right, climb to 8000' on R 340°, CYS VOR within 10 miles.
MSA within 25 miles of facility: 000°-090°—7200'; 090°-180°—7200'; 180°-270°—10,100'; 270°-360°—10,100'.

City, Cheyenne; State, Wyo.; Airport name, Cheyenne Municipal; Elev., 6156'; Fac. Class., LOM; Ident., CY; Procedure No. NDB (ADF) Runway 26, Amdt. 3; Eff. date, 3 June 67; Sup. Amdt. No. ADF 1, Amdt. 2; Dated, 26 June 65

All directions	Hood RBn	Direct	MEA	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1½
				S-dn-33	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 164° Outbnd, 344° Inbnd, 2500' within 7 miles. Beyond 7 miles not authorized.
Minimum altitude over facility on final approach crs, 1900'.
Crs and distance, facility to airport, 344°—3.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.4 miles after passing HLR RBn or over Hood FM, turn right, climb to 2500' and return to HLR RBn, or when directed by ATC, climb to 2500' on bearing, 344° within 10 miles.
NOTE: Authorized for military use only, except by prior arrangement.
MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2400'; 180°-270°—2700'; 270°-360°—2400'.

City, Fort Hood; State, Tex.; Airport name, Hood AAF; Elev., 923'; Fac. Class., MHW; Ident., HLR; Procedure No. NDB (ADF) Runway 33, Amdt. 3; Eff. date, 3 June 67; Sup. Amdt. No. ADF 1, Amdt. 2; Dated, 23 Apr. 66

ADF STANDARD INSTRUMENT APPROACH PROCEDURES—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	200–½
				C-dn	600–1	600–1	700–1½
				S-dn-15*	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn W side of crs, 332° Outbnd, 152° Inbnd, 2500' within 10 miles.
Minimum altitude over facility on final approach crs, 1800'.
Crs and distance, facility to airport, 152°—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 GRK RBn, climb to 2500' on 152° bearing within 15 miles.
NOTE: Authorized for military use only, except by prior arrangement.
*Reduction in landing visibility below ½ miles not authorized.
MSA within 25 miles of facility: 000°–090°—2200'; 090°–180°—2400'; 180°–270°—2800'; 270°–360°—2700'.

City, Fort Hood; State, Tex.; Airport name, Robert Gray AAF; Elev., 1015'; Fac. Class., HW; Ident., GRK; Procedure No. NDB (ADF) Runway 15, Amdt. 3; Eff. date, 3 June 67; Sup. Amdt. No. ADF 1, Amdt. 2; Dated, 25 Apr. 66

Taylor Int	ENW RBn	Direct	2500	T-dn	300–1	300–1	200–½
Windlake Int	ENW RBn	Direct	2500	C-dn	700–1	700–1	700–1½
Pike Int	ENW RBn	Direct	2500	S-dn-14	700–1	700–1	700–1
				A-dn	NA	NA	NA

Radar available.
Procedure turn W side of crs, 331° Outbnd, 151° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 1430'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of ENW RBn, make right turn, climb to 2300' on 331° bearing from ENW RBn within 10 miles, turn left and return to ENW RBn.
NOTE: Use Milwaukee, Wisc., altimeter setting.
MSA within 25 miles of facility: 000°–090°—2300'; 090°–180°—2000'; 180°–270°—2200'; 270°–360°—2500'.

City, Kenosha; State, Wis.; Airport name, Kenosha Municipal; Elev., 730'; Fac. Class., MHW; Ident., ENW; Procedure No. NDB (ADF) Runway 14, Amdt. Orig.; Eff. date, 3 June 67

Marine City Int	PHN RBn	Direct	2300	T-dn	300–1	300–1	200–½
Peck VOR	PHN RBn	Direct	2300	C-dn	600–1	600–1	600–1½
				A-dn	NA	NA	NA

Radar available.
Procedure turn W side of crs, 345° Outbnd, 165° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 1249'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of PHN RBn, make climbing right turn to 2300' on 320° bearing from PHN RBn within 10 miles, turn right and return to PHN RBn.
NOTE: Use Selfridge AFB altimeter setting.
CAUTION: 1057' tower, 3 miles NE.
MSA within 25 miles of facility: 000°–360°—2100'.

City, Port Huron; State, Mich.; Airport name, St. Clair County Municipal; Elev., 649'; Fac. Class., MHW; Ident., PHN; Procedure No. NDB(ADF)-1, Amdt. Orig.; Eff. date, 3 June 67

Marine City Int	PHN RBn	Direct	2300	T-dn	300–1	300–1	200–½
Peck VOR	PHN RBn	Direct	2300	C-dn	500–1	500–1	500–1½
				S-dn-4	500–1	500–1	500–1
				A-dn	NA	NA	NA

Radar available.
Procedure turn N side of crs, 233° Outbnd, 053° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 1149'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of PHN RBn, make climbing left turn to 2300' on 320° bearing from PHN RBn within 10 miles, turn right and return to PHN RBn.
NOTE: Use Selfridge AFB altimeter setting.
CAUTION: 1057' tower, 3 miles NE.
MSA within 25 miles of facility: 000°–360°—2100'.

City, Port Huron; State, Mich.; Airport name, St. Clair County Municipal; Elev., 649'; Fac. Class., MHW; Ident., PHN; Procedure No. NDB(ADF) Runway 4, Amdt. Orig; Eff. date, 3 June 67

Wichita Falls VOR	SP RBn (LOM)	Direct	3000	T-dn	300–1	300–1	200–½
Henrietta Int	SP RBn (LOM)	Direct	2300	C-dn	500–1	500–1	500–1½
				S-dn-33L	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

Radar available.
Procedure turn E side of crs, 149° Outbnd, 329° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 2100'.
Crs and distance, facility to airport, 329°—3.9 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.9 miles after passing SP RBn, climb to 3000' on crs of 329° within 20 miles, or turn right, climb to 3000' on SPS VORTAC, R 037° within 20 miles.
MSA within 25 miles of facility: 000°–270°—3100'; 270°–360°—3200'.

City, Wichita Falls; State, Tex.; Airport name, Sheppard AFB/Wichita Falls Air Terminal; Elev., 1015'; Fac. Class., HW/LOM; Ident., SP; Procedure No. NDB (ADF) Runway 33L, Amdt. 4; Eff. date, 3 June 67; Sup. Amdt. No. ADF 1, Amdt. 3; Dated, 14 Dec. 63

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

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	
				T-dn	300-1	300-1	200-½
				C-dn	700-1	700-1	700-1½
				A-dn	800-2	800-2	800-2
				When Terry fan marker received minimums become:			
				C-dn	600-1	600-1	600-1½

Radar required.
No procedure turn. Radar control will not descend aircraft below 3000' until passing Wade Int inbnd.
Minimum altitude over Margaret Int on final approach crs, 2600'; over Terry FM, 1540'.
Crs and distance, Wade Int to VOR, 095°—8 miles; Margaret Int to VOR, 095°—6 miles; breakoff point to runway, 078°—0.4 mile.
Crs and distance, Terry fan marker to airport, 095°—1.5 miles; to VOR, 2.1, miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing FTY VOR, make left turn, climb to 3000' and return to Wade Int via FTY, R 275°.
CAUTION: Water tank, 1219'—1.8 miles WNW of airport. Tower, 1375'—2.7 miles NW of airport.
MSA within 25 miles of facility: 000°-180°—4000'; 180°-270°—3700'; 270°-360°—3800'.

City, Atlanta; State, Ga.; Airport name, Fulton County; Elev., 840'; Fac. Class., L-BVOR; Ident., FTY; Procedure No. VOR-1, Amdt. 9; Eff. date, 3 June 67; Sup. Amdt. No. VOR-1, Amdt. 8; Dated, 18 Feb. 67

IOW VOR	CID VOR	Direct	2500	T-dn	300-1	300-1	200-½
Belle Plaine Int	Watkins Int	Direct	2500	C-dn	400-1	500-1	500-1½
Watkins Int	CID VOR (final)	Direct	1700	S-dn-8#	400-1	400-1	400-1
R 155°, CID VOR clockwise	R 360°, CID VOR	Via 9-mile DME Arc.	2500	A-dn	800-2	800-2	800-2
R 321°, CID VOR counterclockwise	R 360°, CID VOR	Via 9-mile DME Arc.	2500				
9-mile DME Fix, R 360°, CID VOR	CID VOR (final)	Direct	1700				

Radar available.
Procedure turn N side of crs, 360° Outbnd, 080° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 1700'.
Crs and distance, facility to airport, 088°—2.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.8 miles after passing VOR, climb to 2500' on R 088° within 10 miles, or when directed by ATC, make right turn climbing to 2000' and proceed to VOR.
#400-¾ authorized with operative HIRL and 400-½ authorized with operative ALS, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°-090°—3000'; 090°-270°—2200'; 270°-360°—4000'.

City, Cedar Rapids; State, Iowa; Airport name, Cedar Rapids Municipal; Elev., 863'; Fac. Class., L-BVORTAC; Ident., CID; Procedure No. VOR Runway 8, Amdt. 8; Eff. date, 3 June 67; Sup. Amdt. No. VOR-1, Amdt. 7; Dated, 5 Dec. 64

R 141°, CID VOR counterclockwise	R 087°, CID VOR	Via 15-mile DME Arc.	2500	T-dn	300-1	300-1	200-½
R 050°, CID VOR clockwise	R 087°, CID VOR	Via 15-mile DME Arc.	2500	C-dn	400-1	500-1	500-1½
15-mile DME Fix, R 087°, CID VOR	9.3-mile DME Fix, R 087° (Ely Int) (final).	Direct	2500	S-dn-26#	400-1	400-1	400-1
CID VOR	Ely Int	Direct	2500	A-dn	800-2	800-2	800-2
IOW VOR	Ely Int	Direct	2500				

Radar available.
Procedure turn N side of crs, 087° Outbnd, 267° Inbnd, 2500' within 10 miles of Ely Int.
Minimum altitude over facility on final approach crs, 2500'.
Crs and distance, Ely Int to airport, 267°—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 Ely Int, proceed to CID VOR via R 087°, climbing to 2000', or when directed by ATC, make right turn climbing to 2500' and return to Ely Int.
NOTE: Dual VOR receivers or DME required.
#Reduction not authorized.
MSA within 25 miles of facility: 000°-090°—3000'; 090°-270°—2200'; 270°-360°—4000'.

City, Cedar Rapids; State, Iowa; Airport name, Cedar Rapids Municipal; Elev., 863'; Fac. Class., L-BVORTAC; Ident., CID; Procedure No. VOR Runway 26, Amdt. 6; Eff. date, 3 June 67; Sup. Amdt. No. VOR 2, Amdt. 5; Dated, 2 Jan. 65

				T-dn	300-1	300-1	NA
				C-dn	600-1	600-1	NA
				S-dn-24	600-1	600-1	NA
				A-dn	NA	NA	NA

Procedure turn N side of crs, 053° Outbnd, 233° Inbnd, 2300' within 10 miles.
Minimum altitude over facility on final approach crs, 1292'.
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of DKK VOR, make right-climbing turn, intercept, R 053° of DKK VOR, climb to 2800' within 10 miles, return to DKK VOR. Hold NE, 1-minute right turns.
NOTE: Use Buffalo, N.Y., altimeter setting.
MSA within 25 miles of facility: 070°-160°—3500'; 160°-250°—3400'; 250°-340°—1700'; 340°-070°—3000'.

City, Dunkirk; State, N.Y.; Airport name, Dunkirk Municipal; Elev., 692'; Fac. Class., L-BVOR; Ident., DKK; Procedure No. VOR Runway 24, Amdt. 1; Eff. date, 3 June 67; Sup. Amdt. No. TerVOR-24, Orig.; Dated, 4 June 66

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	
All directions	HLR VOR	Direct	MEA	T-dn	300-1	300-1	200-½
				C-dn	400-1	500-1	500-1¼
				S-dn-33	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn W side of crs, 163° Outbnd, 343° Inbnd, 2500' within 7 miles. Beyond 7 miles not authorized.
Minimum altitude over facility on final approach crs, 1900'.
Crs and distance, facility to airport, 343°—4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4 miles of HLR VOR or over Hood FM, turn right, climb to 2500', return to HLR VOR, or when directed by ATC, climb to 2500' on R 343° within 10 miles.
NOTE: Authorized for military use only, except by prior arrangement.
MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2400'; 180°-270°—2700'; 270°-360°—2400'.

City, Fort Hood; State, Tex.; Airport name, Hood AAF; Elev., 923'; Fac. Class., L-VOR; Ident., HLR; Procedure No. VOR Runway 33, Amdt. 2; Eff. date, 3 June 67; Sup. Amdt. No. VOR 1, Amdt. 1; Dated, 29 July 61

Belton Int	HLR VOR (final)	Direct	2500	T-dn	300-1	300-1	200-½
				C-dn	600-1	600-1	700-1½
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 095° Outbnd 275° Inbnd 2500' within 10 miles.
Minimum altitude over facility on final approach crs, 2500'.
Crs and distance, facility to airport, 262°—6.5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 6.5 miles after passing HLR VOR, climb to 2500' on R 262° within 15 miles, or when directed by ATC, turn left, climb to 2500', return to HLR VOR.
NOTE: Authorized for military use only, except by prior arrangement.
MSA within 25 miles of facility: 000°-090°—2500'; 090°-180°—2400'; 180°-270°—2700'; 270°-360°—2400'.

City, Fort Hood; State, Tex.; Airport name, Robert Gray AAF; Elev., 1015'; Fac. Class., L-VOR; Ident., HLR; Procedure No. VOR-1, Amdt. 2; Eff. date, 3 June 67; Sup. Amdt. No. VOR 1, Amdt. 1; Dated, 10 July 65

PROCEDURE CANCELED, EFFECTIVE 3 JUNE 1967.

City, Fort Rucker; State, Ala.; Airport name, Shell AHP; Elev., 400'; Fac. Class., T-VORW; Ident., SHA; Procedure No. 1, Amdt. Orig.; Eff. date, 6 Jan. 66

R 240° clockwise	R 320°	10-mile DME Arc	1800	T-dn	300-1	300-1	200-½
R 068° counterclockwise	R 320°	10-mile DME Arc	1800	C-dn%	700-1	700-1	700-1½
10-mile DME, R 320°	Lyman Int (final)	R 320°	628	S-dn-13*%	600-1	600-1	600-1
				A-dn@	800-2	800-2	800-2
				DME minimums:			
				S-dn-13#%	400-1	400-1	400-1

Procedure turn W side of crs, 320° Outbnd, 140° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs, 628' (428' if Lyman 4-mile DME Fix is identified).
Facility on airport, bearing and distance, breakoff point to Runway 13, 130°—0.3 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile of GPT VORTAC, turn left, climb to 1500' on R 320°, GPT VORTAC within 15 miles.
CAUTION: 429' tower, 1.1 mile SSW of airport.
@Alternate minimums authorized only from 0600 to 2200 local time daily. Local weather not available other hours.
%Use mobile altimeter setting when control zone not effective and following minimums apply: VOR, S-dn, 800-1; C-dn, 800-2; DME, S-dn 600-1.
NOTES: % and @ do not apply to air carriers having approved weather reporting service.
*Reduction not authorized.
#400-¾ authorized with operative HIRL, except for 4-engine turbojets.
MSA within 25 miles of facility: 000°-090°—2600'; 090°-270°—1500'; 270°-360°—2600'.

City, Gulfport; State, Miss.; Airport name, Gulfport Municipal; Elev., 28'; Fac. Class., L-BVORTAC; Ident, GPT; Procedure No. VOR Runway 13, Amdt. 2; Eff. date, 3 June 67; Sup. Amdt. No. VOR 1, Amdt. 1; Dated, 5 Nov. 66

Stanton Int	MKL VOR	Direct	2100	T-dn	300-1	300-1	200-½
				C-dn	600-1	600-1	600-1¼
				S-dn-2#	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2
				If Mercer fan marker is received minimums become:			
				C-dn	400-1	500-1	500-1½
				S-dn 2	400-1	400-1	400-1

Procedure turn S side of crs, 204° Outbnd, 024° Inbnd, 2000' within 10 miles.
Minimum altitude over facility on final approach crs, 1900' (800' if Mercer FM is received).
Facility on airport, crs and distance, FM to airport, 024°—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 Mercer FM or within 0 miles of MKL VOR, turn left, climb to 2000' on R 204° within 15 miles.
#Reduction not authorized.
MSA within 25 miles of facility: 000°-360°—2100'.

City, Jackson; State, Tenn.; Airport name, McKellar Field; Elev., 431'; Fac. Class., T-BVOR; Ident., MKL; Procedure No. VOR Runway 2, Amdt. 2; Eff. date, 3 June 67; Sup. Amdt. No. Ter VOR-2, Amdt. 1; Dated, 19 Nov. 66

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	
Flint VOR	Elba Int	Direct	2500	T-dn	300-1	300-1	300-1
Kings Mill Int	Lapeer Int	Via PTK, R 032° and FNT, R 077°.	2500 2700 2500	C-d C-n A-dn	600-1 600-2 NA	600-1 600-2 NA	600-1½ 600-2 NA
Pontiac VOR	Lapeer Int	Direct	2500				
Elba Int	Lapeer Int (final)	Direct	2700				
FNT, R 340° clockwise	Elba Int	Via 10-mile Arc					
FNT, R 172° counterclockwise	Elba Int	Via 10-mile Arc					

Procedure turn N side of crs, 257° Outbnd, 077° Inbnd, 2500' within 10 miles of Lapeer Int.
Minimum altitude over Lapeer Int on final approach crs, 2500'.
Crs and distance, Lapeer Int to airport, 077°—5.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.4 miles after passing Lapeer Int, make left turn, climbing to 2000' and return to Lapeer Int.
NOTES: (1) Use Flint altimeter setting. (2) Dual VOR receivers or DME required.
MSA within 25 miles of facility: 000°-090°—2200'; 090°-180°—2600'; 180°-270°—2200'; 270°-360°—2600'.

City, Lapeer; State, Mich.; Airport name, DuPont-Lapeer; Elev., 844'; Fac. Class., L-BVORTAC; Ident., FNT; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 3 June 67

				T-dn	300-1	300-1	NA
				C-dn	1000-1	1000-1	NA
				If Patterson Int received, minimums become:			
				C-dn	500-1	500-1	NA

Radar available.
Procedure turn E side of crs, 197° Outbnd, 017° Inbnd, 3000' within 10 miles.
Minimum altitude over facility on final approach crs, 3000'; over Patterson Int, 2200'.
Crs and distance, facility to airport, 017°—11 miles; Patterson Int to airport, 017°—6 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 11 miles after passing APE VORTAC, make left climbing turn to 3000' and return to APE VORTAC. Hold S, 1-minute right turns, 013° Inbnd.
NOTE: Use Columbus altimeter setting.
CAUTION: Runway 10 obstruction clearance 14' 1", trees.
MSA within 25 miles of facility: 000°-090°—2500'; 090°-360°—2600'.

City, Mount Vernon; State, Ohio; Airport name, Mount Vernon; Elev., 1192'; Fac. Class., H-BVORTAC; Ident., APE; Procedure No. VOR-1, Amdt. Orig.; Eff. date, 3 June 67

Winona Int	Winona VOR	Direct	2800	T-dℓ	500-1½	500-1½
Dodge Int	Winona VOR	Direct	2800	T-nℓ	500-2	500-2
				C-dnℓ	900-2	900-2
				A-dnℓ	1000-2	1000-2

Procedure turn W side of crs, 314° Outbnd, 134° Inbnd, 2800' within 10 miles.
Minimum altitude over facility on final approach crs, *1556' (*1656' when control zone not effective).
Facility on airport.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing VOR, climb to 2800' on R 102° within 10 miles.
NOTE: Use La Crosse altimeter setting when control zone not effective. Circling minimums are raised 100' and alternate minimums not authorized when control zone not effective.
CAUTION: Runways 17/35 unlighted.
*These minimums apply at all times for air carriers with approved weather reporting service.
ℓWhen weather is below 1200-2, aircraft departing southeastbound, flight below 2300' beyond 1 mile from airport is prohibited between radials 059° and 189° of ONA VOR due 1834' tower, 2.5 miles SE of airport.
MSA within 25 miles of facility: 000°-180°—3500'; 180°-360°—2900'.

City, Winona; State, Minn.; Airport name, Winona Municipal-Max Conrad Field; Elev., 656'; Fac. Class., T-BVOR; Ident., ONA; Procedure No. VOR-1, Amdt. 4; Eff. date, 3 June 67; Sup. Amdt. No. Ter VOR-315, Amdt. 3; Dated, 25 July 64

ODI VOR	Pickwick Int	Direct	2800	T-dℓ	500-1½	500-1½
Pickwick Int	Home Int (final)	Direct	2300	T-nℓ	500-2	500-2
Winona Int	Winona VOR	Direct	2800	C-dn*	800-2	800-2
Dodge Int	Winona VOR	Direct	2800	S-d-29*	800-1	800-1
LSE VOR	Pickwick Int	Direct	2800	S-n-29*	800-2	800-2
				A-dn*	1000-2	1000-2

Procedure turn S side of crs, 102° Outbnd, 282° Inbnd, 2800' within 10 miles.
Minimum altitude over Home Int on final approach crs, 2200'.
Crs and distance, Home Int to airport, 282°—3.2 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0 mile after passing VOR, climb to 2800' on R 314° within 10 miles.
NOTES: (1) Dual VOR receivers required. (2) Use La Crosse altimeter setting when control zone not effective. Circling and straight-in ceiling minimums are raised 100' and alternate minimums not authorized when control zone not effective.
CAUTION: Runways 17/35 unlighted.
*These minimums apply at all times for air carriers with approved weather reporting service.
ℓWhen weather is below 1200-2, aircraft departing southeastbound, flight below 2300' beyond 1 mile from airport is prohibited between radials 059° and 189° of ONA VOR due 1834' tower, 2.5 miles SE of airport.
MSA within 25 miles of facility: 000°-180°—3500'; 180°-360°—2900'.

City, Winona; State, Minn.; Airport name, Winona Municipal-Max Conrad Field; Elev., 656'; Fac. Class., T-BVOR; Ident., ONA; Procedure No. VOR Runway 29, Amdt. 4; Eff. date, 3 June 67; Sup. Amdt. No. Ter VOR R-103; Dated, 25 July 64

3. By amending the following very high frequency omnirange—distance measuring equipment (VOR/DME) procedures prescribed in § 97.15 to read:

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	
ACO VORTAC	5-mile DME Fix, R 227° (final)	Direct	2800	T-dn	300-1	300-1	200-½
				C-dn	400-1	400-1	400-1½
				S-dn-23	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

Radar available.
Procedure turn not authorized.
Minimum altitude over 5-mile DME Fix, R 227°—2800'; over 10-mile DME Fix, R 227°—2000'.
Crs and distance, facility to airport, 227°—15.4 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 15.4-mile DME Fix, R 227°, climb srtaight ahead to 3000', intercept R 283°, Briggs VOR, proceed to Briggs VOR. Hold W, 1-minute right turns, 103° Inbnd.
MSA within 25 miles of facility: 350°-080°—2700'; 080°-170°—3200'; 170°-260°—2600'; 260°-350°—3000'.

City, Akron; State, Ohio; Airport name, Akron-Canton; Elev., 1228'; Fac. Class., L-BVORTAC; Ident., ACO; Procedure No. VOR/DME Runway 23, Amdt. Orig.; Eff date, 3 June 67

PROCEDURE CANCELED, EFFECTIVE 3 JUNE 1967.

City, Cedar Rapids; State, Iowa; Airport name, Cedar Rapids Municipal; Elev., 863'; Fac. Class., BVORTAC; Ident., CID; Procedure No. VOR/DME No. 1, Amdt. 3; Eff. date, 5 Dec. 64; Sup. Amdt. No. 2; Dated, 30 Nov. 63

TBD VORTAC	16-mile DME Fix, TBD, R 118°	118°—16 miles	1500	T-dn	300-1	300-1	200-½
26-mile DME Fix, TBD, R 118°	16-mile DME Fix, TBD, R 118° (final)	298°—10 miles	1000	C-dn*	500-1	500-1	500-1½
				S-dn-30	500-1	500-1	500-1
				A	NA	NA	NA
				The following minimums authorized, if Houma, La., altimeter setting is used:			
				C-dn	400-1	500-1	500-1½
				S-dn-30	400-1	400-1	400-1

Procedure turn N side of crs, 118° Outbnd, 298° Inbnd, 1500' within 10 miles of 16-mile DME Fix.
Minimum altitude over 16-mile DME Fix, R 118° on final approach crs, 1000'.
Crs and distance, 16-mile DME Fix, R 118° to airport, 298°—5 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 11-mile DME Fix on R 118°, proceed direct to VOR climbing to 1500'.
NOTE: No weather service available.
*Use New Orleans altimeter setting when Houma setting is not available.
MSA within 25 miles of facility: 000°-090°—1400'; 090°-180°—1500'; 180°-270°—1500'; 270°-360°—1500'.

City, Houma; State, La.: Airport name, Houma Municipal; Elev., 11'; Fac. Class., L-BVORTAC; Ident., TBD; Procedure No. VOR/DME Runway 30, Amdt. Orig.; Eff. date, 3 June 67

Youngstown VOR	8-mile DME Fix, YNG VOR, R 208°	Direct	3000	T-dn	300-1	300-1	NA
R 073°, YNG VOR clockwise	YNG VOR, R 208°	Via 8-mile DME Arc.	3000	C-dn	600-1	600-1	NA
				A-dn	NA	NA	NA
R 277°, YNG VOR counterclockwise	YNG VOR, R 208°	Via 8-mile DME Arc.	3000				
8-mile DME Fix, YNG, R 208°	13-mile DME Fix, YNG VOR, R 208° (final).	Direct	2000				

Radar available.
Procedure turn not authorized.
Minimum altitude over 13-mile DME Fix on final approach crs, 2000'.
Crs and distance, 13-mile DME Fix to airport, 208°—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 13-mile DME Fix, R 208°, climb on crs to 3000', make left turn direct to YNG VORTAC. Hold NE, 1-minute right turns, 208° Inbnd.
NOTE: Use Youngstown, Ohio, altimeter setting.
MSA within 25 miles of facility: 000°-090°—2900'; 090°-270°—3200'; 270°-360°—2700'.

City, North Jackson; State, Ohio; Airport name, Youngstown Executive; Elev., 997'; Fac. Class., L-BVORTAC; Ident., YNG; Procedure No. VOR/DME-1, Amdt. Orig.; Eff. date, 3 June 67

4. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

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	
Austin VOR	LOM	Direct	2200	T-dn*	300-1	300-1	#200-½
Butler Int	LOM	Direct	2200	C-dn	400-1	500-1	500-1½
Bergstrom RBn	LOM	Direct	2200	S-dn-30L**	200-½	200-½	200-½
				A-dn	600-2	600-2	600-2

Radar available.
Procedure turn E side SE crs, 125° Outbnd, 305° Inbnd, 2200' within 10 miles.
Minimum altitude at glide slope intercept Inbnd, 2200'.
Altitude of glide slope and distance to approach end of runway at OM, 2200'—4.8 miles; at MM, 800'—0.5 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000' on NW crs, ILS (305°) within 20 miles, or when directed by ATC, (1) turn right, climb to 2200', proceed direct to VOR.
*RVR 2400' authorized Runway 30L.
**RVR 2400'. Descent below 832' not authorized unless ALS visible.
#All aircraft are restricted to 300-1 minimums for takeoff on Runways 3-21, 16L-34R, and 12L-30R.
MSA within 25 miles of facility: 000°-090°—2100'; 090°-180°—1800'; 180°-270°—2700'; 270°-360°—3000'.

City, Austin; State, Tex.; Airport name, Robert Mueller; Elev., 632'; Fac. Class., ILS; Ident., I-AUS; Procedure No. ILS Runway 30L, Amdt. 21; Eff. date, 3 June 67; Sup. Amdt. No. ILS Runway 30L, Amdt. 20; Dated, 4 Mar. 67

Silver Crown VHF Int	LOM	Direct	8500	T-dn	300-1	300-1	200-½
Carpenter Int	Arcola Int	Direct	7800	C-dn	500-1	500-1	500-1½
CYS VOR	LOM	Direct	8000	S-dn-26	200-½	200-½	200-½
Divide Int	LOM	Direct	7800	A-dn	600-2	600-2	600-2
Egbert VHF Int	LOM	Direct	7800				
Carpenter Int	LOM	Direct	8000				
Hillsdale VHF/DME Int#	LOM (final)	Direct	7500				
Arcola Int	LOM (final)	Direct	7500				

Procedure turn S side of crs, 082° Outbnd, 262° Inbnd, 7600' within 10 miles.
Minimum altitude at glide slope interception Inbnd, 7500.
Altitude of glide slope and distance to approach end of runway at OM, 7500'—5.1 miles; at MM, 6312'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.6 mile after passing MM, turn left, climb to 8000' on R 166° of CYS VOR within 10 miles, or when directed by ATC, turn right, climb to 8000' on R 349°, CYS VOR within 10 miles.
NOTE: When authorized by ATC, DME may be used from 15 miles to 10 miles at 8000' between CYS radial 349° clockwise to radial 166° to position aircraft over Hillsdale DME Fix for final approach with elimination of the procedure turn.
#Aircraft westbound on localizer determine Hillsdale Int by Int of localizer E crs and GLL, R 346°.

City, Cheyenne; State, Wyo.; Airport name, Cheyenne Municipal; Elev., 6156'; Fac. Class., ILS; Ident., I-CYS; Procedure No. ILS Runway 26, Amdt. 21; Eff. date, 3 June 67; Sup. Amdt. No. ILS-26, Amdt. 20; Dated, 21 July 66

Hyannis VOR	HY LOM	Direct	1500	T-dn*	300-1	300-1	200-½
				C-dn	500-1	500-1	500-1½
				S-dn-24**#	400-1	400-1	400-1
				A-dn#	800-2	800-2	800-2

Radar available.
Procedure turn S side of crs, 065° Outbnd, 245° Inbnd, 1500' within 10 miles.
Minimum altitude over facility on final approach crs, 1400'.
Crs and distance, facility to airport, 245°—3.8 miles.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 miles after passing HY LOM, make a left-climbing turn to 1500', returning to the HY LOM. Hold NE of HY LOM, 245° Inbnd, 1-minute left turns.
NOTES: (1) No glide slope. (2) Back crs unusable. (3) Use Otis APC altimeter setting when control zone not effective.
*Takeoff minimums of 300-1 required for Runway 24.
**400-½ authorized with operative AL's and HIRL's, and 400-¾ authorized with operative HIRL's, except for 4-engine turbojets.
#When control zone not effective, alternate minimums and reduction in visibility for lighting not authorized.
MSA within 25 miles of facility: 000°-360°—1500'.

City, Hyannis; State, Mass.; Airport name, Barnstable Municipal; Elev., 57'; Fac. Class., ILS; Ident., I-HYA; Procedure No. LOC Runway 24, Amdt. 8; Eff. date, 3 June 67; Sup. Amdt. No. LOC Runway 24, Amdt. 7; Dated, 6 May 67

Wichita Falls VOR	LOM	Direct	3000	T-dn*	300-1	300-1	200-½
Henrietta Int	LOM	Direct	2300	C-dn	500-1	500-1	500-1½
				S-dn-33L#	200-½	200-½	200-½
				A-dn	600-2	600-2	600-2

Radar available.
Procedure turn E side of crs, 149° Outbnd, 329° Inbnd, 2300' within 10 miles.
Minimum altitude over OM on final approach crs, 2068'.
Crs and distance, OM to airport, 329°—3.9 miles.
Minimum altitude at glide slope intercept Inbnd, 2100'.
Altitude of glide slope and distance to approach end of Runway at OM, 2068'—3.9 miles; at MM, 1186'—0.6 mile.
If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 3000' on NW crs, ILS (329°) within 20 miles, or turn right, climb to 3000' on SPS VORTAC, R 037° within 20 miles.
*RVR 2400' authorized Runway 33L.
#RVR 2400'. Descent below 1215' not authorized unless approach lights are visible.
#Without glide slope 300-½ (RVR 2400') authorized with operative ALs, except for 4-engine turbojets.
MSA within 25 miles of LOM: 000°-270°—3100'; 270°-360°—3200'.

City, Wichita Falls; State, Tex.; Airport name, Sheppard AFB/Wichita Falls Air Terminal; Elev., 1018'; Fac. Class., ILS; Ident., I-SPS; Procedure No. ILS Runway 33L, Amdt. 6; Eff. date, 3 June 67; Sup. Amdt. No. ILS-33, Amdt. 5; Dated, 14 Dec. 63

5. By amending the following radar procedures prescribed in § 97.19 to read:

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	
		Within:		Surveillance approach			
000°-360°	360°	10 miles	2800	T-dn	300–1	300–1	200–½
000°-360°	360°	25 miles	3000	C-dn	400–1	500–1	500–1½
				S-dn*	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runways 1, 5, 32—Climb straight ahead to 3000' within 10 miles and proceed to ACO VOR. Hold E, 1-minute right turns 276° Inbnd. Runway 14—Climb on runway heading to 3000', intercept the 048° radial of BSV VOR, proceed to BSV VOR. Hold NE, 1-minute right turns, 228° Inbnd. Runway 19—Make left-climbing turn to 3000' on a 140° heading, intercept the 048° radial of BSV VOR, proceed to BSV VOR. Hold NE, 1-minute right turns, 228° Inbnd. Runway 23—Climb on runway heading to 3000', intercept the 283° radial of BSV VOR, proceed to BSV VOR. Hold W 1-minute right turns, 103° Inbnd.

NOTE: No IFR operations authorized for Runways 9 and 27.

CAUTION: Smoke stack, 1335'—2.5 miles SE, Runways 32. Antenna, 1410'—4.5 miles S, Runway 1.

*Runways 1, 19—400–¾ authorized with operative HIRL, except for 4-engine turbojets.

*Runway 1—400–½ authorized with operative AL's, except for 4-engine turbojets.

City, Akron; State, Ohio; Airport name, Akron-Canton; Elev., 1225'; Fac. Class. and Ident., Akron Radar; Procedure No. 1, Amdt. 5; Eff. date, 3 June 67; Sup. Amdt. No.1, Amdt. 4; Dated, 30 Oct. 65

		Within:		Surveillance approach			
000°-360°	360°	0–15 miles	2900	T-dn	300–1	300–1	200–½
000°-255°	255°	15–25 miles	2500	C-dn	600–1	600–1	600–1½
255°-360°	360°	15–25 miles	3300	S-dn–5, 36 $ #	400–1	400–1	400–1
				S-dn–18, 23 $$	600–1	600–1	600–1
				A-dn	800–2	800–2	800–2

All bearings and distances are from radar antenna site on Douglas Municipal Airport with sector azimuths progressing clockwise.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runways 36 and 5—Climb to 2600' on R 007°, FML VOR and proceed to Mount Holly Int. Runway 18—Climb to 2500' and proceed direct to FML VOR. Hold S on R 186°, 1-minute right turns. Runway 23—Climb to 2300' and proceed direct to CLT LOM. Hold SW on 230° bearing, 1-minute left turns.

#Radar control will provide 1000' vertical clearance within a 3-mile radius of the following towers: 1932'—10 miles NE; 1866'—10 miles NW; 1733'—16.5 miles W.

$400–½ (RVR 4000') authorized, with operative HIRL, except for 4-engine turbojets.

#400–½ (RVR 2400') authorized with operative ALS, except for 4-engine turbojets.

$$Reduction not authorized.

City, Charlotte; State, N.C.; Airport name, Douglas Municipal; Elev., 748'; Fac. Class. and Ident., Charlotte Radar; Procedure No. 1, Amdt. 5; Eff. date, 3 June 67; Sup. Amdt. No. 4; Dated, 31 July 65

All directions	Radar site	Within: 20 miles	2900				
				Precision approach			
				T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn–33#	200–½	200–½	200–½
				A-dn	600–2	600–2	600–2
				Surveillance approach			
				T-dn	300–1	300–1	200–½
				C-dn	400–1	500–1	500–1½
				S-dn–33	400–1	400–1	400–1
				A-dn	800–2	800–2	800–2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, turn right, climb to 2500' and proceed direct to HLR VOR or HLR RBn, or when directed by ATC, climb to 2500' on bearing, 330° within 10 miles.

NOTE: Authorized for military use only, except by prior arrangement.

#PAR touchdown point Runway 33, threshold painted, 1000' NW of SE end. 3712' of usable runway available.

City, Fort Hood; State, Tex.; Airport name, Hood AAF; Elev., 923'; Fac. Class. and Ident., Hood AAF Radar; Procedure No. Radar Runway 33, Amdt. 3; Eff. date, 3 June 67; Sup. Amdt. No. Radar 1, Amdt. 2; Dated, 29 July 61

RADAR STANDARD INSTRUMENT APPROACH PROCEDURES—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	
0° clockwise#	360°	13 miles	2800	Surveillance approach			
295° clockwise#	250°	20 miles	2900	T-dn	300-1	300-1	300-1½
250° clockwise#	295°	20 miles	2800	C-dn	600-1	600-1	700-1½
				S-dn-33	500-1	500-1	500-1
				S-dn-15	600-1	600-1	600-1
				A-dn	800-2	800-2	800-2
				Precision approach			
				T-dn	300-1	300-1	300-1½
				S-dn-15 and 33	300-1	300-1	300-1
				A-dn	600-2	600-2	600-2

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished: Runway 15—Climb to 2500' on heading, 150° within 15 miles, Runway 33—make left-climbing turn, climb to 2500' on heading, 250° within 13 miles, or when requested by ATC, climb to 2500' on runway heading and proceed, as directed, to HLR VOR.

NOTE: Authorized for military use only, except by prior arrangement.

CAUTION: 1200' terrain within 0.2 mile both sides of approach runway.

#Radar vectoring beyond 10 miles not authorized below 4000' in the following quadrants: 085° clockwise to 130° and 235° clockwise to 285°. All bearings and distance are from radar antenna.

City, Fort Hood; State, Tex.; Airport name, Robert Gray AAF; Elev., 1015'; Fac. Class. and Ident., Gray AAF Radar; Procedure No. Radar Runways 15/33, Amdt. 1; Eff. date, 3 June 67; Sup. Amdt. No. Radar 1, Orig.; Dated, 27 Mar. 65

PROCEDURE CANCELED, EFFECTIVE 3 JUNE 1967.

City, Fort Rucker; State, Ala.; Airport name, Shell AHP; Elev., 400'; Fac. Class. and Ident., Shell Radar; Procedure No. 1, Amdt. Orig.; Eff. date, 5 Feb. 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), 601, Federal Aviation Act of 1958; 49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775)

Issued in Washington, D.C., on April 27, 1967.

JAMES F. RUDOLPH,
Acting Director, Flight Standards Service.

[F.R. Doc. 67-5093; Filed, May 15, 1967; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Agreement Among Retailers as to Uniform Store Hours

§ 15.125 Agreement among retailers as to uniform store hours.

(a) The Commission was asked to render an advisory opinion as to whether it would be lawful for a trade association, after making a survey of retailer preferences as to store hours, to recommend that all stores observe the same hours, but that no sanctions would be imposed upon nonconforming retailers. The request was prompted by Advisory Opinion Digest No. 110, 32 F.R. 788, which the Association interpreted as having stated that the Commission found nothing unlawful in an agreement among retailers to observe uniform hours of business.

(b) The Commission pointed out that its previous opinion advised merely that there would be nothing unlawful in a retail trade association conducting an informal survey intended to determine its members' individual preferences as to hours of business, followed by an announcement by the association of the results of the survey. The Commission emphasized that its opinion was based on the premise that any number of individual retailers may elect unilaterally to adopt common hours of business. The Commission did not intend to suggest that an agreement among competing retailers with respect to uniform hours of business would be lawful. On the contrary, it was the Commission's opinion that such an agreement among competitors, while perhaps not illegal per se, would be fraught with grave risks of illegality. Conceivably, there might be some rare and most unusual circumstances in which such an agreement among competing sellers could be justified as a reasonable restraint of trade, but this seems unlikely. The fact that no sanctions or coercion are imposed upon noncomplying retailers cannot legitimatize an otherwise unlawful agreement in restraint of trade.

(c) In sum, it was the Commission's opinion that the conduct of a survey as to its members' business hours and an announcement of the results of that survey by a trade association, would not be unlawful so long as no agreement among competing sellers was involved.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: May 15, 1967.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 67-5392; Filed, May 15, 1967; 8:46 a.m.]

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 67-122]

PART 1—GENERAL PROVISIONS

Ports of Entry; Chicago, Ill.

MAY 8, 1967.

The opening of the St. Lawrence Seaway has resulted in the development of a business and industrial area outside the present port limits of Chicago, Ill. In order to provide customs services to this business and industrial area, it has been decided to extend the port limits of Chicago, Ill., to encompass this greater area.

Accordingly, by virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U.S.C. 2), which was delegated to the Secretary of the Treasury by the President in Executive Order No. 10289, September 17, 1951 (3 CFR Ch. II), and pursuant to authorization given to me by Treasury Department Order No. 190, Rev. 4 (30 F.R. 15769), the geographical limits of the customs port of Chicago, Ill., in the Chicago, Ill., customs district (Region IX), as described in T.D. 54137, are extended to include the following area:

Beginning at the point where the northern limits of Cook County, Ill., intersect Lake Michigan, thence westerly along the Cook County-Lake County line to the point

where State Highway Fifty-Three (53) intersects this line, thence in a southerly direction along State Highway Fifty-Three (53) to the point where this highway intersects the Dupage County-Will County line, thence in a general easterly and southerly direction along the northern and eastern limits of Will County, Ill., to the point where the Will County-Cook County line intersects the Illinois-Indiana State line, thence northerly along the Illinois-Indiana State line to the point near Dyer, Ind., where U.S. Route Thirty (30) intersects this line, thence easterly along U.S. Route Thirty (30) to the point where this highway intersects the Lake County-Porter County line, thence northerly along the Lake County-Porter County line to the point where this line meets Lake Michigan.

Section 1.2(c) of the Customs Regulations is amended by deleting "(including the territory described in T.D. 54137)" in the column headed "Ports of entry" in the Chicago, Ill., customs district (Region IX), and inserting in lieu thereof "(including the territory described in T.D. 67-122)."

(80 Stat. 379, sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended, R.S. 251, sec. 624, 46 Stat. 759; 5 U.S.C. 301, 19 U.S.C. 1, 2, 66, 1624)

This Treasury decision shall become effective 30 days after publication in the FEDERAL REGISTER.

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-5432; Filed, May 15, 1967; 8:49 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 19—CHEESES, PROCESSED CHEESES, CHEESE FOODS, CHEESE SPREADS, AND RELATED FOODS

Creamed Cottage Cheese; Order Amending Identity Standard to List Diacetyl and Other Flavors; Cottage Cheese Whey, and Sodium Citrate as Optional Ingredients

In the matter of amending the standard of identity for creamed cottage cheese (21 CFR 19.530) by listing diacetyl, starter distillate, and other safe and suitable flavoring substances that enhance the characteristic flavor and aroma of the food as optional ingredients of the creaming mixture; and by listing cottage cheese whey and sodium citrate to provide another citrated medium in which to culture flavor- and aroma-producing bacteria for addition to the creaming mixture:

A notice of proposed rulemaking in the above-identified matter was published in the FEDERAL REGISTER of February 8, 1967 (32 F.R. 2646), based on a petition submitted by the Milk Industry Foundation, 1012 14th Street NW., Washington, D.C. 20005.

The information furnished by the petitioner, the comments filed in response to the proposal, and other available information have been considered, and it is concluded that it will promote honesty and fair dealing in the interest of consumers to adopt the amendments as set forth below.

Therefore, pursuant to the authority vested in the Secretary of Health, Education, and Welfare by 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 delegated by him to the Commissioner of Food and Drugs (21 CFR 2.120): *It is ordered*, That § 19.530 be amended by revising paragraph (b)(4), by adding a new subparagraph (7) to paragraph (b), by redesignating paragraph (d)(2) as (d)(3), with changes, and by adding to paragraph (d) a new subparagraph (2). The affected portions read as follows:

§ 19.530 Creamed cottage cheese; identity; label statement of optional ingredients.

* * * * *

(b) * * *

(4) A preparation of pasteurized skim milk or cottage cheese whey with added citric acid or sodium citrate, which preparation has been cultured with harmless flavor- and aroma-producing bacteria.

* * * * *

(7) Singly or in combination: Diacetyl, starter distillate, or other safe and suitable flavoring substances which contribute to the characteristic flavor and aroma associated with the food.

* * * * *

(d) * * *

(2) When any ingredient named under paragraph (b)(7) is used, the label shall bear the statement "artificially flavored" or "artificial flavor added" or "with added artificial flavoring".

(3) Wherever the name "creamed cottage cheese" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the label declarations prescribed in subparagraphs (1) and (2) of this paragraph, showing the optional ingredients present, shall immediately and conspicuously precede or follow such name without intervening written, printed, or graphic matter.

Any person who will be adversely affected by the foregoing order may at any time within 30 days following the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in six copies.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, except as to any provisions that may be stayed by the filing of proper objections. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: May 9, 1967.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 67-5443; Filed, May 15, 1967; 8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted In the Feed and Drinking Water of Animals or For the Treatment of Food-Producing Animals

CONDENSED ANIMAL PROTEIN HYDROLYSATE

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 6C1828) filed by Midwest Oil and Protein Co., Post Office Box 743, Milwaukee, Wis. 53201, and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of condensed animal protein hydrolysate as a source of protein, phosphorus, and salt in animal feeds. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended by adding to Subpart C the following new section:

§ 121.302 Condensed animal protein hydrolysate.

(a) *Identity.* The condensed animal protein hydrolysate is produced from the meat byproducts scraped from cured (salted) hides taken from cattle slaughtered for food consumption. The meat byproduct is hydrolyzed with heat and phosphoric acid.

(b) *Specifications.* The additive shall conform to the following percent-by-weight specifications:

Moisture, not less than 45 percent nor more than 50 percent.
Protein, not less than 24 percent.
Salt (NaCl), not more than 15 percent.
Phosphorus, not less than 2.25 percent.

(c) *Uses.* It is used or intended for use as a source of animal protein, phosphorus, and salt (NaCl) as follows:

(1) In poultry and swine feed in an amount not to exceed 5 percent by weight of the feed.

(2) In feed concentrates for cattle in an amount not to exceed 10 percent by weight of the concentrate.

(d) *Labeling.* The label and labeling shall bear, in addition to the other information required by the act:

(1) The name of the additive, condensed animal protein hydrolysate.

(2) Adequate directions for use including maximum quantities permitted for each species and a guaranteed analysis of the additive.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 9, 1967.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 67-5444; Filed, May 15, 1967; 8:50 a.m.]

PART 121—FOOD ADDITIVES

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

RESINOUS AND POLYMERIC COATINGS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 6B1975) filed by the Dow Chemical Co., Post Office Box 467, Midland, Mich. 48640, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of ethylene-isobutyl acrylate copolymers in resinous and polymeric food-contact coatings. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.2514(b)(3)(xviii) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2514 Resinous and polymeric coatings.

* * * * *

(b) * * *

(3) * * *

(xviii) Polyethylene and its copolymers as the basic polymer:

* * * * *

Ethylene-isobutyl acrylate copolymers containing no more than 35 weight percent of total polymer units derived from isobutyl acrylate.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 9, 1967.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 67-5446; Filed, May 15, 1967; 8:50 a.m.]

PART 121—FOOD ADDITIVES

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

POLYSTYRENE AND RUBBER-MODIFIED POLYSTYRENE

The Commissioner of Food and Drugs, having evaluated the data in petitions filed by the Dow Chemical Co., Midland, Mich. 48640 (FAP 2B0602, 4B1282); The Society of the Plastics Industry, Inc., 250 Park Avenue, New York, N.Y. 10017 (FAP 2B0662); and Monsanto Co., Plastics Division, Post Office Box 1531, Springfield, Mass. 01101 (FAP 3B0971), and other relevant material, has concluded that the food additive regulations should be amended to provide for the safe use of polystyrene and rubber-modified polystyrene as components of articles intended for use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), Part 121 is amended by adding to Subpart F the following new section:

§ 121.2510 Polystyrene and rubber-modified polystyrene.

Polystyrene and rubber-modified polystyrene identified in this section may be safely used as components of articles intended for use in contact with food, subject to the provisions of this section.

(a) *Identity.* For the purposes of this section, polystyrene and rubber-modified polystyrene are basic polymers manufactured as described in this paragraph so as to meet the specifications prescribed in paragraph (c) of this section when tested by the method described in paragraph (d) of this section.

(1) Polystyrene consists of basic polymers produced by the polymerization of styrene.

(2) Rubber-modified polystyrene consists of basic polymers produced by combining styrene-butadiene copolymers and/or polybutadiene with polystyrene, either during or after polymerization of the polystyrene, such that the finished basic polymers contain not less than 75 weight percent of total polymer units derived from styrene monomer.

(b) *Optional adjuvants.* The basic polymers identified in paragraph (a) of this section may contain optional adjuvant substances required in the production of such basic polymers. Such optional adjuvant substances may include substances permitted for such use by regulations in this Part 121, substances generally recognized as safe in food, and substances used in accordance with a prior sanction or approval.

(c) *Specifications.* (1) Polystyrene basic polymers identified in paragraph (a)(1) of this section shall contain not more than 1 weight percent of total residual styrene monomer, as determined by the method described in paragraph (d) of this section, except that when used in contact with fatty foods of types III, IV-A, V, VII-A, and IX described in table 1 of § 121.2526(c), such polystyrene basic polymers shall contain not more than 0.5 weight percent of total residual styrene monomer.

(2) Rubber-modified polystyrene basic polymers identified in paragraph (a)(2) of this section shall contain not more than 0.5 weight percent of total residual styrene monomer, as determined by the method described in paragraph (d) of this section.

(d) *Analytical method for determination of total residual styrene monomer content*—(1) *Scope.* This method is suitable for the determination of residual styrene monomer in all types of styrene polymers.

(2) *Principle.* The sample is dissolved in methylene chloride. An aliquot of the solution is injected into a gas chromatograph. The amount of styrene monomer present is determined from the area of the resulting peak.

(3) *Apparatus*—(i) *Gas chromatograph,* Beckman GC-2A gas chromatograph with hydrogen flame detector or apparatus of equivalent sensitivity.

(ii) *Chromatograph column.* One-quarter inch outside diameter stainless steel tubing (0.028 inch wall thickness), 4 feet in length, packed with 20 percent polyethylene glycol (20,000 molecular weight) on alkaline treated 60–80 mesh firebrick.

(iii) *Recorder.* Millivolt range of 0–1, chart speed of 30 inches per hour.

(4) *Reagents.* Compressed air, purified; helium gas; hydrogen gas; methylene chloride, redistilled; and styrene monomer, redistilled.

(5) *Operating conditions for the gas chromatograph.* (i) The column is operated at a temperature of 100° C. with a helium flow rate of 82 milliliters per minute.

(ii) The hydrogen burner is operated with 15 pounds per square inch of air pressure and 7 pounds per square inch of hydrogen pressure.

(iii) The attenuation of the hydrogen flame detector is set at 2×10^2.

(6) *Standardization.* (i) Prepare a standard solution by weighing accurately 15 to 20 milligrams of styrene monomer into a 2-ounce bottle containing 25.0 milliliters of methylene chloride. Cap the bottle tightly and shake to thoroughly mix the solution.

(ii) By means of a microliter syringe, inject 1 microliter of the standard solution into the gas chromatograph. Measure the area of the styrene monomer peak which emerges after approximately 12 minutes.

(7) *Procedure.* (i) Transfer 1 gram of sample (accurately weighed to the nearest 0.001 gram) to a 2-ounce bottle and add several glass beads. Pipette 25.0 milliliters of methylene chloride into the bottle. Cap the bottle tightly and place on a mechanical shaker. Shake until the polymer is completely dissolved. If any insoluble residue remains, allow the bottle to stand (or centrifuge at a low speed) until a clear supernatant layer appears.

(ii) By means of a microliter syringe, inject 3 microliters of the clear supernatant liquid into the gas chromatograph.

(iii) Measure the area of the resulting styrene monomer peak. Compare the sample peak area with the area produced by the standard styrene monomer solution. Calculation:

$$\text{Percent residual styrene monomer} = \frac{\text{Milligrams monomer in standard} \times \text{peak area of sample}}{\text{Peak area of monomer standard} \times \text{sample weight in grams} \times 30}$$

(e) *Other specifications and limitations.* The polystyrene and rubber-modified polystyrene identified in and complying with this section, when used as components of the food-contact surface of any article that is the subject of a regulation in this Subpart F, shall comply with any specifications and limitations prescribed by such regulation for the article in the finished form in which it is to contact food.

(f) *Nonapplicability.* The provisions of this section are not applicable to polystyrene and rubber-modified polystyrene used in food-packaging adhesives complying with § 121.2520.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 9, 1967.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 67-5445; Filed, May 15, 1967; 8:50 a.m.]

PART 121—FOOD ADDITIVES

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

RESINOUS AND POLYMERIC COATINGS FOR POLYOLEFIN FILMS

The Commissioner of Food and Drugs, having evaluated the data in a petition (FAP 7B2131) filed by Pennsylvania Industrial Corp., 120 State Street, Clairton, Pa. 15025, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of α-methylstyrene-vinyltoluene copolymer resins as components of food-contact coatings for polyolefin films. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.120), § 121.2569(b)(3) is amended by alphabetically inserting in the list of substances a new item, as follows:

§ 121.2569 Resinous and polymeric coatings for polyolefin films.

* * * * * *

(b) * * *

(3) * * *

List of substances	*Limitations*
* * *	* * *
α-Methylstyrene-vinyltoluene copolymer resins.	For use only in coatings that contact food under conditions of use D, E, F, or G described in table 2 of § 121.2526(c), provided that the concentration of α-methylstyrene-vinyltoluene copolymer resins in the finished food-contact coating does not exceed 1.0 milligram per square inch of food-contact surface.
* * *	* * *

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C. 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

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

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: May 9, 1967.

JAMES L. GODDARD,
Commissioner of Food and Drugs.

[F.R. Doc. 67-5447; Filed, May 15, 1967; 8:50 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 812—DELEGATIONS OF AUTHORITY

PART 822—BUREAUS AND OFFICES

Miscellaneous Amendments

In Parts 812 and 822 make the following changes:

I. In § 812.9, paragraph (a)(5) is revised to show delegation of authority to the Assistant Postmaster General, Bureau of Finance and Administration, to settle debts due the Department, not exceeding $20,000, that may be compromised, terminated, suspended, or referred pursuant to the provisions of Public Law 89-508, with concurrence by the General Counsel in cases involving questions of law or fact.

§ 812.9 Authority for remission of fines, penalties, forfeitures, claims; and for Post Office Department fund transfers.

(a) *Delegation.* * * *

(5) *39 U.S.C. 2401.* Collection of debts due the Department with the exception of those falling under the jurisdiction of the Chief Postal Inspector or the General Counsel. This redelegation includes the settlement of debts not exceeding $20,000 that may be compromised, terminated, suspended or referred pursuant to the provisions of Public Law 89-508, with concurrence by General Counsel in cases involving doubtful questions of law or fact.

* * * * *

NOTE: The corresponding Postal Manual section is 812.91e.

II. In § 822.4, paragraph (h) is revised to update the organization statement for the Transportation and Development Division of the Bureau of Transportation and International Services.

§ 822.4 Bureau of Transportation and International Services.

* * * * *

(h) *Transportation Economics and Development Division*—(1) *Director.* (i) Assists the Assistant Postmaster General and his deputy in carrying out the transportation policies of the Bureau.

(ii) Directs and coordinates the activities of the Transportation Rates and Economics, Bulk Mail, and Development and Special Contract Services Branch.

(2) *Transportation Rates and Economics Branch.* (i) Makes economic and statistical studies and develops operating data, cost formulas, and rate structures relating to mail transportation; applies these and other economic principles in special projects such as railroad biennial bin test; provides information and professional guidance in transport economics and statistics required in planning for overall mail transportation programs.

(ii) Develops sound methods and techniques for management review, analysis, and control of effectiveness of purchase and use of transportation services and facilities, including unit cost factors and mail transportation.

(iii) Establishes quality control standards and makes continuing review to maintain the integrity of, and improve economic and statistical studies.

(iv) Makes short- and long-range projections of mail traffic trends, in terms of priority and nonpriority movements, by type of transport and between areas.

(v) Makes comprehensive studies of carrier economics, including development of trends in carrier availability and transportation potential as well as carrier costs and operating data.

(vi) Analyzes commercial transportation rates and pricing practices to provide basic for rate negotiations with carriers and development of new methods of pricing for mail transportation.

(vii) Evaluates commercial carrier route change cases.

(viii) Provides economic support for legislative matters concerning mail transportation.

(ix) In cooperation with General Counsel and interested Bureaus or Departmental units, develops and coordinates Departmental presentations in transportation rate and route cases before regulatory agencies.

(x) Maintains necessary liaison with regulatory, rate, statistical, operational, and economic specialists in Department and other Government agencies.

(xi) Gives functional guidance and professional direction to regional transportation research personnel.

(xii) Performs liaison work with the Department's ADP function for utilizing ADP in research work.

(3) *Bulk Mail Branch.* (i) Performs continuing analysis of bulk mail traffic to determine areas of improved handling, dispatch, routing, and use of transport media. Manages and issues bulk mail dispatch lists.

(ii) Collects mail flow data and evaluates same relative to density and destination of mail dispatched between pairs of points or from and to sectional center facilities (SCF) and major points; evaluates various routings, costs and service standards applicable to bulk mail flows; recommends changes involving service and cost standards; recommends container applications.

(iii) Maintains continuing review of plant loadings to develop best dispatch and transportation procedures. Coordinates with mailers, mailers' groups, and Government agencies.

(iv) Reviews, with Bureau of Operations, all applications for changes or additional entry points for publications.

(v) Develops and maintains cost factors for terminal handling functions performed by postal or by contractor employees at major points including shuttle costs where transfers are involved.

(vi) Develops and manages programs to produce management statistics for traffic control over bulk mail movements by all modes and media of transportation.

(vii) Applies quality control system results to rail and intercity highway mail transportation to measure effective traffic movement and vehicle utilization.

(viii) Coordinates with Domestic Transportation and Distribution and Routing Divisions on proposed changes in storage car and container services; states labeling lists for bulk mailer and contract highway service utilization.

(ix) Reviews regional bulk mail dispatching and routing instructions for currency and effectiveness and issues appropriate changes thereto.

(x) Refers corrective service actions to Domestic Transportation or Distribution and Routing Divisions as appropriate.

(xi) Develops more efficient and less costly use of various modes of transportation for bulk mail movements.

(4) *Development and Special Contract Services Branch.* (i) Introduces new concepts for transportation of mail. Recommends transportation and terminal mail handling aspects of postal buildings, including airport mail facilities.

(ii) Maintains liaison with Departmental and other Government Bureaus and offices and with transportation industry and trade groups regarding application to the postal service of developments in transportation and terminal services.

(iii) Performs transportation coordination for building concept, function, site, layout, activation, and interrelation with the national transportation patterns with other Departmental bureaus and offices and with regions. Represents Bureau on Departmental facility planning groups.

(iv) Negotiates with carriers for experimental and test operations of transportation equipment and terminal systems, and, in conjunction with carriers, coordinates such experiments and tests with the Bureau of Research and Engineering as necessary.

(v) Negotiates with carriers and terminal companies for (*a*) special and experimental services; (*b*) exchange agreements for new and remodeled facilities; (*c*) new services; (*d*) special rates; (*e*) major diversions in cases which affect the national transportation pattern. Prepares contracts and formalized special agreements in accordance therewith.

(vi) Makes periodic in-depth reviews of special contracts for better service and pricing practices.

(vii) Develops and tests experimental contractual services for handling of bulk mail.

(viii) Develops and tests experimental contract transportation terminals for processing mail for intercity movement.

(ix) Develops improved transportation terminal handling methods for postal facilities, including improved loading and unloading techniques and work area container needs.

(x) Develops container uses for movement of mail in domestic and international services and coordinates as appropriate with the Bureau of Research and Engineering.

(xi) Evaluates proposals for major mail diversions, changes in transportation media, and changes in mail patterns.

(xii) Coordinates with International Service Division in development and use of transportation methods, facilities, carries and routing of international mail, incoming and outgoing.

NOTE: The corresponding Postal Manual section is 822.48.

As the foregoing revisions to Parts 812 and 822 do not affect substantive rights, public rule making procedures, advance notice, as well as a delayed effective date are unnecessary and would be contrary to the public interest.

(5 U.S.C. 301, 39 U.S.C. 501)

TIMOTHY J. MAY,
General Counsel.

MAY 10, 1967.

[F.R. Doc. 67-5394; Filed, May 15, 1967; 8:46 am.]

Title 41—PUBLIC CONTRACTS AND PROPERTY MANAGEMENT

Chapter 8—Veterans Administration

PART 8–1—GENERAL

Deviations; Procedure

Section 8–1.108–2 is revised as follows:

§ 8–1.108–2 Procedure.

(a) When a contracting officer, other than the Central Office Construction or Architect-Engineer Contracting Officer, considers it necessary to deviate from the policy, set forth in FPR or VAPR, a request will be submitted through channels to the Director, Supply Service, for review and recommendation to the approving official. The request will clearly set forth the circumstances warranting the deviation and the nature of the deviation required.

(b) The Central Office Construction or Architect-Engineer Contracting Officer will obtain prior authorization from the Assistant Administrator for Construction for a deviation in an individual case. Requests for deviations in other cases will be processed as provided in paragraphs (d), (e), and (f) of this section.

(c) When a deviation in an individual case is authorized by the appropriate department or staff head, the authorization will be placed in the purchase or contract file. A copy of the authorization will be furnished the Director, Supply Service, who will review the deviation authorized and, when considered necessary either prepare a change to the VAPR or recommend to the General Services Administration that the appropriate portion of the FPR be changed.

(d) Where deviations from the FPR in classes of cases are considered necessary, the Director, Supply Service, will prepare the submission to General Services Administration. Where circumstances preclude obtaining the prior concurrence of General Services Administration, and a deviation is authorized by the Deputy Administrator, the Director, Supply Service, will prepare a letter to General Services Administration stating the deviation authorized and the circumstances requiring the deviation. Deviations will be set forth in this Chapter 8 as provided in § 8–1.102(c).

(e) Where deviations from the VAPR are considered necessary in classes of cases, for those procurements effected under § 8–3.215 of this Chapter 8, the Director, Supply Service, will review the request and forward it with his recommendation through channels to the Deputy Administrator. The deviation, if granted, will be published in this Chapter 8.

(f) When a continuing deviation from the regulations in this Chapter 8, is requested, after authorization to deviate in an individual case has been granted, the Director, Supply Service, will forward the request with his recommendations, through channels, to the Deputy Administrator. The request, approved or disapproved, shall be returned through channels to the contracting officer. Such deviations when approved will not be published in this Chapter 8. The contract files will, in each instance, be annotated to show that such authority has been granted.

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

This regulation is effective immediately.

Approved: May 10, 1967.

By direction of the Administrator.

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

[F.R. Doc. 67–5425; Filed, May 15, 1967; 8:48 a.m.]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter 8 is amended as follows:

PART 8–1—GENERAL

1. Section 8–1.311 is added to read as follows:

§ 8–1.311 Priorities, allocations, and allotments.

(a) Priorities, allocations, and allotments of critical materials are controlled by the Business and Defense Services Administration (BDSA), Department of Commerce. (See FPR 1–1.311.) Essentially such priorities, etc., are restricted to projects having a direct connection with supporting current defense needs. The Veterans Administration does not possess and therefore, is not authorized to assign a priority rating to its purchase orders or contracts involving the acquisition or use of critical materials.

(b) In those instances where it has been technically established that it is not feasible to use a substitute material, BDSA has agreed to assist us in obtaining critical materials for maintenance and repair projects. They will also, where possible, render assistance in connection with the purchase of new items, which may be in short supply because of their use in connection with the defense effort.

(c) Contracting officers having problems in acquiring critical materials will ascertain all the facts necessary to enable BDSA to render assistance to the Veterans Administration in acquiring, if possible, these materials. The contracting officer will submit a request for assistance containing the following information to the Chief Medical Director (134):

(1) A description of the maintenance and repair project, or, the new item, whichever is applicable.

(2) The critical material and the amount required.

(3) The contractor's source(s) of supply including his address(es). If this source is other than the manufacturer or producer list the manufacturer or producer and his address.

(4) The Veterans Administration contract or purchase order number.

(5) The contractor's purchase order number, if known, and the delivery time requirement as stated in the invitation or proposal.

(6) The additional time the contractor claims will be necessary to effect delivery if he cannot get priority assistance.

(7) The extent of the emergency that will be generated at the station, e.g., (i) damage to the physical plant, (ii) impairment of the patient care program, (iii) creation of safety hazards and (iv) any other pertinent condition that will result because of failure to secure assistance in obtaining the critical materials.

(d) When the materials are required for use in a construction contract which has been authorized by the Assistant Administrator for Construction to be awarded and administered by a field station contracting officer, the request containing the information in paragraph (c) of this section will be forwarded to the Assistant Administrator for Construction (08).

PART 8–2—PROCUREMENT BY FORMAL ADVERTISING

2. In § 8–2.201(c), the clause "Caution to Bidders—Bid Envelopes" is amended to read as follows:

§ 8–2.201 Preparation of invitations for bids.

* * * * *

(c) * * *

CAUTION TO BIDDERS—BID ENVELOPES

If a bid envelope is furnished with this invitation, the bidder is requested to use this envelope in submitting his bid. He may, however, when it suits his purpose, use any suitable envelope. It is the responsibility of each bidder to take all necessary precautions, including the use of a proper mailing cover, to insure that his bid price cannot be ascertained by anyone prior to bid opening. The bidder is also required to affix the attached optional form 17, Sealed Bid Label, to the lower left hand corner of the envelope used in submitting his bid.

3. Section 8–2.202–4 is revised to read as follows:

§ 8–2.202–4 Bid samples.

Where it has been determined that samples are necessary to the proper awarding of a contract the following subparagraph will be added to the provision in FPR 1–2.202–4(e):

BID SAMPLES

* * * * *

All samples furnished must be plainly marked with the complete lettering and numbering of the item or subitems to which it relates, the name of the commodity, the Invitation for Bids number, and the name of the bidder. Cases or packages containing samples must be plainly marked "Samples" and all charges incident to the preparation and transportation of samples must be prepaid by the bidder. Bids must not be enclosed with samples. (Par. 3(b), Submission of Bids of SF 33A, is amended accordingly.)

4. In § 8–2.203–1, paragraph (a) is amended to read as follows:

§ 8–2.203–1 Mailing or delivering to prospective bidders.

(a) The contracting officer shall complete optional form 17, Sealed Bid Label, to show the invitation number, date, and

time of opening and commodity or service to be furnished. The label shall be included in the package furnished to each prospective bidder.

* * * * *

5. Section 8–2.203–3 is revised to read as follows:

§ 8–2.203–3 Publicity in newspapers and trade journals.

Paid advertising for procurement of supplies, equipment, and services will be used only upon written approval of the Administrator (44 U.S.C. 324). Each request for approval will set forth the circumstances which preclude procurement being accomplished satisfactorily by normal advertising methods. The request will be submitted through channels and routed through the Director, Supply Service for preparation of appropriate recommendation to the Administrator. See §§ 8–3.210 and 8–16.301–50.

PART 8–6—FOREIGN PURCHASES

6. Section 8–6.105 is revised to read as follows:

§ 8–6.105 Excepted articles, materials, and supplies.

Pursuant to the "Buy American Act," the Administrator has determined that the articles, materials, and supplies listed in this section may be acquired by the Veterans Administration without regard to source, except as provided for in Subpart 8–6.53:

Acetylene, black.
Agar, bulk.
Anise.
Antimony, as metal or oxide.
Asbestos, amosite.
Bananas.
Beef extract.
Bismuth.
Books, trade, text, technical or scientific; newspapers; magazines; periodicals; printed briefs and films; not printed in the United States and for which domestic editions are not available.
Brazil nuts.
Cadmium ores and flue dust.
Calcium cyanamide.
Capers.
Cashew nuts.
Castor beans.
Chalk, English.
Chicle.
Chloral hydrate U.S.P. crystal.
Chrome ore or chromite.
Cinchona bark.
Cobalt, in cathodes, rondelles, or other primary forms.
Cocoa beans.
Coconut and coconut meat in shredded, desiccated, or similarly prepared form.
Coffee, raw or green bean.
Colchicine alkaloid, raw.
Copra.
Cork, wood or bark and waste.
Dammar gum.
Diamonds, industrial.
Emetine, bulk.
Ergot, crude.
Fiber, coir, abaca, and agave.
Flax.
Goat and kid skins.
Graphite, natural, crystalline, crucible grade.
Hemp.
Hog bristles for brushes.
Hyoscine, bulk.
Iodine, crude.
Ipecac, root.
Jute and jute burlaps.
Kaurigum.
Lac.
Lavender oil.
Logs, veneer, and lumber from Alaskan yellow cedar, angelique, balsa, ekki, greenheart, lignum vitae, mahogany, and teak.
Manganese.
Menthol, natural, bulk.
Mica.
Nickel, primary, in ingots, pigs, shot, cathodes, or similar forms; nickel oxide and nickel salts.
Nitroguanidine (also known as picrite).
Nux vomica, crude.
Oiticica oil.
Olive oil.
Olives, green; plain (unpitted) and stuffed, bulk.
Opium, crude.
Petroleum, crude oil; petroleum, finished products; and petroleum, unfinished oils.
Pine needle oil.
Platinum and platinum group metals refined, as sponge, powder, ingots, or cast bars.
Pyrethrum flowers.
Quartz crystals.
Quebracho.
Quinidine.
Quinine.
Radium salts.
Rubber, crude and latex.
Rutile.
Santonin, crude.
Shellac.
Silk, unmanufactured.
Sisal.
Sperm oil.
Spices and herbs.
Sugar.
Talc, block, steatite.
Tapioca, tapioca flour and cassava.
Tartar, crude, tartaric acid and cream of tartar.
Tea.
Thyme oil.
Tin, in bars, blocks and pigs.
Tungsten.
Vanilla beans.
Wax, carnauba.

PART 8–7—CONTRACT CLAUSES

7. In § 8–7.101–5, that portion of paragraph (b) preceding the clause is amended to read as follows:

§ 8–7.101–5 Inspection.

* * * * *

(b) Contracts for packinghouse and dairy products, bread and bakery products and for fresh and frozen fruits and vegetables will contain the following clause, as an amendment to clause 5, SF 32.

* * * * *

8. In § 8–7.150–6, paragraph (a) is amended to read as follows:

§ 8–7.150–6 Termination clauses.

(a) *General.* Except for contracts covering the rental of motion pictures for patient recreational purposes and as provided in paragraphs (b), (c), and (d) of this section, all requirements contracts will contain the following termination clause, with the number of days to be inserted by the contracting officer, normally not more than 30 days.

TERMINATION CLAUSE

Any contract made as a result of this proposal will remain in full force for the period accepted, unless terminated, in whole or in part, at the request of either party after ------ day's notice in writing.

* * * * *

9. Section 8–7.150–9 is added to read as follows:

§ 8–7.150–9 Bread and bakery products.

The following clause will be inserted in all contracts for bread and bakery products:

The bidder agrees to furnish up to 25 percent more or 25 percent less than the quantities awarded when ordered by the Veterans Administration.

10. In § 8–7.150–17, paragraph (a) is amended to read as follows:

§ 8–7.150–17 Aggregate awards.

(a) When in the opinion of the contracting officer an award should be made in the aggregate in lieu of an item by item basis, the following will be used:

AGGREGATE AWARDS

It is contemplated that items No. ------ through ------ will be awarded in the aggregate, but the right is reserved to cancel any item or items after the bids are opened, before making an award. The entire group will be awarded to the bidder quoting the lowest price for the complete group. In the event no bid is received for all items in the group, award will be made to the lowest bidder quoting the lowest aggregate price for the greatest number of items in the group.

To provide a basis for award when no bids are received on the entire group, it will be necessary for each bidder to quote a unit price on each item on which he is bidding. However, bidders quoting on all items in a group may quote a total aggregate price which is less than the total of the unit price quoted provided such aggregate bid is identified as being a discounted offer.

* * * * *

11. Section 8–7.150–20 is revoked.

§ 8–7.150–20 Supply contracts for $1 million [Revoked]

12. In § 8–7.650–5, paragraphs (a) and (b) are amended to read as follows:

§ 8–7.650–5 Inspection and acceptance.

Clause 10, General Provisions, SF 23A is supplemented as follows:

(a) Inspection of materials and articles furnished under this contract will be made at the site by the Resident Engineer, unless otherwise provided for in the specifications. Samples, when required, must be submitted for approval as hereinafter noted.

(b) Final inspection and acceptance of the work shown by the drawings and specifications forming a part of this contract, shall not be binding or conclusive on the United States if it shall be shown that (1) the Contractor has willfully or through collusion with persons or firms engaged in the performance of the contract, or with an employee of the Federal Government, supplied inferior materials, equipment, or workmanship, or (2) the Contractor has otherwise departed from the terms of the contract.

* * * * *

13. Section 8–7.650–6 is revised to read as follows:

§ 8–7.650–6 Guaranty.

GUARANTY

(a) Unless otherwise specifically provided for in the contract or specifications, the Contractor, notwithstanding any final inspection, acceptance or payment, guarantees that all work performed and materials and

equipment furnished under this contract are in accordance with the contract requirements. He also guarantees that when installed all materials and equipment were free from defects and will remain so for a period of at least 1 year from the date of acceptance by the Government.

(b) If defects of any kind should develop during the period such guaranties are in force, the Contracting Officer shall immediately notify the Contractor in writing of such defects. The Government thereupon shall have the right, by a written notice to that effect, to require the Contractor to repair or replace all inferior or defective work, material, or equipment or permit it to remain in place and assess the Contractor the costs he (the Contractor) would have incurred had he been required to effect repair or replacement.

(c) The Contractor guarantees to reimburse the Government for, or to repair or replace, any damages to the site, buildings, or contents thereof that is caused by inferior or defective workmanship, or the use of inferior or defective materials or equipment in the performance of this contract. The contracting Officer shall immediately notify the Contractor in writing when such damage occurs. The Government shall have the right to require the Contractor to repair or replace such damaged areas or equipment, or elect to permit such damage to remain as is and assess the Contractor the costs he would have incurred had he been required to effect repair or replacement.

(d) Should the Contractor fail to proceed promptly, after notification by the Contracting Officer, to repair or replace any inferior or defective work, material, or equipment, or damage to the site, buildings, or contents thereof, caused by inferior or defective work, or the use of inferior or defective materials, or equipment, the Government may have such work, material, equipment, or damage repaired or replaced and charge all costs incident thereto to the Contractor.

(e) Any special guaranties that may be required under the contract, shall be subject to the elections set forth above unless otherwise provided in such special guaranties.

(f) The decision of the Contracting Officer as to liability of the Contractor under this clause is subject to the appeal procedures provided for in the "Disputes Clause of this Contract."

14. Section 8–7.650–21 is revised to read as follows:

§ 8–7.650–21 Contract changes.

Clause 3, Changes, and Clause 4, Changed Conditions of General Provisions of SF 23A are supplemented as follows:

(a) When requested by the Contracting Officer, the Contractor shall submit proposals for changes in work to the Resident Engineer. Proposals shall be in legible form, original and five copies, with an itemized breakdown that will include material, quantities, and unit prices, labor costs (separated into trades), construction equipment, etc. (Labor costs are to be identified with specific material placed or operation performed.) The Contractor must obtain and furnish with his proposal an itemized breakdown, as described above, signed by each subcontractor participating in the change regardless of tier.

(b) When the necessity to proceed with a change does not allow sufficient time to check a proposal, or because of failure to reach an agreement, the Contracting Officer may order the Contractor to proceed on the basis of a tentative price, based on the best estimate available at the time, with the firm price to be determined at the earliest practicable date.

(c) Allowances not to exceed 10 percent each for overhead and profit for the party performing the work will be based upon the value of labor, material and use of construction equipment required to accomplish the change. As the value of the change increases, a declining scale will be used in negotiating the percentage of overhead and profit.

(d) When work is done by a subcontractor, the Prime Contractor's fee will be based upon the net increased cost to the Prime Contractor. The fee will be negotiated and will follow a declining scale which will not exceed 10 percent on the first $10,000 of the change and not over 7½ percent over $10,000.

(e) Not more than three percentages, none of which exceed 10 percent will be allowed regardless of the number of tier subcontractors, i.e., the markup on work subcontracted by a subcontractor will be limited to one overhead percentage and one profit percentage in addition to the Prime Contractor's commission percentage.

(f) Where the Contractor or subcontractor's portion of a change involves credit items, such items must be deducted prior to adding overhead and profit for the party performing the work. Where a change involves credit items only, such items will be net, i.e., overhead, profit, and fee are excluded. The Contractor's fee is limited to the net increase to him of subcontractor's portions computed in accordance herewith.

(g) Cost of Federal Old Age Benefit (Social Security) tax and of Workmen's Compensation and Public Liability insurance appertaining to changes are allowable. While no percentage will be allowed thereon for overhead or profit, Prime Contractor's fee will be allowed on such items in subcontractor's proposals.

(h) Overhead and Contractor's fee percentages shall be considered to include insurance other than mentioned herein, field and office supervisors and assistants, watchman, use of small tools, incidental job burdens, and general home office expenses, and no separate allowance will be made therefor.

(i) Bond premium adjustment, consequent upon changes ordered, will be made as elsewhere specified at the time of final settlement under the contract and will not be included in the individual change.

15. Sections 8–7.651–8 and 8–7.651–9 are added to read as follows:

§ 8–7.651–8 Payrolls and basic records.

Insert the clause set forth in § 8–7.650–16(c).

§ 8–7.651–9 Government supervision.

Insert the clause set forth in § 8–7.650–9.

PART 8–10—BONDS AND INSURANCE

16. Sections 8–10.103–1 and 8–10.103–3 are added to read as follows:

§ 8–10.103–1 Policy on use.

When the criteria set forth in FPR 1–10.103–1(a) are met and the contracting officer believes it is in the interest of the Government to require a bid guarantee on a contract estimated to cost not more than $10,000, such a requirement will be included in the invitation.

§ 8–10.103–3 Invitation for bids provisions.

In addition to the requirement set forth in FPR 1–10.103–3, each invitation for bids shall contain a statement substantially as follows:

If a bidder elects to furnish a bid bond issued by a Surety Company, the company issuing the bond must appear on the U.S. Treasury Department's approved list or otherwise be approved by that Department. If the Surety Company is not approved the bid will be rejected.

PART 8–12—LABOR

17. Section 8–12.404–1 is added to read as follows:

§ 8–12.404–1 General.

(a) Whenever the clauses under FPR 1–12.403–1, 1–12.403–2 or 1–12.403–3 are applicable, the contracting officer shall fully inform the contractor of the labor standards provisions of the contract and his responsibilities thereunder. This shall be accomplished either by preconstruction conference or by letter as soon as possible after award of the contract.

(b) The preconstruction conference or letter will explain the necessity of physically including labor standards provisions in all subcontracts. (29 CFR 5.5 (a)(6))

(1) Incorporation by reference does not constitute compliance with this section.

(2) Subcontracts by purchase order or other informal methods will be considered in compliance provided copies of the appropriate labor standards clauses are attached to the subcontract form and provided also that the subcontractor acknowledges receipt of the labor standards clause in writing to the contractor awarding the contract.

(3) Failure of the prime contractor or a subcontractor to incorporate the labor standards provisions in its subcontracts may, under certain circumstances, be a serious violation of the contract requirements which would warrant the imposition of sanctions under either the Davis-Bacon Act or Department of Labor Regulations.

18. In § 8–12.404–2, paragraphs (a) and (d) are amended to read as follows:

§ 8–12.404–2 Wage determinations.

(a) Contracting officers will to the greatest extent practicable, establish the opening date for bids subject to a wage determination, on a date that will permit award of the contract prior to the expiration date of the determination. If it is known in advance of the solicitation that an award cannot be made prior to the expiration of the current determination, the solicitation shall include a statement that wage rates are not included; however, each prospective bidder will be furnished an amendment to the invitation which will contain the wage rates that are applicable to the resultant contract. This amendment should be furnished each bidder not less than 14 calendar days prior to the bid opening date. If necessary, the amendment shall establish a new bid opening date. Where solicitation has been made and it becomes evident prior to bid opening that the wage rates will expire before an award can be made, each prospective bidder will be furnished an amendment to the invita-

tion setting forth the new wage rates and establishing a new opening date. This amendment should also be furnished each bidder not less than 14 calendar days prior to the new bid opening date.

* * * * *

(d) Where a construction project calls for a wage schedule that is applicable to only one type of construction, it is incumbent upon the contracting officer to submit his request to the Secretary of Labor, in sufficient detail to assure that the determination that is issued relates only to construction in question. If a general wage determination is used which contains more than one schedule, the invitation for bids shall, in clear, concise language, designate the particular wage schedule that is considered applicable to the contract work.

19. In § 8–12.404–6(b), subparagraph (5) is added to read as follows:

§ 8–12.404–6 Payrolls and statements.

* * * * *

(b) * * *

(5) The labor standards provisions of the contract are physically incorporated in all subcontracts.

* * * * *

20. In § 8–12.404–7, paragraph (c) is amended to read as follows:

§ 8–12.404–7 Investigations.

* * * * *

(c) When a routine review, conducted by a representative of the contracting officer, indicates that there is a need for a more thorough investigation, the contracting officer shall request that a special investigation be conducted. He will submit his request, together with the material, which he believes justifies the investigation, to the Director, Supply Service. The contracting officer shall inform the contractor that in accordance with the terms and conditions of his contract, funds are being withheld from payments due him to cover possible labor compliance violations and that he (the contractor) will be informed as the facts are developed.

21. Section 8–12.404–13 is revised to read as follows:

§ 8–12.404–13 Review of recommendations for an appropriate adjustment in liquidated damages under the Contract Work-Hours Standards Act.

The authority of the Administrator to make the determinations set forth in FPR 1–12.404–13, is delegated, without power of redelegation, to the Director, Supply Service. When the amount involved is in excess of $100, the Director, Supply Service, will submit his recommendation and that of the contracting officer to the Department of Labor for the Department's determination. The contracting officer will be advised of the final action to be taken and the contract file will be documented to show this action.

22. Section 8–12.803–1 is revised to read as follows:

§ 8–12.803–1 Government contracts.

(a) Government bills of lading shall contain the nondiscrimination in employment clause set forth in Executive Order 11246 (30 F.R. 12319, 12935). Pending revision of this form the following shall be placed on all copies of the bill of lading:

NONDISCRIMINATION IN EMPLOYMENT BY GOVERNMENT CONTRACTORS AND SUBCONTRACTORS

The provisions of the nondiscrimination in employment clause set forth in section 202 of Executive Order 11246, revised, are incorporated herein by reference.

(b) When a shipment is authorized to move on a commercial bill of lading with conversion to a Government bill of lading at destination, the shipper shall be instructed to insert the clause required by paragraph (a) of this section, on the face of the commercial bill of lading.

23. Sections 8–12.803–50 and 8–12.803–51 are added to read as follows:

§ 8–12.803–50 Preaward equal opportunity compliance review—bids or offers of $1 million or more.

(a) Upon receipt of a bid or offer for supplies in an amount of $1 million or more the contracting officer will immediately furnish the Veterans Administration Contracts Compliance Officer (09) the following information:

(1) The name and address of the apparent low bidder or offeror.

(2) The name of the official signing the bid or proposal.

(3) The dollar amount of the bid.

(4) Names and addresses of known first tier subcontractors.

(5) The date on which bidder's or offeror's bid proposal will expire.

(b) The Contracts Compliance Officer will, from information available to him, advise the contracting officer that:

(1) The Equal Employment Opportunity Programs of the prospective contractor and each of his known first tier subcontractors have been reviewed within 6 months of the expected date of award, therefore no preaward survey need be conducted; and

(2) Information available to the Contracts Compliance Officer indicated that the prospective contractor and his known first tier subcontractors are able to comply with the provisions of the Equal Employment clause; or

(3) No compliance review of the prospective contractor or his known first tier subcontractors having been made within 6 months of the expected date of award, action to accomplish such a review has been initiated. This review will be completed prior to the expected date of award and the contracting officer advised as to whether the award should or should not be made.

§ 8–12.803–51 Notification to Department of Labor.

The Veterans Administration Contracts Compliance Officer will forward to the Office of Federal Contracts Compliance, Department of Labor, a written notification on each preaward survey that is conducted. This notification shall be submitted within 30 days after completion of the survey.

24. Sections 8–12.805–1, 8–12.805–3, 8–12.805–4, 8–12.805–6, 8–12.812, and 8–12.850 are revised to read as follows:

§ 8–12.805–1 Duties of agencies.

The Director, Investigation and Security Service, Central Office, is the Veterans Administration Contracts Compliance Officer and is responsible to the Administrator for carrying out the responsibilities of the agency under FPR 1–12.8.

§ 8–12.805–3 Posting of notices.

(a) At the time of award, VA Form 3–2137, Instructions to Contractors Pertaining to Equal Employment Opportunity Poster and to the "Notice to Labor Unions or Other Organizations of Workers—Nondiscrimination in Employment," Standard Form 38, will be used to forward to the contractor the notices required by FPR 1–12.805–3 and to advise the contractor of his responsibilities under the Equal Opportunity clause of the contract.

(b) Each instance of a contractor's inability to utilize either the nondiscrimination poster or Standard Form 38, Notice to Labor Unions or Other Organizations of Workers—Nondiscrimination in Employment, shall be reported promptly by the contracting officer to the Veterans Administration Contracts Compliance Officer (09). A similar report shall be made of each instance that a labor union or other organization of workers refuses or declines to accept Standard Form 38 from the contractor concerned.

§ 8–12.805–4 Compliance reports.

The annual filing date for Standard Form 100 is March 31.

§ 8–12.805–6 Complaints.

All complaints involving the Equal Employment Opportunity Program received by the contracting officer shall be immediately forwarded to the Veterans Administration Contracts Compliance Officer (09) for resolution.

§ 8–12.812 Rulings and interpretations.

Questions concerning the application or interpretation of instructions on the Equal Employment Opportunity Program in Government contracting will be referred to the Veterans Administration Contracts Compliance Officer (09). If a ruling or interpretation by a higher authority is required it will be secured and the contracting officer advised.

§ 8–12.850 Report of contract award.

Within ten (10) work days after awarding a contract that is subject to Executive Order 11246, as amended, the contracting officer shall forward to the Veterans Administration Contracts Compliance Officer (09), VA Form 07–2140, Report of Contract Award.

25. In § 8–12.851, paragraphs (a) and (c) are amended to read as follows:

§ 8–12.851 Nonaward of contract.

(a) From time to time the Office of Federal Contracts Compliance may designate certain firms to whom no contract will be awarded until a satisfactory compliance report has been received.

The Veterans Administration Contracts Compliance Officer shall compile and keep current a list of all contractors so designated. This list shall be furnished to all Veterans Administration contracting officers.

* * * * *

(c) Where a prospective contractor indicates that he will not comply with the provisions of the clause, his bid or proposal must be rejected as nonresponsive. Reports of such instances and their consequences will be referred to the Veterans Administration Contracts Compliance Officer (09) for such further action as may be indicated.

26. Section 8–12.852 is revised to read as follows:

§ 8–12.852 Noncompliance.

Any apparent breach of the nondiscrimination provision will be reported promptly by the contracting officer, directly to the Veterans Administration Contracts Compliance Officer (09) who shall furnish the contractor an opportunity to take the correction action necessary to place him in compliance with the nondiscrimination provisions. The contracting officer will be advised as to any future action which must be taken by him with respect to the contractor and his present or future contracts.

27. Sections 8–12.853 and 8–12.854 are revoked:

§ 8–12.853 Preaward survey. [Revoked]

§ 8–12.854 Notification to Department of Labor. [Revoked]

PART 8–52—CONTRACT ADMINISTRATION

28. Section 8–52.101 is revised to read as follows:

§ 8–52.101 Scope.

This subpart applies to all contracts whether advertised or negotiated, except those construction contracts entered into by the Central Office Construction Contracting Officer and architect-engineer contracts, utility connection agreements and other site facilities agreements entered into by the Central Office Architect-Engineer Contracting Officer.

29. In § 8–52.106, paragraph (c) is amended to read as follows:

§ 8–52.106 Representatives of Contracting Officers; receipt of equipment, supplies, and nonpersonal services.

* * * * *

(c) The Chief, Medical and General Reference Library in Central Office is hereby designated as the representative of the contracting officer to receive, inspect, and accept library books, newspapers, and periodicals. Purchase documents will specify delivery direct to the library.

PART 8–75—DELEGATIONS OF AUTHORITY

30. In § 8–75.101, paragraphs (a) and (b) are amended to read as follows:

§ 8–75.101 Delegation.

(a) Except as otherwise provided for by law, VA Regulations and these procurement regulations, the authority vested in the Administrator to execute, award, and administer contracts, purchase orders, and other agreements for the expenditure of funds involved in the acquisition of personal property, or services (excluding construction and architect engineer service), and for the sale of personal property, is hereby delegated to those employees of the Veterans Administration appointed or designated to the following positions:

(1) Chief Medical Director.

(2) Manager, Administrative Services, Central Office.

(3) Director, Supply Service.

(4) Assistant Director, Supply Service for VA Supply Depots.

(5) Assistant Director, Supply Service for Marketing.

(6) Chief, Purchase and Contract Division, Central Office.

(7) Head of a Veterans Administration Field Station. (NOTE: Heads of field stations receiving supply support from another Veterans Administration station will exercise this authority only in an extreme emergency or when normal supply channels cannot be utilized.)

(8) Chief, Supply Division, Veterans Administration Field Station.

(9) Chief, Business Services Division, Veterans Administration Field Station.

(10) Director, Building and Supply Service, Central Office.

(11) Chiefs, Marketing Divisions, VA Marketing Center.

(b) The contracting officers named in paragraph (a) of this section may designate one or more of their subordinates as a contracting officer and authority is hereby delegated to such subordinates, to execute, award and administer contracts, purchase orders, and other agreements for the acquisition of supplies, equipment, nonpersonal services, and for the sale of personal property. Designations will be in writing, specially state the scope and limitation of the designee's contractual authority and shall be confined to only those subordinates who are actively engaged in purchasing and contracting functions.

* * * * *

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

These regulations are effective 45 days after publication in the FEDERAL REGISTER.

Approved: May 10, 1967.

By direction of the Administrator.

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

[F.R. Doc. 67-5426; Filed, May 15, 1967; 8:48 a.m.]

Chapter 9—Atomic Energy Commission

PART 9–4—SPECIAL TYPES AND METHODS OF PROCUREMENT

Subpart 9–4.51—Washington-Designated Research Agreements and Contracts With Educational Institutions

Subpart 9–4.51 — Washington-Designated Research and Development Contracts with Educational Institutions, is revised to read as follows:

Subpart 9–4.51 — Washington-Designated Research Agreements and Contracts With Educational Institutions

Sec.

AUTHORITY: The provisions of this Subpart 9–4.51 issued under sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486.

§ 9–4.5100 Scope of subpart.

This subpart sets forth policies and procedures applicable to the negotiation and administration of Washington-designated special research support agreements and cost-type contracts for off-site basic research with educational institutions. To the extent applicable, these procedures should also be followed for Washington-designated contracts for off-site applied research with educational institutions, for basic or applied research with other "not-for-profit" institutions, and for educational and training activities with educational or other "not-for-profit" institutions.

§ 9–4.5101 Definitions.

(a) The term "Washington-designated contract" as used hereafter in this subpart means a special research support agreement or a cost-type contract which results from a directive to an AEC Field Office from any of the AEC Headquarters Program Divisions of Research, Biology and Medicine, Reactor Development and Technology, or Isotopes Development to enter into or continue such a contract on the basis of an approved research proposal.

(b) The term "contractor" means the educational or not-for-profit institution which enters into an agreement or contract with the Atomic Energy Commission for the performance of specified research.

(c) The term "research proposal" means a request by an institution for AEC support of a research project, together with a detailed description of the project and its relationship to the atomic energy program, and detailed information as to background and experience of principal investigators, facilities, and environment of the institution, and cost and cost-sharing arrangements, if any.

§ 9–4.5102 General.

The Atomic Energy Commission by statute is permitted to participate only in programs of research that are related to atomic energy.

§ 9–4.5103 Research program objectives.

(a) Under section 31a of the Atomic Energy Act of 1954, the AEC is directed to exercise its powers in such manner as to insure the continued conduct of research and training activities and to assist in the acquisition of an ever-expanding fund of theoretical and practical knowledge in the following fields:

(1) Nuclear processes;

(2) The theory and production of atomic energy, including processes, materials, and devices related to such production;

(3) Utilization of special nuclear material and radioactive material for medical, biological, agricultural, health, or military purposes;

(4) Utilization of special nuclear material, atomic energy, radioactive material, and processes for other purposes, including industrial uses, the generation of usable energy, and the demonstration of the practical value of utilization or production facilities for industrial or commercial purposes;

(5) The protection of health and the promotion of safety during research and production activities.

§ 9–4.5104 Contract objectives.

(a) Washington-designated research contracts are entered into by negotiation (as distinguished from formal advertising) under the authority of section 31c of the Atomic Energy Act of 1954 and section 302(c)(5) of the Federal Property and Administrative Services Act of 1949. In planning, negotiating, and administering such contracts, the objectives of AEC are to:

(1) Assure a continuing flow of new knowledge in fields related to the responsibilities of the AEC;

(2) Respect the traditions of the contracting institution and encourage the quest for new knowledge without restrictions on scientific initiative, to the extent compatible with the laws and the protection of the public interest;

(3) Provide reasonable levels of support which will increase the national capability in nuclear energy fields and enable the contracting institution to strengthen its research programs in areas of interest to AEC;

(4) Maintain effective contact with the scientific community so that:

(i) Scientists and students will be encouraged to expand their interests in fields of importance to the AEC program;

(ii) The scientific strength of the country can be brought to bear more effectively on AEC problems;

(iii) The AEC will be continuously aware of developments of value to its activities in the academic communities; and

(iv) An adequate supply of suitably trained scientists will be available for employment within the atomic energy program.

(b) The contractor is responsible for conducting the research and is expected to carry out the project or projects in a manner consistent with agreed-upon contract objectives and requirements; these include the obligation to comply with applicable laws and regulations, including the AEC's regulatory requirements. The contractor is generally expected to follow its normal business practices and to utilize its existing accounting system.

§ 9–4.5105 Submission of research proposals.

(a) Proposals for AEC assistance are usually initiated by scientists interested in doing the research. In some cases, however, the AEC may request investigators to undertake research of particular interest to the AEC. Prior to submitting a proposal, the interested scientist may discuss the project informally, either by letter, telephone, or personal visit with a member of the AEC Headquarters Program Division that has the greatest interest in the work. Also, following an informal discussion, a formal proposal may be requested. The proposal should be submitted to the appropriate AEC Headquarters Program Division and should indicate:

(1) Identity and background of the project;

(2) Objective of the investigation;

(3) Approximate types and number of personnel who would be utilized, and an approximation of the time to be devoted to the project work;

(4) Facilities, equipment, and other wherewithal to be used; and

(5) Amount of money sought from AEC which, together with the institution's contributions (if any), would enable the work to be performed.

(b) Each formal proposal shall be prepared in the manner and form outlined in the "Guide for the Submission of Research Proposals," copies of which may be obtained from the U.S. Atomic Energy Commission, Washington, D.C. 20545. Preliminary inquiries regarding support should be referred to the appropriate AEC Headquarters Division. (See AECPR 9–4.5101(a).)

§ 9–4.5106 Selection, preparation, and award of research contracts.

§ 9–4.5106–1 General.

In order to maintain a comprehensive and well-integrated research program, AEC evaluation of research proposals and selection of educational institutions to conduct scientific research is centralized in AEC Headquarters. However, AEC Field Offices in close proximity to the contractor are assigned responsibility for handling the final contract arrangements and nontechnical administration of such contracts.

§ 9–4.5106–2 Responsibilities.

(a) *Headquarters Program Divisions.* The AEC Headquarters Program Divisions interested in the particular research are responsible for evaluating the technical aspects of proposals and the amount of requested support. Such divisions also review the prospective contractor's cost and other estimates to determine the reasonableness, the propriety, and advisability of proceeding with the project, as proposed or as the proposal may in effect be amended. Specifically, Directors of AEC Headquarters Divisions are responsible for:

(1) Selecting and approving research proposals and determining the amount of AEC support;

(2) Reviewing the items in the proposal budget or itemized account of the proposed work, and, if necessary, the assistance of the appropriate AEC Field Office may be requested;

(3) Determining the ownership of property;

(4) Reviewing and following the technical progress of the work;

(5) Providing contractors with the technical guidance and direction as may be required to meet broad program objectives; and

(6) Keeping the AEC Field Offices fully informed of technical correspondence and discussions with contractors that may have contractual or nontechnical administrative implications.

(b) *Field Offices.* AEC Field Offices are responsible for the consummation

of contracts with the specified institution in accordance with directives from AEC Headquarters Program Divisions, and administering and making payments under such contracts. Specifically, Managers of AEC Field Offices are responsible for:

(1) Finalizing and executing the contract (where necessary, obtaining further instructions from the AEC Headquarters Program Division);

(2) Administering the contracts in accordance with their terms and conditions and making payments thereunder;

(3) Providing technical and administrative assistance requested by AEC Headquarters Division Directors.

§ 9–4.5106–3 Review of research proposals.

(a) *Use of consultants.* If, in the judgment of the AEC Headquarters Program Division, an appraisal from representatives of the scientific community is required, reviewers may be selected on the basis of their familiarity with either the field of research or the competence of the investigator.

(b) *Field participation in proposal evaluation.* Occasionally, the AEC Headquarters Program Division may find it necessary in considering research proposals to obtain additional information from the research institution or to visit the site. In some cases, the comments, assistance, or participation of staff members of the appropriate AEC Field Office will be requested.

(c) *Review of major elements.* At the time it reviews a research proposal, the sponsoring AEC Headquarters Program Division shall review the prospective contractor's budget or itemized account of the proposed work and activities and the materials, equipment, and facilities involved, for the purpose of reaching mutual understanding of the estimated cost of the research to be contracted for and the other major aspects of the contract in contemplation. Questions about the cost elements that require further investigation may be referred to the appropriate AEC Field Office when the contract is authorized.

§ 9–4.5106–4 Notice of selection or rejection.

The proposer shall be notified by the AEC Headquarters Program Division of the decision to support or reject the proposal. In the event of approval, this notification shall advise: (a) That the proposal has been selected for support subject to completion of a satisfactory contract, (b) which AEC Field Office will execute the contract, and (c) that the AEC assumes no obligations until a contract has been executed. A copy of the notice of approval shall be sent to the AEC Field Office concerned.

§ 9–4.5106–5 Selection of AEC Field Office.

When the AEC Headquarters Program Division has determined that a proposal will receive AEC support, an appropriate AEC Field Office will be requested to make the final contract arrangements with the institution concerned. Usually the AEC Field Office geographically nearest to the research institution will be selected, but occasionally other factors such as existing contractual relationships, will make the selection of some other AEC Field Office desirable.

§ 9–4.5106–6 Information to be furnished to Managers of AEC Field Offices.

The sponsoring AEC Headquarters Program Division shall provide the appropriate AEC Field Office with an authorizing directive early enough (usually 4 weeks) to permit timely consummation of the contract before the work is scheduled to start. The following shall be furnished:

(a) A copy of the detailed proposal and any modifications;

(b) Copies of correspondence with the research institution that are pertinent to the completion of the contract negotiation or that have some specific significance as to the preliminary review or arrangements made with the institution; and

(c) An authorizing directive (generally Form AEC–461, "Contract Authorization") which:

(1) Authorizes the execution of a specific type of contract for a specified term, with AEC support limited to a specified amount or a specified percentage of costs up to a specified Support Ceiling;

(2) Summarizes the background of the proposal and any pertinent discussion not reflected in the papers attached to the memorandum;

(3) Indicates the extent to which the scope of the work proposed has been approved;

(4) Indicates the principal investigator and other necessary details;

(5) Indicates the total estimated cost of the research and other major aspects of the contract, by reference to the proposal or otherwise;

(6) Indicates whether title to property to be acquired under the contract is to be vested in the AEC or the contractor;

(7) Indicates whether restricted data is likely to be used or developed in the course of the work and such classification and security determination as may be appropriate;

(8) Indicates directions for special reports, if any;

(9) Gives such additional information as may assist the Field Office in the finalization of the contract; and

(10) Designates the appropriate organizational unit of AEC Headquarters Program Division and individual that will have technical cognizance over the work under the contract.

§ 9–4.5106–7 Changes in scope and level.

After a contract has been authorized by the AEC Headquarters Program Division, and prior to execution of a contract, the Field Office shall not approve any significant change in technical scope, funding, specified result, performance, principal investigator, or other major aspect of the work without AEC Headquarters Program Division prior approval.

§ 9–4.5106–8 Notification of contract execution.

Promptly after execution of a contract, the appropriate AEC Headquarters Program Division should be notified of such action.

§ 9–4.5107 Standard contract forms.

§ 9–4.5107–1 General.

Outlines of standard contract forms for special research support agreements and cost-type contracts with educational institutions, for research performed in facilities owned or controlled by the contractor (as distinguished from Government-owned or -controlled facilities), are set forth in AECPR 9–16.5002–8 and 9–16.5002–9, respectively. It is intended to provide through these documents a vehicle by which research tasks can be accomplished with a minimum of administrative effort. It is therefore important that such contracts be written in such a manner as to assure the complete understanding of the parties as to the job to be performed and the financial and administrative details connected therewith. Of special consideration is the nature of research contracting in contrast to the procurement of supplies or activities of a production nature. It is recognized that wide research latitude in the conduct of research by the institutions is generally desirable and the standard contract forms were designed to permit such latitude in the overall establishment of the rights and obligations of the parties.

§ 9–4.5107–2 Special research support agreements.

(a) The special research support agreement, outlined in AECPR 9–16.5002–8, is generally used for basic research with educational institutions when the annual AEC support under the agreement does not exceed $250,000. It provides for payment to the contractor of a specified amount, which is referred to as the Support Ceiling, and for adjustment of the amount if total costs are less than expected. Payment shall be made in consideration for the contractor's performance of research activities described in the contract and in accordance with the provisions of the contract. In the majority of cases the contractor proposes to share, on a percentage basis, in the cost of the work conducted under the contract, although this is not a prerequisite for AEC support. Certain deviations in performance and other actions require AEC approval as stated in AECPR 9–4.5112–5.

(b) The contract will state in Appendix A the estimated total project cost for the specified contract period, with costs identified by principal categories, e.g., salaries, supplies, equipment, travel, and overhead costs. The percent of the total cost to be borne by the AEC will be set forth in Article III of the contract, with the provision that the charges to the AEC will not exceed the specified Support Ceiling set forth in the contract. The percent of total cost referred to above will be 100 percent when no cost-sharing is involved. The contractor shall have the

right to discontinue performance of research under the contract, upon written notice to the AEC, at any time when or after the costs chargeable to the AEC equal or exceed the Support Ceiling.

(c) The contractor will be required to furnish a certified statement (annually—within 3 months after the expiration of the annual contract period—and at the termination or expiration of the contract) signed by the principal investigator and an official of the institution showing the total cost (see definition of "total cost" in AECPR 9–16.5002–8, Article B–XXVII) of the project during the prior contract period. The statement should follow the format of Appendix C of the contract and provide a basis for comparison with the approved budget as provided in Appendix A of the contract (see AECPR 9–16.5002–8, Article B–XXVII).

(d) If the special research support agreement outlined in AECPR 9–16.5002–8 is to be used for not-for-profit organizations other than educational institutions, Article B–XXVII, Determination of Total Costs, should be revised to provide that the AEC's commercial cost principles (AECPR 9–15.50) will be used in determining actual cost, or the contract provisions may be revised at the direction of the cognizant AEC Program Division to provide for a lump-sum payment to the contractor in consideration for its commitment to perform particular research at a specified level of effort.

§ 9–4.5107–3 Cost-type contract.

The standard cost-type contract for research by educational institutions, outlined in AECPR 9–16.5002–9, is generally used when the annual AEC support under a contract exceeds $250,000, or when the cost of the project cannot be estimated in advance with reasonable accuracy. In many cases the contractor shares in the cost of the work conducted under the contract, although this is not a prerequisite for AEC support (see Article III of AECPR 9–16.5002–9). The contract provides for reimbursement to the contractor of allowable costs incurred, within a specified ceiling, for performance of the research in accordance with the provisions of the contract. Allowable costs are determined in accordance with Bureau of the Budget Circular A–21, FPR 1–15.3, and AECPR 9–15.103. (For cost-type contracts with not-for-profit institutions other than educational institutions, reimbursement of costs is in accordance with the applicable AEC commercial cost principles.) Certain deviations in performance and other actions under the contract require AEC approval as specified in the contract. Such approval requirements will be in accordance with AECPR 9–4.5112–5.

§ 9–4.5108 Ownership of property.

(a) Pursuant to Public Law 85–934, title to equipment purchased or fabricated with funds provided by AEC under contracts for the conduct of basic or applied scientific research at nonprofit institutions of higher education or at nonprofit organizations whose primary purpose is the conduct of scientific research where it is deemed to be in furtherance of the objectives of AEC, may be vested in the contractor.

(b) In addition to the authority referred to in paragraph (a) of this section, title to items of equipment and other personal property acquired by the contractor performing research may also be vested in the contractor as part of the contract arrangement, when considered appropriate from the point of view of legal considerations and the best interest of the Government.

§ 9–4.5109 Reporting requirements.

§ 9–4.5109–1 Purpose of reports.

Research reports from contractors are necessary to provide AEC, and, where appropriate, the public, with a record showing the progress achieved under projects receiving AEC support. In many instances, the research reports are of value in making information available to scientists working on closely allied problems.

§ 9–4.5109–2 Summary—200 words.

Immediately after a contract is negotiated, a summary of approximately 200 words (SIE form) covering the purpose and scope of the project should be sent by the contractor to the appropriate AEC Field Office. In connection with each renewal proposal, the 200-word summary should be revised to include the significant results and conclusions of the former year's work and a statement of the scope and objectives of the following year.

§ 9–4.5109–3 Progress reports.

Progress reports should briefly describe the scope of the investigations undertaken and the significant results obtained. They should also explain any significant differences between the actual level of activity (expressed in the various categories of man months, facilities procured, travel performed, etc.) and that contemplated in the contract.

§ 9–4.5109–4 Technical reports.

Technical reports and articles prepared for publication during the period covered should be listed with bibliographic references. Reprints or preprints of all such material should be appended and material contained in them need not be duplicated in the report.

§ 9–4.5109–5 Special reports.

Special reports or additional progress, status, or topical reports may be requested when needed by the appropriate AEC Headquarters Program Division or AEC Field Office or may be submitted as deemed necessary by the contractor. For example, brief status reports may be requested when developments are of immediate interest or when a significant point in the investigation has been reached.

§ 9–4.5109–6 Final report.

A final report summarizing the entire investigation shall be required from the contractor upon expiration of each contract. Satisfactory completion of a contract will be contingent upon the receipt of this report. The final report should follow the outline agreed upon for progress reports or, when a project has extended over a long period of time, the final report may refer to previously submitted technical reports for details and may be a synopsis of the entire project. Manuscripts prepared for publication should be appended.

§ 9–4.5109–7 Equipment report.

(a) An equipment report itemizing equipment having an anticipated service life of 1 year or more and an acquisition cost in excess of $100, either purchased or fabricated, when title to such equipment is vested in the contractor pursuant to the Grant Act (P.L. 85–934—42 U.S.C. 1891–1893), shall be furnished by the contractor immediately following the expiration of the contract year, in accordance with Appendix A of the special research support agreement set forth in AECPR 9–16.5002–8 (omit any item covered by Article V, Government Property, of this contract), and in accordance with the requirements of Appendix A–III of the cost-type contract set forth in AECPR 9–16.5002–9. Where the cost of individual pieces of equipment exceeds $1,000, they shall be listed individually. Where individual items cost between $100 and $1,000, they shall also be listed individually to the extent practicable, or grouped in general categories, such as "electronics equipment" or "six motors," with the total dollar amount of such category. The cost of purchased items shall be determined by the actual invoice cost of such items, but the cost of fabricated items may be established by engineering estimates.

(b) In order to satisfy the requirements of the Grant Act (Public Law 85–934), Managers of Field Offices shall forward to the Controller, Headquarters, not later than March 15 of each year, the original and one copy of each equipment report referred to in paragraph (a) of this section identifying each item purchased with AEC funds, submitted by contractors for the preceding calendar year.

§ 9–4.5109–8 Summary and distribution of reports.

A table summarizing the various types of reports, time for submission, number of copies and distribution is set forth below. The distribution and schedule of reports shall be as prescribed in this table, unless the authorizing program division specifies otherwise. Frequently, an annual progress report and a 200-word summary are sufficient for fundamental research, but additional reporting may be required in many cases. These reports are prepared by the contractor and submitted to the appropriate AEC Field Office for distribution. The AEC Field Office shall transmit these reports with a covering memorandum indicating: (a) The other AEC offices receiving the documents, (b) the name of the contractor, and (c) the contract number. Each copy of the document should bear the contract number.

DISTRIBUTION AND SCHEDULE OF DOCUMENTS

Type	When due	No. of copies	Disposition of copies	Remarks
1. Summary: 200 words on scope and purpose (S.I.E. Form).	At start of initial contract and each renewal period.	4	Field office (1); appropriate HQ Division (3).	
2. Renewal proposal..	Not later than 3 months nor earlier than 6 months before contract expires.	6	Field office (2); appropriate HQ Division (4).	Bind separately from annual progress report.
3. Annual progress report.	With renewal proposal....	7	Field office (2); appropriate HQ Division (4); DTIE (1).[1]	Bind separately from renewal proposal.
4. Other progress reports (brief topical reports, etc.).	As deemed necessary by investigator or as specifically requested by appropriate HQ Division.	7, or as requested.	.....do.....	Desired when significant results develop or when work has direct programmatic impact.
5. Reprints.....	As soon as available.....	7	.....do.....	Form AEC-427 not required with DTIE copy.
6. Manuscripts of journal articles.	When submitted to journal.	7	.....do.....	
7. Manuscripts of oral presentations.	When submitted to conference.	7	.....do.....	Abstracts will suffice if manuscript not available.
8. Final report.....	When contract is completed.	6	Field office (2); appropriate HQ Division (2); DTIE (1);[1] HQ Patent Br. (1).	

[1] DTIE copies should be accompanied by one copy of Form AEC-427 (except as noted above for Item 5, reprints) and should be sent to the contract administrator for transmittal to DTIE.

§ 9–4.5110 Dissemination of results.

§ 9–4.5110–1 Prompt dissemination.

Prompt dissemination of research results to the scientific community is encouraged. Publication in open literature is recognized as the normal and most desirable means for reporting the finding of unclassified fundamental research. Although the AEC reserves the right to utilize, and have others utilize, to the extent it deems appropriate, the reports resulting from research contracts, the AEC will attempt, to the maximum extent reasonably practicable and consistent with the Government's best interest, to permit the institutions and the authors to effect their own publication in established technical journals. (See AECPR 9–9 for copyright requirements which must be observed.)

§ 9–4.5110–2 Publication.

(a) Contractors are urged to publish results through normal publication channels. As a further inducement, page charges or other printing assessments for publishing articles in recognized scientific journals or any additional costs incurred in obtaining a limited supply of reprints of articles will be considered an appropriate budget item under contracts receiving AEC support where:

(1) The document reports work supported by the Government;

(2) The charges are levied impartially on all research papers published by the journal, whether by non-Government or by Government authors;

(3) Payment of such charges is in no sense a condition for acceptance of manuscripts by the journal;

(4) The journals involved are not operated for profit;

(5) The author does not receive an emolument for the research paper.

(b) A credit line should be included in any such publication to indicate that the research has been supported, in whole or in part, by the AEC. A patent check shall be made in advance of release to the public of any material prepared for publication. Generally, however, in the case of most basic research projects, the principal investigator may publish without prior AEC approval, unless he determines that the material being released may disclose an invention. (See par. (b) in Appendix B–III of AECPR 9–16.5002–8 and Appendix B–6 of AECPR 9–16.5002–9.)

§ 9–4.5111 Extension of contracts.

§ 9–4.5111–1 Renewal of proposals.

(a) Where additional time, beyond the current expiration period, is required to continue or complete the work, the contractor should submit six copies of a renewal proposal to the AEC Field Office that has administrative jurisdiction of the existing contract, not later than 3 months nor earlier than 6 months before the date of expiration of the contract.

(b) The renewal proposal should outline and justify a proposed program and budget for the succeeding year, showing in detail the total estimated cost of the project, together with the amount that will be contributed by the contractor and the amount requested of the AEC. It should include the same type of information as that required for initial proposals or reference this information to the extent contained in earlier proposals. Any contemplated change in program or scope for the ensuing period should be justified and explained clearly, and the cost estimates and other items should be based upon past experience. In the event a particular item of equipment which is listed in Appendix A for purchase during the current contract period is not expected to be ordered until the subsequent period, the renewal proposal should clearly identify the item, and the proposed budget for the new period should include the cost of the item. In the event an item of equipment, not listed in Appendix A of the current contract, needs to be ordered for purposes of the new contract period before the new contract period starts, it should be specifically identified in the renewal proposal and the approval of the AEC sought so that it may be included in Appendix A for the new contract period. Any deviation from the contract during the current period requiring AEC approval as provided for in the contract, which has not received such AEC approval, should be explained in detail, and the AEC's right to approve or disapprove shall be the same as for a request timely made by the contractor.

(c) The renewal proposal should include a financial statement of the work under the current contract, including:

(1) Total project costs for the current period to date, indicating the amount chargeable to the AEC;

(2) An estimate of the total costs to be incurred during the remainder of the current contract period, indicating the amount chargeable to the AEC; and

(3) Under special research support agreements, the anticipated difference, if any, between the total cost chargeable to the AEC for the current contract period and the AEC Support Ceiling for the current period.

§ 9–4.5111–2 Evaluation of requests for renewals.

(a) Requests for renewals are evaluated by the appropriate AEC Headquarters Program Division in the light of:

(1) Progress report submitted by the contractor;

(2) Research results published in scientific media;

(3) Field visits to the research site by technical personnel;

(4) Contractor's performance; and

(5) Availability of funds and relative importance of projects in relation to other proposed research.

(b) Requests for renewals generally follow the same process of review and evaluation of technical aspects and funding, preparation and execution of the contract, and administration as a new project, although less use would normally be made of outside consultants. Contracts authorized by AEC Headquarters Program Divisions shall not be extended for a new term or on an interim basis or modified in scope without specific prior authorization from the appropriate AEC Headquarters Program Division, unless exceptions have been authorized by Headquarters.

§ 9–4.5111–3 Authorization to renew.

(a) When a determination has been made to extend a contract, the sponsoring AEC Headquarters Program Division shall provide the appropriate AEC Field Office with an authorizing directive early enough (usually about 4 weeks in advance of expiration) to permit an orderly completion of the extension agreement before the expiration date. The authorizing directive should include generally the same type of information provided in the authorization of a new contract,

including pertinent information concerning any changes in scope of work, level of funding, scheduled dates for completion of certain phases of work, target dates for submission of reports, etc.

(b) An authorization to renew a special research support agreement shall also state the estimated total costs for the renewal period, the percentage of costs to be reimbursed by the AEC, and the initial AEC Support Ceiling. In certain situations the initial AEC Support Ceiling may be less than an amount equal to the AEC's share of the total estimated cost. For example, if the renewal proposal indicated that current contract costs chargeable to the AEC would be less than the current AEC Support Ceiling, an equivalent amount may be deducted from the initial Support Ceiling for the renewal period, with the expectation that additional funds would become available after completion of the current period. Under such circumstances the new Support Ceiling would usually remain at the reduced level until actual costs chargeable to the AEC for the expired period have been certified by the contractor (within 3 months after the end of the contract period). Any AEC funds available from the previous period, because costs charged to AEC were less than the Support Ceiling, will be used to increase the Support Ceiling for the renewal period: *Provided*, That any increased Support Ceiling will not exceed an amount equal to the AEC's share of total estimated project costs for the renewal period. If the funds actually available from the previous period are equal to or greater than that originally estimated, the AEC Field Office will issue a written notice to the contractor, increasing the Support Ceiling so that it is equal to AEC's share of the total estimated cost, and will notify the cognizant AEC Headquarters Program Division of the increase and report any additional AEC funds available from the previous period for disposition by the Program Division. In the event the AEC funds available from the previous period are less than originally estimated, the Field Office will request guidance from the cognizant Headquarters Program Division regarding the amount by which to increase the Support Ceiling. Such an increase will include the AEC funds available from the previous period, and such additional amount as is authorized by the AEC Program Division. In no event shall the Government's monetary liability exceed the latest specified Support Ceiling or its specified share of total costs, whichever is less. The simplified example set forth below shows how the AEC Support Ceiling in the renewal period may be revised to reflect estimated and actual costs of the previous period.

	First year	Second year
Desired level of project	$100,000	$100,000
AEC's share of costs	90%	90%
Estimated balance of AEC funds available from previous period	0	$9,000
Amount of new AEC obligation and initial AEC support ceiling	$90,000	$81,000
Maximum possible AEC support ceiling (unless mutually agreed)	$90,000	$90,000
Actual total costs under contract (per certified statement)	$91,000	----------
Actual costs chargeable to AEC (90 percent of total costs)	$81,900	----------
Actual balance of AEC obligation available from previous year	0	$8,100
New AEC support ceiling will be increased to at least	----------	$89,100
Program division may make supplemental obligation of	----------	$900

§ 9–4.5112 Administration.

§ 9–4.5112–1 Responsibilities of AEC Headquarters Program Divisions.

(a) Technical representatives of AEC Headquarters Program Divisions will make, to the extent practicable, periodic site visits, at least once each year on larger projects, and no less than once every 3 years on smaller projects. A written summary of the results of all visits will be prepared and filed promptly upon return to AEC Headquarters. Copies of such reports shall be forwarded to the appropriate AEC Field Office whenever they contain information of administrative interest or other information that the AEC Headquarters Program Division determines is pertinent to the assigned responsibilities of the Field Office. These visits are for the purpose of:

(1) Determining that the research is being performed in accordance with the contract.

(2) Ascertaining that schedules are being met to insure timely submission of interim and final reports.

(3) Determining whether the project has adequate facilities, equipment, and scientific, technical, and other personnel for the specified research.

(4) Ascertaining that any equipment requested for purchase is not reasonably available within the institution.

(5) Assisting the principal investigator to clarify specific technical aspects as work progresses.

(6) Exploring future budget requirements, but without making any commitments either personal or on behalf of the AEC as to the future funding level.

(7) Obtaining information regarding the status of work for administrative and technical purposes of the Program Division sponsor.

(b) AEC Headquarters Program Divisions will provide guidance to the AEC Field Offices in connection with:

(1) Any contractor requests for approval of proposed deviations or other actions requiring AEC approval which are brought to their attention by AEC Field Offices, or which have been brought to their attention through site visits, progress reports, or other contacts with the contractor;

(2) Increasing the obligational authority under any special research support agreement or cost-type contract;

(3) The disposition of any AEC funds available from the previous period under special research support agreements, whenever such guidance is sought by the Field Office;

(4) Whether or not required contractor reports are satisfactory; and

(5) The renewal or closeout of contracts; instructions in this regard should be provided at least 4 weeks prior to the expiration date of a contract.

§ 9–4.5112–2 Responsibilities of AEC Field Offices.

AEC Field Offices are responsible for the following:

(a) Assisting AEC Headquarters Program Divisions, as requested, in carrying out the functions set forth in AECPR 9–4.5112–1.

(b) Performing the necessary administrative functions required by the terms of the contract, and making payments in accordance with the contract.

(c) Revising the Support Ceilings for renewal periods of special research support agreements in accordance with AECPR 9–4.5111–3(b), and requesting Headquarters Program Division guidance for such revisions whenever the AEC funds available from the previous period are less than estimated.

(d) Bringing to the attention of the appropriate AEC Headquarters Divisions:

(1) Any contractor requests for approval which are required by the contract;

(2) Any revision of the Support Ceiling in a renewal period of a special research support agreement which has been made by the Field Office, without Headquarters guidance, in accordance with AECPR 9–4.5111–3(b);

(3) Any funds available from the previous contract period, under any special research support agreement, which are not required to increase the Support Ceiling in a renewal period; and

(4) The upcoming expiration date of a contract whenever required instructions on renewal or closeout have not been received on a timely basis.

(e) Determining whether to use the Grant Act (P.L. 85–934) or the contractor's contribution to the research as the authority for vesting title to equipment in the contractor when authorized to do so pursuant to AECPR 9–4.5106–6(c)(6).

§ 9–4.5112–3 Payments under special research support agreements.

(a) Payments will be made to the contractor during the term of a special research support agreement in accordance with the contract provisions (see Article B–XI of AECPR 9–16.5002–8). The letter of credit procedure, as provided for by Treasury Department Circular No. 1075, Revised, of February 13, 1967, will generally be used when the total of AEC contracts at an institution provide for a continuing annual level of support of $250,000 or more. When the annual level of total AEC support to the institution is less than $250,000, payments will generally be made as follows:

(1) Forty-five percent of the Support Ceiling following execution of the contract;

(2) A maximum of an additional 45 percent of the Support Ceiling upon receipt of a written request from the contractor evidencing that the amount requested is required in connection with the work under the contract; and

(3) A final payment, if appropriate, following submission by the contractor of the annual progress report or final report in form and content satisfactory to the AEC and submission of a certified statement [see AECPR 9–4.5107–2(c)] showing the total cost of the project during the completed annual period and evidencing the institution's performance under the contract, or, at the discretion of the AEC, within a reasonable period of time following the expiration of the annual contract period.

(b) The final payment under both of the procedures referred to in paragraph (a) of this section shall be made on the basis of determinations by the contracting officer that (1) the annual progress or final report is satisfactory, (2) that the research was performed in accordance with the provisions of the contract, and (3) that an additional payment is required to meet the proportion of actual costs which are to be borne by the AEC. If necessary in making the determinations, the contracting officer should obtain advice from the technical personnel of the AEC Headquarters Program Division based upon their visits to and other contacts with the research project during the contract period as well as their technical review of the report. It is expected that the annual progress report and the contractor's certified cost statement will provide an adequate basis for making the determinations required by subparagraphs (2) and (3) of this paragraph. If the determinations cannot be made on the basis of a consideration of the report, visits to and other contacts with the research project during the contract period, and the contractor's certified statement, the contracting officer may invoke the audit provision of the contract. In the event the contracting officer determines that the contractor's performance does not satisfy the contractual undertakings, appropriate steps shall be taken to protect the Government's interests.

§ 9–4.5112–4 Payments under cost-type contracts.

Payments for allowable costs incurred under cost-type contracts will be made in accordance with the provisions of the contract. The letter of credit procedure, as provided for by Treasury Department Circular No. 1075, Revised, of February 13, 1967, will generally be used when the total of AEC contracts at an institution provide for a continuing annual level of support of $250,000 or more. When the annual level of AEC support to the institution is less than $250,000, payments will generally be made once each month upon submission by the contractor of an appropriate invoice or voucher. All payments under cost-type contracts are subject to subsequent audit adjustment.

§ 9–4.5112–5 AEC approval of deviations in performance and other specified actions.

(a) Contractors will be asked to inform the cognizant AEC Field Office as soon as possible of such contemplated deviations and other actions which require AEC approval. Specific deviations and actions which will require such AEC approval include the following:

(1) A change of principal investigator or a reduction of 15 percent or more in the amount of time or effort the principal investigator will devote to the work;

(2) Acquisition of:

(i) An item of equipment which is not specifically itemized in the contract, if the acquisition cost is in excess of $1,000 or 2 percent of the total estimated project cost specified in the contract, whichever is greater, unless such equipment is merely a different model of an item listed in the contract, or

(ii) Any equipment which is not specifically itemized in the contract, if the cost of acquisition will cause the total equipment dollar level shown in Appendix A of the contract to be increased by 10 percent or $500, whichever is less. (If plant and capital equipment funds are provided for the acquisition of equipment, with title to be vested in the Government, the total cost of such equipment acquisitions shall not exceed the amount budgeted for such equipment unless prior AEC approval has been obtained.)

(3) Purchase of any general-purpose equipment, such as office furniture, air conditioning, etc., not specifically provided for in Appendix A of the contract;

(4) The use of budgeted equipment money for travel purposes, or the use of budgeted junior investigator category funds for purchasing equipment (when plant and capital equipment funds are provided for the acquisition of Government property, such funds shall not be transferred to other budget categories, and, conversely, funds from other budget categories shall not be used to acquire such property);

(5) Any proposed foreign travel; and

(6) Such other items as in the judgment of the Program Division or the Field Office, in specific cases need to be separately identified in the contract. (When plant and capital equipment funds are provided for the acquisition of Government property, the Headquarters Program Divisions may require, in specific cases, that such funds shall be used only for acquiring the equipment designated in the contract unless prior AEC approval has been obtained.)

(b) No change in the phenomenon or phenomena under study, i.e., broad category of the research under the contract, shall be made without the specific written approval of the AEC; ordinarily, such changes, if approved by the AEC, will be accomplished through a new contract or a mutually agreed-to modification. The contractor may change the specific objectives in the research work described in the contract, provided it gives the AEC prompt notification of such changes; and the contractor may continue to follow the new objectives while the AEC determines whether it wishes to continue the program under the changed approach.

(c) The AEC Field Office will present (in any manner considered appropriate) all such requests for approval to the cognizant AEC Headquarters Division for consideration, and will issue such authorizations and modifications under the contract as are necessary and appropriate.

(d) Contractors may be requested by the AEC Field Office to provide such statements of the project's financial and program status as are believed necessary for considering requests for approval.

(e) The above approval requirements and procedures shall apply to all special research support agreements for basic research with educational institutions. They shall also apply to all cost-type contracts for basic research with educational institutions unless specifically waived or revised by the cognizant AEC Program Division or unless the Field Office determines that additional approval requirements are appropriate with regard to purchases under the contract. These approval requirements and procedures may also be applied to contracts for applied research with educational institutions and for research with other not-for-profit organizations to the extent deemed appropriate by the cognizant AEC Program Division and the AEC Field Office. In contracts for applied research, paragraph (b) of this section will generally be revised to require AEC prior approval of any change in the specific objectives of the research work.

§ 9–4.5112–6 Auditing.

(a) As a part of the AEC-wide management of the research program accomplished through these contracts, auditing of participating contractors should be carried out by the AEC Field Office administering the contract. The purpose of this program of audit, provision for which is contained in the contracts, is to corroborate that the participating institutions are properly using the funds and equipment provided by the contracts, and to point up any changes needed in the contractual arrangements or in related administrative requirements in order to further the effectiveness of the contracts in accomplishing their intended programmatic research purposes. In addition to the general objectives stated above, the principal specific objectives in the audits of special research support agreements should be to determine (1) that the amounts as submitted in the contractor's certified statement are accurate and were incurred in connection with the contract work; (2) that satisfactory documentary evidence is available in support of the costs incurred; (3) that AEC approval was obtained where required; and (4) that the proportion of total cost charged to AEC is in accordance with the percentage stipulated in the contract. For cost-type contracts, on the other hand, the audit should include a verification, by acceptable audit techniques, of the allowability,

applicability, and reasonableness of the costs charged to the contract work.

(b) The review of special research support agreements will be made on a selective basis with the selected sample including all special research support agreements where the contracting officer requested that an audit be performed pursuant to the provisions of AECPR 9-4.5112-3(b). The audit of cost-type contracts will be in accordance with criteria set forth in section 2.024 of the AEC Audit Handbook.

(c) In the event of termination prior to the expiration date of a cost-type contract or special research support agreement, unless the costs incurred by the contractor are relatively small or can be otherwise adequately corroborated, an audit should be made to determine the nature of the costs and other relevant data for use in arriving at a termination settlement.

(d) While audit is not a prerequisite to AEC's making payments under a contract, audit is necessary prior to making final payment under cost-type contracts and under any special research support agreement where the contracting officer specifically requests an audit to determine whether the research called for by the contract was performed or where other conditions indicate that such an audit is warranted. The results of such audits should be reported to the cognizant AEC Headquarters Program Division.

§ 9-4.5112-7 Security.

As a general rule, it is not anticipated that investigators will need access to classified security information in the conduct of basic research supported or sponsored by the AEC. When, in the judgment of the principal investigator, information is developed which should be classified, he or the contracting institution will notify the appropriate AEC Field Office immediately. When in the opinion of the cognizant AEC Headquarters Program Division, the work moves into a classified area, prompt steps should be taken to notify the contractor and the appropriate AEC Field Office.

§ 9-4.5112-8 Patents.

Article B-VIII(d) of the special research support agreement set forth in AECPR 9-16.5002-8 and Article B-7(d) of the cost-type contract set forth in AECPR 9-16.5002-9 provide for exceptions to the requirement for inclusion of this article in subcontracts, if authorized by the Commission in writing. A letter of exception may be issued, upon request with respect to purchase orders for standard or normal facilities, equipment, materials, and supplies, and other purchase orders for products where the consideration does not include compensation or other allowance for research.

Effective date. These regulations are effective September 1, 1967.

Dated at Germantown, Md., this 10th day of May 1967.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[F.R. Doc. 67-5383; Filed, May 15, 1967; 8:45 a.m.]

PART 9-16—PROCUREMENT FORMS

Subpart 9-16.50—Contract Outlines

MISCELLANEOUS AMENDMENTS

1. Section 9-16.5002-8, *Outline of fixed-price contract for research and development with educational institutions,* is deleted and the following contract outline substituted therefor:

§ 9-16.5002-8 Outline of special research support agreement with educational institutions.

CONTRACT NO. _____

This agreement, entered into the _____ day of _____, 19__, effective the _____ day of _____, 19__, by and between the United States of America (hereinafter referred to as the "Government"), as represented by the U.S. Atomic Energy Commission (hereinafter referred to as the "Commission"), and _____ (hereinafter referred to as the "Contractor").

Witnesseth That:

Whereas, the Commission desires to have the Contractor perform certain research work, as hereinafter provided; and

Whereas, this agreement is authorized by the Atomic Energy Act of 1954, as amended, and section 302(c)(15) of the Federal Property and Administrative Services Act of 1949, as amended;

Now, therefore, the parties agree as follows:

ARTICLE I—THE RESEARCH TO BE PERFORMED

(a) The Contractor shall furnish the personnel, facilities, equipment, materials, and supplies as indicated in Appendix A, endeavor to procure or fabricate the items specified in A-II of Appendix A, and therewith perform to the best of its ability the research provided for in Appendix A and report thereon pursuant to the provisions of this contract (NOTE A). It is understood that Appendix A, a guide to the performance of this contract, may be deviated from by the Contractor subject to the specific requirements of this contract.

(b) This work shall be conducted under the direction of _____ or such other member of the Contractor's staff as may be mutually satisfactory to the parties.

NOTE A: The description of the research in Appendix A may be omitted and Appendix A appropriately modified to incorporate, by pertinent references to the proposal or other documents, the type of data necessary to describe the research as called for by Appendix A; and where there is no cost-sharing, other features may be referenced in lieu of insertion in Appendix A. In such cases, the referenced material will be retained as part of the permanent contract file.

ARTICLE II—THE PERIOD FOR PERFORMANCE

The period of performance under this contract shall commence on _____ 19__ and expire on _____ 19__. Performance may be extended for additional periods by the mutual written agreement of the parties. It is presently expected that this contract will be extended by mutual agreement until _____ 19__.[1]

ARTICLE III—CONSIDERATION

(a) In full consideration of the Contractor's performance hereunder, the Commission shall pay the Contractor the sum of $_____, hereinafter called the "Support Ceiling," which sum shall be subject to adjustment as hereinafter provided.

[1a] (b) Payments to the Contractor shall equal _____ percent of the total cost of performance of this contract, as the term "total cost" is defined in Article B-XXVII: *Provided, however,* And notwithstanding any other provision of this contract, that the Government's monetary liability under this contract shall not exceed the Support Ceiling specified in (a) above. The Commission shall not pay more than the Support Ceiling or _____ percent of the total cost, whichever is less. The Contractor shall be obligated to perform under this contract throughout the pertinent annual period of performance, and to bear all costs which the Commission has not agreed to pay: *Provided, however,* That the Contractor shall have the right to cease to perform the research provided for in this contract, upon written notice to the Commission to that effect, at any time when or after the Support Ceiling on the Commission's liability for any pertinent annual period of performance is reached.

(c) At any time during an annual period of performance subsequent to the initial annual period of performance, the Commission, in its sole discretion, may increase the Support Ceiling for the pertinent annual period of performance by written notice to that effect to the Contractor: *Provided, however,* That the Commission may not unilaterally increase the Support Ceiling to an amount greater than _____ percent of the total estimated project cost specified in the pertinent Appendix A, for said period. No such increase in the Support Ceiling shall be deemed to increase or affect the percentage of total cost which the Commission has agreed to pay for the pertinent period.

(d) Except as provided in (e) below, at the end of each contract period, the Contractor will refund to the Commission, or make such disposition as the Commission may, in writing, otherwise direct, any sums advanced by the Commission to the Contractor under this contract through direct payment or under letter of credit in excess of _____ percent of the total cost of performance, as the term total cost is defined in Article B-XXVII.

(e) If the total amount the Commission is required to pay during an annual period of performance is less than the Support Ceiling established for said period, the difference between said total and the Support Ceiling will be added by the Commission to the Support Ceiling established for the next succeeding contract period, if any: *Provided,* That such addition does not raise the level of the Support Ceiling for the succeeding period above that percentage of the total estimated project cost which the Commission has agreed to pay during said period.

---

[1] This sentence is optional and may be omitted.

[1a] Particular items may be contributed by the Contractor and excluded from any proportioning of cost (e.g., the agreement may be that the Contractor will contribute all the computer time required for the research). Also, items of Government-owned property to be furnished under Article B-IX may be excluded from proportionate cost-sharing. Such exclusions should be shown in Appendix A. Normally, however, only the proportionate sharing method would be used, and it would be applied to all items.

(f) After receipt of an annual certified statement pursuant to Article B–XXVII, which establishes the difference referred to in (e) above, and upon subsequent determination of any amounts the Commission wants to add pursuant to (c) above, the Commission will send a letter notification to the Contractor stating the increased Support Ceiling for the pertinent period. For the purpose only of formalizing the increased Support Ceiling, said letter shall be considered a contractual document. In the same letter the Commission will endeavor to state, for convenient reference, the total amount which the Commission has obligated under the contract from the beginning of the first annual period to date, as adjusted in accordance with this Article, but said statement shall have no evidentiary or contractual effect.

ARTICLE IV—ADDITIONAL CONTRACT PROVISIONS

Appendix B attached hereto and made a part hereof, sets forth additional general contract provisions of this contract.

ARTICLE V—GOVERNMENT PROPERTY

The following items of property procured or fabricated by the Contractor are hereby listed as "Government Property." (List all property and equipment title to which is to remain in the Government. Insert the word "none" if title to all of the property is to be vested in the Contractor.)

[NOTE A.]

In Witness Whereof, the parties have executed this contract.

UNITED STATES OF AMERICA

By: UNITED STATES ATOMIC ENERGY COMMISSION

By: _____

By: _____

Title: _____

NOTE A. If title to property procured or fabricated by the Contractor is to remain in the Government, add appropriate provisions for payment for such property from plant and equipment funds.

If the Contractor is a corporation, add the following:

I, _____, certify that I am the _____ of the corporation named as the Contractor herein; that _____ who signed this contract on behalf of the Contractor was then _____ of said corporation; that said contract was duly signed for and on behalf of said corporation by authority of its governing body and is within the scope of its corporate powers.

In Witness Whereof, I have hereunto affixed my hand and the seal of said corporation.

[CORPORATE SEAL]

Contractor _____ Contract No. _____

APPENDIX A

For the contract period _____ through _____

A–I. *Research to be performed by Contractor.* (Insert description of research activity.)

A–II. *Ways and means of performance:*

(a) Items included in total estimated cost, e.g.:

(1) Salaries and wages.

(List by name(s) the principal investigator(s). List categories of other personnel, according to scientific discipline or other designation, and the number of personnel in each category expected to participate in the research work. Also show the estimated percentage of time or effort to be devoted to the contract work by the principal investigator(s) and each category of other personnel over the contract period.)

(2) Supplies and materials.

(List any significant items of a special nature necessary to carry out the research work. Group all others into a miscellaneous category.)

(3) Equipment to be purchased or fabricated by the Contractor.

(Set forth each piece of equipment to be purchased or fabricated by the Contractor irrespective of whether title is to remain in the Contractor. Where it is not practical to identify each individual piece of equipment, such equipment may be set forth in general classifications as specifically as possible with the total estimated cost of each group of items. However, any individual piece of equipment, the estimated cost of which is over $1,000, will be separately identified. The description of equipment should at least be as detailed as the approved proposal upon which the contract is based. Except where the contract may otherwise specifically provide, equipment for the purpose of this paragraph A–II shall mean an item of personal property having a useful life expectancy in excess of 1 year and an acquisition cost in excess of $100.)

(4) Publications.

(5) Travel.

(6) Other.

(List separately each significant type of cost included in this category. Indicate briefly the kinds of costs that will not be separately identified.)

(7) Indirect costs based upon predetermined rate of _____ percent.

(Show factor or factors of cost to which rate applies—e.g., direct salaries and wages, total cost, etc.)

(b) Items, if any, significant to the performance of this contract, but excluded from computation of total cost and from consideration in proportioning costs (see footnote, Article III):

(1) To be furnished by Contractor:

(2) To be furnished by Government:

A–III. The total estimated project cost of A–II(a) above for the contract period stated above is $_____.

Contractor: _____ Contract No. _____

APPENDIX B

For the contract period _____ through _____

ARTICLE B–I—DEFINITIONS

(a) The term "Commission" means the U.S. Atomic Energy Commission or any duly authorized representative thereof, including the contracting officer except for the purpose of deciding an appeal under the article entitled "Disputes."

(b) The term "Contracting Officer" means the person executing this contract on behalf of the Government and includes his successors or any duly authorized representative of any such person.

(c) Except as otherwise provided in this contract, the term "subcontracts" includes purchase orders under this contract.

ARTICLE B–II—INSPECTION, REPORTS, RECORDS AND ACCOUNTS

(a) The Commission shall have the right to inspect, in such manner and at all reasonable times as it deems appropriate, all activities of the Contractor arising in the course of its undertakings under this contract.

(b) The Contractor shall make progress and other reports in such manner and at such times as specified in Article B–XXI. The Contractor shall also make such other reports to the Commission, with respect to its activities under this contract, as the Commission may reasonably require from time to time.

(c) The Contractor agrees to keep records and books of account, in accordance with generally accepted accounting principles and practices, covering its costs and expenditures for the research work under this contract.

(d) The Commission shall at all reasonable times be afforded access to the premises and to these books and records and to related correspondence, receipts, vouchers, memoranda, and other data of the Contractor; and the Contractor shall preserve such books and papers, without additional compensation therefor, for a period of three (3) years after completion of this contract.

ARTICLE B–III—PUBLICATION OF RESULTS

(a) Research results obtained under this contract shall be made available to all through normal and accepted channels without restriction except that no Restricted Data as defined in the Atomic Energy Act of 1954 or other classified information shall be disclosed to unauthorized persons. Published results shall indicate that the research was supported by the Commission. _____ copies of each article submitted by the Contractor for publication shall be promptly sent to the Commission. The Contractor shall also inform the Commission when the article is published and furnish _____ copies of the article as finally published.

NOTE: In determining the numbers of copies to be required, reference should be made to AECPR 9–4.5109–8.

(b) It is recognized that during the course of the work hereunder or subsequent thereto, the Contractor, its employees, or its subcontractors, may from time to time desire to publish, within the limit of security requirements, information regarding technical or scientific developments arising in the course of the contract. In order that public disclosure of such information will not adversely affect the patent interest of the Commission, patent approval for release shall be secured from the Commission prior to any such publication.

(In contracts for Theoretical Physics, High Energy Physics, Medium Energy and Neutron Physics, Mathematics, Computer Techniques and Programing, Medical Studies, Biological Studies, Ecological Studies, Meteorology, Solid State Physics, Geology, Radiation Effects, Theoretical Chemistry, Analytical Chemistry, Crystal Structure, Spectroscopy, Thermodynamics, Chemical Kinetics, Hazards Evaluation, Liquid State Studies, Cryogenics, Environmental Stream Pollution and Site Selection, the following provision may be substituted for the last sentence of Article B–III.)

"In order that public disclosure of such information will not adversely affect the patent interest of the Commission, such information shall be withheld from public disclosure if it discloses an invention, or discovery which shall be promptly reported to the Commission, and in such case, it shall be withheld for a period of four (4) months after submission of the information to the Commission for patent review and possible patent application, unless the Commission approves earlier release."

ARTICLE B–IV—DISCLOSURE OF INFORMATION

Insert AECPR 9–7.5004–22.

ARTICLE B–V—RESPONSIBILITY FOR THE WORK

(a) The Contractor is solely responsible for the conduct of the work.

(b) In instances where the carrying out of the contract work involves a Commission license, the provisions of the pertinent license shall prevail over any inconsistent provisions of this contract.

ARTICLE B–VI—FELLOWSHIPS

The Contractor agrees that, unless the Commission shall give its prior written approval, the Contractor shall not use any of the funds provided by the Commission under this contract to pay the stipend of any appointment for which commensurate services are not rendered under this contract or to

pay any part of the stipend of a fellowship of any kind.

ARTICLE B–VII—WRITTEN MATERIAL

(a) The Contractor hereby grants to the Government a royalty-free, nonexclusive, irrevocable license to reproduce, translate, publish, use and dispose of, and to authorize others to do so, all copyrightable material produced or composed or delivered to the Government or its designees under this contract, including work not first produced or composed by the Contractor in the course of performance under this contract but incorporated in the material produced or composed or delivered under this contract (but only to the extent that the Contractor now has, or prior to final settlement of the contract may have, the right to grant such license to such previously produced or composed work without becoming liable to pay compensation to others solely because of such grant).

(b) The Contractor agrees that except as the Commission may otherwise specifically authorize in writing, the Contractor will not include in any report or other material delivered under this contract, or in any published material relating to the work under this contract, any copyrighted material owned by others which such owners have not consented to have so included.

(c) The Commission will not publish in advance of the Contractor's publication without prior consultation with the Contractor.

ARTICLE B–VIII—PATENTS

Insert AECPR 9–9.5003 modified by deleting paragraphs (d) and (e) and substituting therefor the following paragraph (d):

"(d) Except as otherwise authorized in writing by the Commission, the Contractor will insert in all subcontracts and purchase orders other than purchase orders for standard commercial items, provisions making this article applicable to the subcontract or purchase order. Except as otherwise authorized in writing by the Commission, the Contractor will insert in purchase orders for standard commercial items a provision indemnifying the Government against liability for use of any invention or discovery and for the infringement of any Letters Patent arising by reason of the purchase, use, or disposal by or for the account of the Government of items manufactured or supplied under the purchase order."

ARTICLE B–IX—PROPERTY ITEMS

(a) Except as otherwise provided in this paragraph (a) and paragraph (b) of this Article B–IX, title to all material, supplies, and equipment purchased or otherwise acquired by the Contractor in the performance of its research activities shall be and remain in the Contractor. Said materials, supplies, and equipment shall be used for the benefit of research under this contract and any extensions or successor contracts hereto and, provided there is no interference with said research, shall be made available for use by investigators working on any Federal research agreement at the same location. Subject to these priorities, the materials, supplies, and equipment may be used as the Contractor wishes. Except as otherwise agreed in writing, title to any items of property listed as "Government property" shall pass directly to the Government; such property shall be subject to paragraphs (b), (c), (d), (e), and (f) of this Article B–IX.

(b) Subject to the mutual agreement of the Commission and the Contractor, the Government may furnish the Contractor items of equipment, materials, supplies, or facilities for use by the Contractor in the performance of the contract work; title to these items shall remain in the Government unless otherwise agreed in writing. Such items of property and the items of property listed elsewhere in this contract as Government property, are hereinafter referred to as "Government property." Title to Government property shall not be affected by the incorporation or attachment thereof to any property not owned by the Government nor shall any such property, or any part thereof, be or become a fixture or lose its identity as personalty by reason of affixation to any realty.

(c) To the extent practicable, the Contractor shall cause all items of Government property to be suitably marked with an identifying mark or symbol indicating that the items are the property of the Government. The Contractor shall maintain at all times and in a manner satisfactory to the Commission records showing the use and disposition of Government property. Such records shall be subject to Commission inspection at all reasonable times and the Commission shall at all reasonable times have access to the premises wherein any items of Government property are located. Unless otherwise authorized in writing by the Commission, the Contractor shall use Government property only for the purposes of this contract: *Provided, however,* That the Contractor is hereby authorized to use items of equipment constituting Government property for other Federal research agreements to the extent such use (1) does not interfere with its work under this contract, (2) is not prohibited by provisions of the other Federal agreements, and (3) is promptly reported by the Contractor to the Commission under this contract.

(d) The Contractor shall promptly notify the Commission of any loss or destruction of or damage to Government property. It is understood that the Contractor shall not be liable for any such loss, destruction, or damage, unless same results from wilful misconduct or lack of good faith on the part of any corporate officer of the Contractor, or of one or more of the Contractor's representatives having supervision or direction of all or substantially all of the activities under this contract. If the Contractor is liable for any such loss, destruction, or damage, it shall promptly account therefor to the satisfaction of the Commission; if the Contractor is not liable therefor, and is indemnified, reimbursed, or otherwise compensated for such loss, destruction, or damage, it shall promptly account therefor to the satisfaction of the Commission.

(e) With the written approval of the Commission, the Contractor may sell, transfer, or otherwise dispose of items of Government property to such parties and upon such terms as so approved, or itself acquire title to items of Government property upon such terms as may be mutually agreed upon in writing by the Contractor and the Commission. The proceeds of any such disposition, and any agreed price of any such Contractor acquisition, shall be paid by the Contractor to the Government, or credited on account of Commission payments to be made under this contract, as the Commission may direct. Subject to the other provisions of this contract, the Contractor shall deliver Government property to the Commission upon request (suitably packed and shipped at the Government's expense).

(f) The Contractor shall utilize for the benefit of the work under this contract such items of property available to the Contractor by reason of its activities under other Federal research agreements as are appropriate for utilization under this contract pursuant to the provisions of the pertinent Federal agreements.

ARTICLE B–X—TERMINATION FOR CONVENIENCE OF THE GOVERNMENT

Insert FPR 1–8.704–1.

ARTICLE B–XI—PAYMENTS

(a) The Commission shall make payments to the Contractor with respect to the amount of consideration prescribed in paragraph (a) of Article III of this contract as follows:

(1) Forty-five percent following execution of this contract (and following the effectuation of each extended period).

(2) A maximum of an additional 45 percent upon receipt of a written request or requests from the Contractor evidencing that the amount requested is then required in connection with the work under the contract.

(3) A concluding payment for the pertinent period, if necessary, following submission by the Contractor of the annual Progress Report or final report, provided for in Article B–XXI, in form and content satisfactory to the Commission and submission of a certified statement showing the total cost for the contract period and evidencing the Contractor's performance under the contract.

(b) The payments made pursuant to paragraph (a) above shall not prejudice or otherwise affect adversely any of the Government's rights under the contract. For purposes of settlement in the event of termination pursuant to Article B–X hereof, these payments shall not be construed as evidentiary, and any excess payment in the light of Article B–X shall be promptly returned to the Commission.

(c) All payments under this contract, except the first payment provided in (a) above, will be subject to the submission by the Contractor to the Commission of such invoices or vouchers as are satisfactory to the Commission.

(d) The Commission, at its option, may invoke the following with respect to any amount of the contract consideration remaining to be paid at any given time:

(1) The Commission shall issue a letter of credit as provided for by Treasury Department Circular No. 1075, Revised, of February 13, 1967, under which payments to the Contractor with respect to the amount of consideration provided for in paragraph (a) of Article III of this contract will be made. The Contractor agrees that the first ninety (90) percent of the amount of consideration provided for in said paragraph (a) of Article III will be under the letter of credit and will be subject to the submission by the Contractor of a Payment Voucher on Letter of Credit (Standard Form 218), in accordance with procedures based upon Treasury Department Circular No. 1075, Revised, of February 13, 1967, which are agreed to by the parties. Following submission by the Contractor of a final report provided for in Article B–XXI, in form and content satisfactory to the Commission, and submission of a certified statement showing the total expenditures and evidencing the Contractor's performance under the contract, and upon submission by the Contractor to the Commission of such invoices or vouchers as are satisfactory to the Commission, the Commission shall pay the Contractor the concluding payment of the consideration provided for in Article III of this contract, or said concluding payment will be included under the letter of credit and will be subject to submission by the Contractor of a Payment Voucher on Letter of Credit, in accordance with the procedure described above. If, following an annual report, the contract is extended for an additional period of performance, said concluding payment will similarly be paid for the expired period, and ten (10) percent will be retained with respect to the added period of performance.

(2) The Commission reserves the right to increase, decrease, or cancel the amount covered by the letter of credit, provided that such action is required because of a change in the amount of consideration provided for in Article III or is taken pursuant to subparagraph (d)(1) of this Article. The issuance and use of a letter of credit and receipt of funds pursuant thereto shall not prejudice or otherwise adversely affect any of the Government's rights under the contract.

ARTICLE B–XII—EQUAL OPPORTUNITY

Insert FPR 1–12.803–2.

ARTICLE B–XIII—CONVICT LABOR

Insert FPR 1–12.203.

ARTICLE B–XIV—CONTRACT WORK HOURS STANDARDS ACT—OVERTIME COMPENSATION

Insert Article set forth in FPR 1–12.303.

ARTICLE B–XV—DISPUTES

Insert FPR 1–7.101–12, modified by substituting "Commission" for "Secretary."

ARTICLE B–XVI—OFFICIALS NOT TO BENEFIT

Insert FPR 1–7.101–19.

ARTICLE B–XVII—COVENANT AGAINST CONTINGENT FEES

Insert FPR 1–1.503.

ARTICLE B–XVIII—EXAMINATION OF RECORDS

Insert FPR 1–7.101–10.

ARTICLE B–XIX—BUY AMERICAN ACT

Insert FPR 1–7.101–14, modified in accordance with AECPR 9–7.5004–16.

ARTICLE B–XX—ASSIGNMENT: SUBCONTRACTING

Neither this contract nor any interest therein nor claim thereunder shall be assigned or transferred by the Contractor, except as expressly authorized in writing by the Commission. The Contractor shall not subcontract any research or development work under this contract, except as expressly authorized in writing by the Commission.

ARTICLE B–XXI—REPORTS AND RENEWAL PROPOSALS

The Contractor shall furnish six (6) copies of the following reports and renewal proposals, if any, addressed to appropriate Field Office.

PROGRESS REPORT

The progress report shall briefly describe the scope of investigations undertaken and the significant results obtained. It shall also indicate compliance with the contract requirements and any failures to comply. Technical reports and articles prepared for publication shall be listed with bibliographic references. Reprints or preprints of all such material shall be appended and material contained therein need not be duplicated in the report. Progress reports shall be submitted approximately three months in advance of the expiration of the current contract term and shall give the Contractor's best estimate of the probable events and occurrences in regard to the remainder of the current contract term. Except as the Commission may otherwise request, no further progress report will be required for any contract year unless there has been a significant change in scientific results or contract compliance between the latest progress report by the Contractor and its actual experience; this shall be reported promptly.

FINAL REPORT

Upon termination or expiration of the total period of performance, the contractor shall submit, promptly, a summary of its activities for the entire period, including a list of publications issued during the total term of the contract and copies of any reprints not previously submitted, as well as a comprehensive evaluation of progress in the area of research supported by the contract.

RENEWAL PROPOSALS

A renewal proposal, if any, shall be submitted along with the technical progress report, and each of the two documents shall be separately bound.

REPORT OF EQUIPMENT PURCHASED OR FABRICATED

The Contractor shall itemize equipment having a useful life expectancy in excess of 1 year and an acquisition cost in excess of $100 purchased or fabricated (omit any items appearing in Article V) and submit a report thereof immediately following the expiration of the contract year specified in Article II. Where the cost of individual pieces of equipment exceeds $1,000, they will be listed individually. Where individual items cost $100 to $1,000, they will also be individually listed to the extent practical or grouped in general categories, such as "electronic equipment" or "six motors," with the total dollar amount of such category. The cost of purchased items shall be determined by the actual invoice cost of such items, but the cost of fabricated items may be established by engineering estimates.

ARTICLE B–XXII—FOREIGN TRAVEL

Foreign travel shall be subject to the prior approval of the Contracting Officer.

ARTICLE B–XXIII—PRIORITIES, ALLOCATIONS, AND ALLOTMENTS

Insert AECPR 9–7.5006–52.

ARTICLE B–XXIV—UTILIZATION OF CONCERNS IN LABOR SURPLUS AREAS

Insert the clause set forth in FPR 1–1.805–3 (a) under the conditions and in the manner prescribed in FPR 1–1805–2.

ARTICLE B–XXV—UTILIZATION OF SMALL BUSINESS CONCERNS

Insert the clause set forth in FPR 1–1.710–3 (a) under the conditions and in the manner prescribed in FPR 1–1.710–2.

ARTICLE B–XXVII—SOVIET-BLOC CONTROLS

Insert the clause set forth in AECPR 9–7.5006–53.

ARTICLE B–XXVII—DETERMINATION OF TOTAL COSTS

(a) The term "total cost" as used in this contract means the sum of costs incurred by the Contractor in furtherance of the work hereunder and may include the following: Expenditures of cash, exclusive of cash payments relating to items included in the total cost of a prior period; the cost of material and supplies transferred from stores inventory; unpaid delivered orders for services, supplies, and equipment; unpaid undelivered orders (commitments) for items of equipment; unpaid undelivered orders (commitments) for materials and supplies purchased in normal and reasonable quantities; and the amount due the Contractor for indirect costs. Except as the parties may otherwise specifically agree in writing, total cost will apply separately to each annual (or lesser) period of performance. Total cost for a contract period shall be determined consistent with the principles of the Bureau of the Budget Circular A–21, as constituted on the effective commencement date of said period.

(b) Within 3 months after the end of each contract period and within 3 months after the expiration or termination of the contract, the Contractor shall furnish its certified statement, executed by an official of the Contractor and also signed by the principal investigator, showing the Contractor's total cost and evidencing its performance under the contract. The statement shall be in the form set forth in Appendix C. The Contractor understands that the Commission expects to rely on this certified statement. The Contractor is expected to maintain auditable records as contemplated by Article B–II(c) to substantiate the total costs incurred under this contract.

ARTICLE B–XXVIII—ADDITIONAL APPROVALS

(a) In addition to such approvals as are specifically required by other provisions of this contract, the Contractor shall obtain the Commission's approval for:

(1) Acquisition of:

(i) An item of equipment, not itemized in Appendix A, involving an acquisition cost in excess of $1,000 or 2 percent of the total estimated project cost specified in A–III of Appendix A, whichever is greater, unless such equipment is merely a different model of an item itemized in Appendix A. (When plant and equipment funds are provided for the acquisition of Government property, the Headquarters Program Divisions may require, in specific cases, that such funds be used only for acquiring the equipment designated in Article V, unless prior AEC approval has been obtained.)

(ii) Any equipment not itemized in Appendix A, the acquisition cost of which will cause the equipment dollar level shown in Appendix A to be increased by 10 percent or $500, whichever is less. (If plant and equipment funds are provided for the acquisition of equipment, with title to be vested in the Government, the total cost of such equipment acquisitions shall not exceed the amount budgeted for such equipment unless prior AEC approval has been obtained.)

(2) Purchase of any general-purpose equipment, such as office furniture or air conditioning, not specifically provided for in Appendix A.

(3) Transfer of:

(i) Funds from the equipment category to the travel category.

(ii) Funds for support of junior investigator category to the equipment category.

(When plant and equipment funds are provided for the acquisition of Government property, such funds shall not be transferred to other budget categories, and, conversely, funds from other budget categories shall not be used to acquire such equipment.)

(4) Change of the principal investigator or reduction of 15 percent or more in the amount of time and effort the principal investigator will devote to the work.[1]

(b) No change in the phenomenon or phenomena under study, i.e., broad category of the research under this contract, shall be made without the specific written approval of the Commission; ordinarily, such changes, if approved by the Commission, will be accomplished through a new contract or a mutually agreed-to modification. The Contractor may change the specific objectives in the research work described in this contract, provided it gives the Commission prompt notification of such changes; and the Contractor may continue to follow the new objectives while the Commission determines whether it wishes to continue the program under the changed approach.

APPENDIX C[1a]

U.S. ATOMIC ENERGY COMMISSION

STATEMENT OF ANNUAL COSTS

1. Name and address of contractor:_____

_____

2. Contract number:_____

3. Beginning and ending date of pertinent contract period:_____

4. Support ceiling for the pertinent contract period:_____

5. Costs incurred during the pertinent contract period:

[1] Add such other items as in the judgment of the program division or the Contracting Officer, in specific cases, need to be separately identified in the contract.

[1a] Appendix C is a sample statement. The actual statement furnished by the Contractor should be consistent with the itemization in Appendix A.

Cost categories	Amount
a. *Salaries and wages*. (List principal investigator and other personnel in same detail as shown in Appendix A to the contract and indicate the related cost for each; and, in addition, indicate the approximate percentage of time or effort devoted to contract work by principal investigator.)	$------
b. *Supplies and materials*. (Show in same detail as in Appendix A.)	-------
c. *Equipment*. (List cost of each piece of equipment separately listed in Appendix A to the contract or for which separate approval was obtained from AEC.)	-------
d. *Publications*	-------
e. *Travel*	-------
f. *Other*. (List separately each type of cost included in this category.)	-------
Total Direct Expenditures	-------
g. *Indirect charges*. (Indicate percent and expenditures to which percent is applied.)	-------
h. *Orders delivered but not paid for*. (Break down, by types of cost, items delivered or services provided that were not paid for at the close of the contract period.)	-------
i. *Unpaid undelivered orders for equipment, supplies, and materials*. (Break down, by types of costs, items ordered but not delivered at the close of the contract period.)	-------
j. *Items of equipment specifically authorized by AEC for purchase in prior contract period and for inclusion in the total costs for this contract period*	-------
Total Costs	-------
Total costs as defined in Article B–XXVII of the contract chargeable to AEC (% of total using % shown in contract)	-------

6. Information regarding prior period costs (identify amounts of undelivered orders in prior periods where the cost claimed was not incurred and any other differences in costs incurred from those claimed.) - $------.

I hereby certify that this report is true and correct to the best of my knowledge and belief and that the costs and commitments listed herein were incurred, except as provided in j. above, during the period indicated, in connection with the performance of the research provided for under this contract and in accordance with the terms and conditions set forth therein.

Name and title of principal investigator

Signature Date

Name and title of business officer

Signature Date

2. In § 9–16.5002–9, *Outline of cost-type contract for research and development with educational institutions*, Appendix A and Article B–21—Buy American Act, are revised, and new Article B–42—Additional Approvals, is added, as follows:

§ 9–16.5002–9 Outline of cost-type contract for research and development with educational institutions.

* * * * *

APPENDIX A

Contractor: ---

Contract No. ---

I. *Research to be performed.* (Insert description of research activity.)

II. *Equipment title to which is to be vested in the Contractor.* Title to the following equipment shall vest and remain in the Contractor. Title to additional items of equipment may be vested in the Contractor if approved in writing by the Contracting Officer. (List all equipment to be purchased or fabricated by the Contractor, where it is known at the time the contract is executed that title to such equipment will vest in and remain in the Contractor. Where the estimated cost of individual pieces of equipment exceeds $1,000, they will be listed individually. Where individual pieces cost between $100 and $1,000, they shall also be listed individually to the extent practicable, or grouped to general categories, such as "electronic equipment" or "six motors," with the total dollar amount of such category. Insert the word "none" if title to all property is to be vested in the Government.)

III. *Reports.* (Set forth reporting and report distribution requirements, including reports of equipment having a useful life expectancy in excess of 1 year and an acquisition cost in excess of $100 purchased or fabricated by the Contractor where title is to be vested in the Contractor. Where the cost of individual pieces of equipment exceeds $1,000 they will be listed individually. Where individual items cost $100 to $1,000, they will also be individually listed to the extent practicable, or grouped in general categories, such as "electronic equipment" or "six motors," with the total dollar amount of such category. The cost of purchased items shall be determined by the actual invoice cost of such items, but the cost of fabricated items may be established by engineering estimates. Reproduction of final reports shall be performed consistent with Government Printing and Binding Regulations.)

* * * * *

ARTICLE B–21—BUY AMERICAN ACT

Insert FPR 1–7.101–14, modified in accordance with AECPR 9–7.5004–16.

* * * * *

ARTICLE B–42—ADDITIONAL APPROVALS

In addition to such approvals as are specifically required by other provisions of this contract, the Contractor shall obtain the Commission's approval for:

Insert appropriate additional approval requirements in accordance with AECPR 9–4.5112–5.

(Sec. 161, Atomic Energy Act of 1954, as amended, 68 Stat. 948, 42 U.S.C. 2201; sec. 205, Federal Property and Administrative Services Act of 1949, as amended, 63 Stat. 390, 40 U.S.C. 486)

Effective date. These regulations are effective September 1, 1967.

Dated at Germantown, Md., this 10th day of May 1967.

For the U.S. Atomic Energy Commission.

JOSEPH L. SMITH,
Director, Division of Contracts.

[F.R. Doc. 67–5382; Filed, May 15, 1967; 8:45 a.m.]

Title 46—SHIPPING

Chapter IV—Federal Maritime Commission

SUBCHAPTER B—REGULATIONS AFFECTING MARITIME CARRIERS AND RELATED ACTIVITIES

[General Order 20, Amdt. 2; Docket No. 66–70]

PART 540—SECURITY FOR THE PROTECTION OF THE PUBLIC

Subpart B—Proof of Financial Responsibility, Bonding and Certification of Financial Responsibility To Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages

On December 24, 1966, the Commission published a notice of proposed rule making in this proceeding in the FEDERAL REGISTER (31 F.R. 16497 et seq.) and invited comments from interested persons. The purpose of this proceeding is the promulgation of rules necessary to carry out the provisions of section 2 of Public Law 89–777, which requires that,

Each owner or charterer of an American or foreign vessel having berth or stateroom accommodations for 50 or more passengers, and embarking passengers at U.S. ports, shall establish, under regulations prescribed by the Federal Maritime Commission, his financial responsibility to meet any liability he may incur for death or injury to passengers or other persons on voyages to or from U.S. ports, in an amount based upon the number of passenger accommodations aboard the vessel, calculated as follows:

Twenty thousand dollars for each passenger accommodation up to and including 500; plus

Fifteen thousand dollars for each additional passenger accommodation between 501 and 1,000; plus

Ten thousand dollars for each additional passenger accommodation between 1,001 and 1,500; plus

Five thousand dollars for each passenger accommodation in excess of 1,500;

Provided, however, That if such owner or charterer is operating more than one vessel subject to this section, the foregoing amount shall be based upon the number of passenger accommodations on the vessel being so operated which has the largest number of passenger accommodations. This amount shall be available to pay any judgment for damages, whether in amount less than or more than $20,000 for death or injury occurring on such voyages to any passenger or other person. Such financial responsibility may be established by any one of, or a combination of, the following methods which is acceptable to the Commission: (1) Policies of insurance, (2) surety bonds, (3) qualifications as a self-insurer, or (4) other evidence of financial responsibility.

Comments on the proposed rules were submitted by interested parties. Hearing Counsel's reply to these comments was filed on behalf of the Commission's staff, and there were filed answers to this reply. On February 8, 1967, the Commission heard oral argument during which a request was made by one of the parties to leave the record open for 48 additional hours in order to give all interested

parties an opportunity to comment in writing on certain controversial issues which had arisen during the argument. The request was granted and some additional comments were received.

Certain issues common to both Subparts A and B of Part 540 of 46 CFR have previously been discussed in the preamble to Subpart A and will not be repeated here. Pertinent Subpart A discussions (32 F.R. 3986) not discussed herein are hereby incorporated by reference. Other comments and arguments not discussed have been considered and found not justified or not material.

During the course of this rule making proceeding, certain parties raised the question of the Commission involving itself in the rights or liabilities of the parties under Public Law 89–777. Sections 2 and 3 of this Act are concerned with evidence of financial responsibility of those persons subject to the jurisdiction of the statute. The question of rights and liabilities of the parties is a matter with which Public Law 89–777 does not concern itself. Since this Commission is authorized to prescribe such regulations as may be necessary to carry out the provisions of this Act, our rules involve only the establishment of financial responsibility and in no way are concerned with the question of rights and liabilities of the parties.

During oral argument, question was raised as to the power of the Commission to require evidence of financial responsibility in an amount based on the number of passenger accommodations aboard a vessel which embarks only a portion of its passengers at U.S. ports, with the remaining passengers being engaged in foreign-to-foreign travel. The ability of the Commission to require evidence of coverage for those persons engaged in the foreign-to-foreign travel was questioned.

In enacting Public Law 89–777, Congress determined that all vessels calling at U.S. ports should evidence their financial responsibility for the purposes of section 2 of the Act in an amount based upon the number of passenger accommodations aboard the vessel. This section does not base the financial requirements on the number of passengers embarking at U.S. ports. The Congressional intent as to its requirements on this point is quite clear. In prescribing regulations necessary to carry out the provisions of section 2 of the Act, the Commission must look to the statutory wording of Public Law 89–777 for guidance. The clarity of the section 2 financial requirements leaves no room for interpretation. In our rules and regulations, the Commission must require evidence of financial responsibility in an amount based upon the number of passenger accommodations aboard any vessel subject to this statutory section in order to carry out the Congressional mandate.

Section 540.27(e) provides that each applicant, insurer, and guarantor shall designate a person in the United States as his legal agent for service of process for the purposes of the rules of this subpart. There has been strenuous objection on the part of various interested parties that the rules cannot require such designations. The position of the Commission is that the Act itself contemplates recovery for death or injury to passengers or other persons. The intention of the statute will have gone for naught if the person injured cannot avail himself of the legal process which is contemplated for the recovery. The legal processes will be effectively closed to the injured party if he is unable to find someone who can be the recipient of legal service of process. The Commission does not understand Congress to have enacted such an empty statute.

Availability of assets in the United States. In the Commission's proposed rules published in the FEDERAL REGISTER on December 24, 1966 (31 F.R. 16497 et seq.), § 540.24(c) originally provided that "* * * the working capital and net worth required above will be available to cover suits in the United States for liability under the rules and regulations of this subpart." Section 540.26(d) originally provided that "Any securities under sets accepted by the Commission under the rules of this subpart must be available to satisfy judgments in the United States."

Comments have been received as to whether these securities and assets should be physically located in the United States. It is the position of the Commission that securities and assets submitted as evidence of financial responsibility by applicants, guarantors, insurers, escrow agents, and others must be physically located in the United States to meet their responsibilities under the rules of this subpart.

The Commission deems such a requirement necessary in order to adequately insure the protection of the travelling public since the lack of such a requirement might prevent or impede recovery for an injured party. Sections 540.24(c) and 540.27(d) of the final rules restate the Commission's position and provide that there will be assets physically located in this country which may be proceeded against as intended by the Congress in Public Law 89–777.

Therefore, pursuant to section 2 of Public Law 89–777 (80 Stat. 1357, 1358) Part 540 of 46 CFR is hereby amended by the addition of a new Subpart B as follows:

Subpart B—Proof of Financial Responsibility, Bonding and Certification of Financial Responsibility to Meet Liability Incurred For Death or Injury to Passengers or Other Persons On Voyages

Sec.

AUTHORITY: The provisions of this Subpart B issued under sec. 2, Public Law 89–777 (80 Stat. 1357, 1358).

§ 540.20 Scope.

The regulations contained in this subpart set forth the procedures whereby owners or charterers of vessels having berth or stateroom accommodations for 50 or more passengers and embarking passengers at U.S. ports shall establish their financial responsibility to meet any liability which may be incurred for death or injury to passengers or other persons on voyages to or from U.S. ports. Included also are the qualifications required by the Commission for issuance of a Certificate (Casualty) and the basis for the denial, revocation, suspension, or modification of such Certificates.

§ 540.21 Definitions.

As used in this subpart, the following terms shall have the following meanings:

(a) "Person" includes individuals, corporations, partnerships, associations, and other legal entities existing under or authorized by the laws of the United States or any state thereof or the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands or any territory or possession of the United States, or the laws of any foreign country.

(b) "Vessel" means any commercial vessel having berth or stateroom accommodations for 50 or more passengers and embarking passengers at U.S. ports.

(c) "Commission" means the Federal Maritime Commission.

(d) "United States" includes the Commonwealth of Puerto Rico, the Virgin Islands or any territory or possession of the United States.

(e) "Berth or stateroom accommodations" or "passenger accommodations" includes all temporary and all permanent passenger sleeping facilities.

(f) "Certificate (Casualty)" means a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages issued pursuant to this subpart.

(g) "Voyage" means voyage of a vessel to or from U.S. ports.

(h) "Insurer" means any insurance company, underwriters, corporation or association of underwriters, ship owners' protection and indemnity association, or other insurer acceptable to the Commission.

(i) "Evidence of insurance" means a policy, certificate of insurance, cover note, or other evidence of coverage acceptable to the Commission.

§ 540.22 Proof of financial responsibility, when required.

No vessel shall embark passengers at U.S. ports unless a Certificate (Casualty) has been issued to or covers the owner or charterer of such vessel.

§ 540.23 Procedure for establishing financial responsibility.

(a) In order to comply with section 2 of Public Law 89–777 (80 Stat. 1357, 1358) enacted November 6, 1966, there must be filed an Application on Form FMC–131 for a Certificate of Financial Responsibility to Meet Liability Incurred for Death or Injury to Passengers or Other Persons on Voyages. Copies of Form

FMC–131 may be obtained from the Secretary, Federal Maritime Commission, Washington, D.C. 20573, or at the Commission's offices at New York, N.Y.; New Orleans, La.; and San Francisco, Calif.

(b) An application for a Certificate (Casualty) shall be filed in duplicate with the Secretary, Federal Maritime Commission, by the vessel owner or charterer at least 60 days in advance of the sailing. The rules of this subpart shall not apply to voyages embarking passengers at U.S. ports prior to August 7, 1967. Late filing of the application will be permitted only for good cause shown. All applications and evidence required to be filed with the Commission shall be in English, and any monetary terms shall be expressed in terms of U.S. currency. The Commission shall have the privilege of verifying any statements made or any evidence submitted under the rules of this subpart.

(c) The application shall be signed by a duly authorized officer or representative of the applicant with a copy of evidence of his authority. In the event of any material change in the facts as reflected in the application, an amendment to the application shall be filed no later than five (5) days following such change. For the purpose of this subpart, a material change shall be one which (1) results in a decrease in the amount submitted to establish financial responsibility to a level below that required to be maintained under the rules of this subpart, or (2) requires that the amount to be maintained be increased above the amount submitted to establish financial responsibility. Notice of the application for, insuance, denial, revocation, suspension, or modification of any such Certificate shall be published in the FEDERAL REGISTER.

§ 540.24 Insurance, surety bonds, self-insurance, guaranties, and escrow accounts.

Evidence of adequate financial responsibility for the purposes of this subpart may be established by one of the following methods:

(a) Filing with the Commission evidence of insurance issued by an insurer providing coverage for liability which may be incurred for death or injury to passengers or other persons on voyages in an amount based upon the number of passenger accommodations aboard the the vessel, calculated as follows:

Twenty thousand dollars for each passenger accommodation up to and including 500; plus

Fifteen thousand dollars for each additional passenger accommodation between 501 and 1,000; plus

Ten thousand dollars for each additional passenger accommodation between 1,001 and 1,500; plus

Five thousand dollars for each passenger accommodation in excess of 1,500;

Provided, however, That if the applicant is operating more than one vessel subject to this subpart, the amount prescribed by this paragraph shall be based upon the number of passenger accommodations on the vessel being so operated which has the largest number of passenger accommodations.

(1) Termination or cancellation of the evidence of insurance, whether by the assured or by the insurer, and whether for nonpayment of premiums, calls or assessments, or for other cause, shall not be effected (i) until notice in writing has been given to the assured or to the insurer and to the Secretary of the Commission at its office, 1321 H Street NW., Washington, D.C. 20573, by certified mail, and (ii) until after 30 days expire from the date notice is actually received by the Commission, or until after the Commission revokes the Certificate (Casualty), whichever occurs first. Notice of termination or cancellation to the assured or insurer shall be simultaneous to such notice given to the Commission. The insurer shall remain liable for claims covered by said evidence of insurance arising by virtue of an event which had occurred prior to the effective date of said termination or cancellation. No such termination or cancellation shall become effective while a voyage is in progress.

(2) The insolvency or bankruptcy of the assured shall not constitute a defense to the insurer as to claims included in said evidence of insurance and in the event of said insolvency or bankruptcy the insurer agrees to pay any unsatisfied final judgments obtained on such claims.

(3) No insurance shall be acceptable under these rules which restricts the liability of the insurer where privity of the owner or charterer has been shown to exist.

(4) Subparagraphs (1) through (3) of this paragraph shall apply to the guaranty as specified in paragraph (d) of this section.

(b) Filing with the Commission a surety bond on Form FMC–132B issued by a bonding company authorized to do business in the United States and acceptable to the Commission. Such surety bond shall evidence coverage for liability which may be incurred for death or injury to passengers or other persons on voyages in an amount calculated as in paragraph (a) of this section, and shall not be terminated while a voyage is in progress.

(c) Filing with the Commission for qualification as a self-insurer such evidence acceptable to the Commission as will demonstrate continued and stable passenger operations over an extended period of time in the foreign or domestic trade of the United States. In addition, applicant must demonstrate financial responsibility by maintenance of working capital and net worth each in an amount calculated as in paragraph (a) of this section. The Commission will take into consideration all current contractual requirements with respect to the maintenance of working capital and/or net worth to which the applicant is bound. Evidence must be submitted that the working capital and net worth required above is physically located in the United States. This evidence of financial responsibility shall be supported by and subject to the following which are to be submitted on a continuing basis for each year or portion thereof while the Certificate (Casualty) is in effect:

(1) A current quarterly balance sheet; *Provided, however,* The Commission for good cause shown may require only an annual balance sheet;

(2) A current quarterly statement of income and surplus; *Provided, however,* The Commission for good cause shown may require only an annual statement of income and surplus;

(3) An annual current balance sheet and an annual current statement of income and surplus to be certified by appropriate certified public accountants;

(4) An annual current statement of the book value or current market value of any assets physically located within the United States together with a certification as to the existence and amount of any encumbrances thereon;

(5) An annual current credit rating report by Dun and Bradstreet or any similar concern found acceptable to the Commission;

(6) A list of all contractual requirements or other encumbrances (and to whom the applicant is bound in this regard) relating to the maintenance of working capital and net worth;

(7) All financial statements required to be submitted under this § 540.24 shall be due within a reasonable time after the close of each pertinent accounting period;

(8) Such additional evidence of financial responsibility as the Commission may deem necessary in appropriate cases.

(d) Filing with the Commission a guaranty on Form FMC–133B by a guarantor acceptable to the Commission. Any such guaranty shall be in an amount calculated as in paragraph (a) of this section.

(e) Filing with the Commission evidence of an escrow account, acceptable to the Commission, the amount of such account to be calculated as in paragraph (a) of this section.

(f) The Commission will for good cause shown consider any combination of the above-mentioned alternatives for the purpose of establishing financial responsibility.

§ 540.25 Evidence of financial responsibility.

Where satisfactory proof of financial responsibility has been established, a Certificate (Casualty) covering specified vessels shall be issued evidencing the Commission's finding of adequate financial responsibility to meet any liability which may be incurred for death or injury to passengers or other persons on voyages. The period covered by the certificate shall be indeterminate unless a termination date has been specified thereon.

§ 540.26 Denial, revocation, suspension, or modification.

(a) Prior to the denial, revocation, suspension, or modification of a Certificate (Casualty), the Commission shall advise the applicant of its intention to deny, revoke, suspend, or modify, and shall state the reasons therefor. If the applicant, within 20 days after the receipt of such advice, requests a hearing to

show that the evidence of financial responsibility filed with the Commission does meet the rules of this subpart, such hearing shall be granted by the Commission: *Provided, however,* That a Certificate (Casualty) shall become null and void upon cancellation or termination of evidence of insurance, surety bond, guaranty, or escrow account.

(b) A Certificate (Casualty) may be denied, revoked, suspended, or modified for any of the following reasons:

(1) Making any willfully false statement to the Commission in connection with an application for a Certificate (Casualty);

(2) Circumstances whereby the party does not qualify as financially responsible in accordance with the requirements of the Commission;

(3) Failure to comply with or respond to lawful inquiries, rules, regulations, or orders of the Commission pursuant to the rules of this subpart.

If the applicant, within 20 days after notice of the proposed denial, revocation, suspension, or modification, requests a hearing to show that such denial, revocation, suspension, or modification, should not take place, such hearing shall be granted by the Commission.

§ 540.27 Miscellaneous.

(a) If any evidence filed with the application does not comply with the requirements of this subpart, or for any reason fails to provide adequate or satisfactory protection to the public, the Commission will notify the applicant stating the deficiencies thereof.

(b) Any financial evidence submitted to the Commission under the rules of this subpart shall be written in the full and correct name of the person to whom the Certificate (Casualty) is to be issued, and in case of a partnership, all partners shall be named.

(c) The Commission's bond (Form FMC–132B), guaranty (Form FMC–133B), and application (Form FMC–131 as set forth in Subpart A of this part) forms are hereby incorporated as a part of the rules of this subpart. Any such forms filed with the Commission under this subpart must be in duplicate.

(d) Any securities or assets accepted by the Commission (from applicants, insurers, guarantors, escrow agents, or others) under the rules of this subpart must be physically located in the United States.

(e) Each applicant, insurer, and guarantor shall designate a person in the United States as his legal agent for service of process for the purposes of the rules of this subpart.

(f) In the case of any charter arrangements involving a vessel subject to the regulations of this subpart, the vessel owner (in the event of a subcharter, the charterer shall file) must within 10 days file with the Secretary of the Commission evidence of any such arrangement.

(g) Financial data filed in connection with the rules of this subpart shall be confidential except in instances where information becomes relevant in connection with hearings which may be requested by applicant pursuant to § 540.26 (a) or (b).

(h) Every person who has been issued a Certificate (Casualty) must submit to the Commission a semiannual statement of any changes that have taken place with respect to the information contained in the application or documents submitted in support thereof. Negative statements are required to indicate no change. Such statements must cover every 6-month period commencing with the first 6-month period of the fiscal year immediately subsequent to the date of the issuance of the Certificate (Casualty). In addition, the statements will be due within 30 days after the close of every such 6-month period.

(i) Vessels operated by the Panama Canal Company are exempted from the provisions of the rules of this subpart.

Effective date. To enable the Commission to process applications and accomplish certification of financial responsibility by August 7, 1967, as required by Public Law 89–777, the Commission is of the opinion that good cause exists for these rules to be effective less than 30 days after publication. Accordingly, these rules shall become effective on June 1, 1967.

NOTE: The reporting requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By order of the Federal Maritime Commission.

[SEAL] FRANCIS C. HURNEY,
Special Assistant to the Secretary.

Form FMC—132B
(5–67)

FEDERAL MARITIME COMMISSION

Surety Co. Bond No. ------
FMC Certificate No. ------

PASSENGER VESSEL SURETY BOND (46 CFR 540)

Know all men by these presents, that we ----------, of ----------, (Name of Applicant) (City) ----------, as Principal (here- (State and Country) inafter called Principal), and ----------, (Name of Surety) a company created and existing under the laws of ---------- and au- (State and Country) thorized to do business in the United States as Surety (hereinafter called Surety) are held and firmly bound unto the United States of America in the penal sum of ----------, (Name of Surety) for which payment, well and truly to be made, we bind ourselves and our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

Whereas, the Principal intends to become a holder of a Certificate (Casualty) pursuant to the provisions of Subpart B of Part 540 of Title 46, Code of Federal Regulations and has elected to file with the Federal Maritime Commission such a bond to insure financial responsibility to meet any liability it may incur for death or injury to passengers or other persons on voyages to or from U.S. ports, and

Whereas, this bond is written to assure compliance by the Principal as an authorized holder of a Certificate (Casualty) pursuant to Subpart B of Part 540 of Title 46, Code of Federal Regulations, and shall inure to the benefit of any and all passengers or other persons to whom the Principal may be held legally liable for any of the damages herein described.

Now, therefore, the condition of this obligation is such that if the Principal shall pay or cause to be paid to passengers or other persons any sum or sums for which the Principal may be held legally liable by reason of the Principal's failure faithfully to meet any liability the Principal may incur for death or injury to passengers or other persons on voyages to or from U.S. ports, while this bond is in effect pursuant to and in accordance with the provisions of Subpart B of Part 540 of Title 46, Code of Federal Regulations, then this obligation shall be void, otherwise, to remain in full force and effect.

The liability of the Surety with respect to any passenger or other persons shall in no event exceed the amount of the Principal's legal liability under any final judgment or settlement agreement: *Provided, however,* That if the aggregate amount of such judgments and settlements exceeds an amount computed in accordance with the formula contained in section 2(a) of Public Law 89–777, then the Surety's total liability under this surety bond shall be limited to an amount computed in accordance with such formula.

The Surety agrees to furnish written notice to the Federal Maritime Commission forthwith of all suits filed, judgments rendered, and payments made by said Surety under this bond.

This bond is effective the ------ day of ----------, 19----, 12:01 a.m., standard time at the address of the Principal as stated herein and shall continue in force until terminated as hereinafter provided. The Principal or the Surety may at any time terminate this bond by written notice sent by certified mail to the other and to the Federal Maritime Commission at its Office in Washington, D.C., such termination to become effective thirty (30) days after actual receipt of said notice by the Commission: *Provided, however,* No such termination shall become effective while a voyage is in progress. The Surety shall not be liable hereunder for any liability incurred for death or injury to passengers or other persons on voyages to or from U.S. ports after the termination of this bond as herein provided, but such termination shall not affect the liability of the Surety hereunder for such liability incurred for death or injury to passengers or other persons on voyages to or from U.S. ports prior to the date such termination becomes effective.

In witness whereof, the said Principal and Surety have executed this instrument on the ------ day of ----------, 19----.

PRINCIPAL

Name ----------

By ----------
(Signature and title)

Witness ----------

SURETY

Name ----------

By ---------- [SEAL]
(Signature and title)

Witness ----------

Only corporations or associations of individual insurers may qualify to act as Surety, and they must establish to the satisfaction of the Federal Maritime Commission legal authority to assume the obligations of surety and financial ability to discharge them.

Form FMC–133B
(5–67)

FEDERAL MARITIME COMMISSION

Guaranty No. ------
FMC Certificate No. ------

GUARANTY IN RESPECT OF LIABILITY FOR DEATH OR INJURY, SECTION 2 OF THE ACT

1. Whereas ----------
(Name of Applicant)
(Hereinafter referred to as the "Applicant") is the Owner or Charterer of the passenger Vessel(s) specified in the annexed Schedule ("the Vessels"), which are or may become engaged on voyages to or from U.S. ports, and the Applicant desires to establish its financial responsibility in accordance with section 2 of Public Law 89–777, 89th Congress, approved November 6, 1966 ("the Act") then, provided that the Federal Maritime Commission ("FMC") shall have accepted, as sufficient for that purpose, the Applicant's application, supported by this Guaranty, and provided that FMC shall issue to the Applicant a Certificate (Casualty) ("Certificate"), the undersigned Guarantor hereby guarantees to discharge the Applicant's legal liability in respect of claims for damages for death or injury to passengers or other persons on voyages of the Vessels to or from U.S. ports, in the event that such legal liability has not been discharged by the Applicant within 21 days after any such passenger or other person, or, in the event of death, his personal representative, has obtained a final judgment (after appeal, if any) against the Applicant from a U.S. Federal or State Court of competent jurisdiction, or has become entitled to payment of a specified sum by virtue of a compromise settlement agreement made with the Applicant, with the approval of the Guarantor, whereby, upon payment of the agreed sum, the Applicant is to be fully, irrevocably and unconditionally discharged from all further liability to such passenger or other person, or to such personal representative, with respect to such claim.

2. The Guarantor's liability under this Guaranty shall in no event exceed the amount of the Applicant's legal liability under any such judgment or settlement agreement: *Provided, however,* That if the aggregate amount of such judgments and settlements exceeds an amount computed in accordance with the formula contained in section 2(a) of the Act, then the Guarantor's total liability under this Guaranty shall be limited to an amount computed in accordance with such formula.

3. The Guarantor's liability under this Guaranty shall attach only in respect of events giving rise to causes of action against the Applicant in respect of any of the Vessels for damages for death or injury within the meaning of section 2 of the Act, occurring after the Certificate has been granted to the Applicant and before the expiration date of this Guaranty, which shall be the earlier of the following dates:

(a) The date whereon the Certificate is withdrawn, or for any reason becomes invalid or ineffective;

(b) The date 30 days after the date of receipt by FMC of notice in writing (including telex or cable) that the Guarantor has elected to terminate this Guaranty.

Provided, however, That if, on the date which would otherwise have been the expiration date of this Guaranty under the foregoing provisions of this Clause 3, any of the Vessels is on a voyage in respect of which such Vessel would not have received clearance in accordance with section 2(e) of the Act without the Certificate, then the expiration date of this Guaranty shall, in respect of such Vessel, be postponed to the date on which the last passenger on such voyage shall have fully disembarked.

4. If, during the currency of this Guaranty, the Applicant requests that a vessel owned or operated by the Applicant, and not specified in the annexed Schedule, should become subject to this Guaranty, and if the Guarantor accedes to such request and so notifies FMC in writing (including telex or cable), then: *Provided,* That within 30 days of receipt of such notice FMC shall have granted a Certificate, such vessel shall thereupon be deemed to be one of the Vessels included in the said Schedule and subject to this Guaranty.

5. The Guarantor hereby designates ----------, with offices at ----------, as the Guarantor's legal agent for service of process for the purposes of the Rules of the Federal Maritime Commission, Subpart B of Part 540 of Title 46, Code of Federal Regulations issued under section 2 of Public Law 89–777 (80 Stat. 1357, 1358) entitled Security for the Protection of the Public.

(Place and Date of Execution)

(Name of Guarantor)

(Address of Guarantor)

By ----------
(Name and Title)

SCHEDULE OF VESSELS REFERRED TO IN CLAUSE 1

VESSELS ADDED TO THIS SCHEDULE IN ACCORDANCE WITH CLAUSE 4

[F.R. Doc. 67–5428; Filed, May 15, 1967; 8:51 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 161]

RIGHTS-OF-WAY OVER INDIAN LAND

Extension of Time

In F.R. Doc. 67-3633, appearing at page 5512 of the issue for Tuesday, April 4, 1967, in the 9th line of the third paragraph, *Basis and purpose*, as preambled to 25 CFR Part 161, Rights-of-Way Over Indian Land, the words "within 30 days of the date of publication of this notice" should read "within 60 days of the date of publication of this notice." This correction is made in order to extend the notice period 30 days.

STEWART L. UDALL,
Secretary of the Interior.

MAY 9, 1967.

[F.R. Doc. 67-5393; Filed, May 15, 1967; 8:46 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 725]

FLUE-CURED TOBACCO

Notice of Determinations on Acreage or Acreage-Poundage Basis for 1968-69, 1969-70, and 1970-71 Marketing Years

Pursuant to the Agricultural Adjustment Act of 1938, as amended, and as further amended through the addition of section 317 by Public Law 89-12, approved April 12, 1965 (7 U.S.C. 1281 et seq.), herein referred to as the "Act", the Secretary is preparing, with respect to flue-cured tobacco, to proclaim a national marketing quota for each of the 3 marketing years 1968-69, 1969-70, and 1970-71, either on an acreage basis or on an acreage-poundage basis. If the Secretary determines to proclaim the marketing quotas on an acreage basis, he also will determine and announce the national marketing quota for 1968-69 marketing year; will apportion such quota, less a reserve for new farms, among the several States; and will convert the State quotas into State acreage allotments. If the Secretary determines to announce the marketing quotas on an acreage-poundage basis, he also will determine and announce for the 1968-69 marketing year the national marketing quota; the national average yield goal; the national acreage allotment; the reserve from the national acreage allotment for making corrections in farm acreage allotments, adjusting inequities and for establishing acreage allotments for new farms; the national acreage factor; and the national yield factor.

The Secretary will conduct within 30 days from the effective date of the announcement of national marketing quotas on either an acreage basis or on an acreage-poundage basis a referendum of farmers engaged in the 1967 production of flue-cured tobacco to determine whether they favor or oppose quotas on an acreage basis or on an acreage-poundage basis for 3 marketing years beginning July 1, 1968, July 1, 1969, and July 1, 1970. The Secretary will also determine the date or period of the referendum and whether such referendum shall be conducted at polling places rather than by mail ballot (31 F.R. 12011). Growers of flue-cured tobacco approved quotas on an acreage-poundage basis for the 1965-66, 1966-67, and 1967-68 marketing years (30 F.R. 9299).

Acreage basis. Section 312(b) of the Act (7 U.S.C. 1312(b)) requires that the Secretary determine and announce, not later than the 1st day of December 1967, the amount of the national marketing quota for flue-cured tobacco which will be in effect for the 1968-69 marketing year in terms of the total quantity of tobacco which may be marketed which will make available during such marketing year a supply of flue-cured tobacco equal to the reserve supply level. Section 312(b) provides further that the amount of the 1968-69 national marketing quota (determined pursuant to such section), may, not later than March 1, 1968, be increased by not more than 20 per centum if the Secretary determines that such increase is necessary in order to meet market demands or to avoid undue restrictions of marketings in adjusting the total supply to the reserve supply level.

The Act (7 U.S.C. 1301(b)) defines the "total supply" of (flue-cured) tobacco for any marketing year as the carryover at the beginning of the marketing year plus the estimated production in the United States during the calendar year in which such marketing year begins. "Reserve supply level" is defined as the normal supply plus 5 percentum thereof. "Normal supply" is defined as a normal year's domestic consumption and exports, plus 175 per centum of a normal year's domestic consumption and 65 per centum of a normal year's exports. A "normal year's domestic consumption" is defined as the yearly average quantity produced in the United States and consumed in the United States during the 10 marketing years immediately preceding the marketing year in which such consumption is determined, adjusted for current trends in such consumption. A "normal year's exports" is defined as the yearly average quantity produced in the United States which was exported from the United States during the 10 marketing years immediately preceding the marketing year in which such exports are determined, adjusted for current trends in such exports.

The Act (7 U.S.C. 1313(a)) requires the Secretary to apportion the national marketing quota determined pursuant to section 312(b) of the Act, less the amount to be allotted under subsection (c) of section 313 for small farms and "new" farms, among the several States on the basis of the total production in each State during the 5 calendar years immediately preceding the calendar year in which the quota is proclaimed (plus, in applicable years, the normal production on the acreage diverted under previous agricultural adjustment and conservation programs), with such adjustments as are determined to be necessary to make corrections for abnormal conditions of production, for small farms, and for trends in production, giving due consideration to seed bed and other plant diseases during such 5-year period.

The Act (7 U.S.C. 1313(g)) provides that any acreage of tobacco harvested in excess of the farm acreage allotment for the year 1955 or any subsequent year shall not be taken into account in establishing State and farm acreage allotments.

Section 377 of the Act (7 U.S.C. 1377) reads in part as follows:

> In any case in which, during any year beginning with 1956, the acreage planted to a commodity on any farm is less than the acreage allotment for such farm, the entire acreage allotment for such farm * * * shall, except as provided herein, be considered for the purpose of establishing future State, county, and farm acreage allotments to have been planted to such commodity in such year on such farm, but the 1956 acreage allotment of any commodity shall be regarded as planted under this section only if the owner or operator on such farm notified the county committee prior to the 60th day preceding the beginning of the marketing year for such commodity of his desire to preserve such allotment: *Provided*, That beginning with the 1960 crop, except for federally owned land, the current farm acreage allotments established for a commodity shall not be preserved as history acreage pursuant to the provisions of this section unless for the current year or either of the 2 preceding years an acreage equal to 75 per centum or more of the farm acreage allotment for such year * * * was actually planted or devoted to the commodity on the farm (or was regarded as planted under provisions of the Soil Bank Act or the Great Plains program) * * *.

Section 378 of the Act (7 U.S.C. 1378) provides that allotment acreage pooled under the provisions of such section shall be considered fully planted during the time it is in the pool within the period of eligibility for purposes of future State, county, and farm allotments.

The Soil Bank Act was repealed by section 601 of the Food and Agriculture

Act of 1965, but it remains in effect with respect to contracts entered into prior to such repeal.

Section 602(g) of the Food and Agriculture Act of 1965, approved November 3, 1965, reads as follows:

> Notwithstanding any other provision of law, the Secretary of Agriculture may, to the extent he deems it desirable, provide by appropriate regulations for preservation of cropland, crop acreage, and allotment history applicable to acreage diverted from the production of crops in order to establish or maintain vegetative cover or other approved practices for the purpose of any Federal program under which such history is used as a basis for an allotment or other limitation or for participation in such program. Subsections (b) (3) and (4) and (e) (6) of section 16 of the Soil Conservation and Domestic Allotment Act, as amended, are repealed, except that all rights accruing thereunder to persons who entered into contracts or agreements prior to such repeal shall be preserved.

Under the provisions of section 602(g), such preservation of cropland, crop acreage, and allotment history, is provided, subject to the Secretary's regulations, with respect to acreage so diverted under the conservation reserve program, cropland conversion program, cropland adjustment program, regional conservation programs, agricultural conservation program, or vegetative cover established without Federal assistance and unrelated to any program.

The Act (7 U.S.C. 1313(g)) authorizes the Secretary to convert State marketing quotas into State acreage allotments on the basis of average yield per acre for the State during the 5 years last preceding the year in which the national marketing quota is proclaimed, adjusted for abnormal conditions of production.

Acreage-poundage basis. Section 317 (a) of the Act contains, for the purposes of section 317, the following definitions (applicable to flue-cured tobacco):

1. "National marketing quota" for any kind of tobacco for a marketing year means the amount of the kind of tobacco produced in the United States which the Secretary estimates will be utilized during the marketing year in the United States and will be exported during the marketing year, adjusted upward or downward in such amount as the Secretary, in his discretion, determines is desirable for the purpose of maintaining an adequate supply or for effecting an orderly reduction of supplies to the reserve supply level. Any such downward adjustment shall not exceed 15 per centum of such estimated utilization and exports.

2. "National average yield goal" for any kind of tobacco means the yield per acre which on a national average basis the Secretary determines will improve or insure the usability of the tobacco and increase the net return per pound to the growers. In making this determination the Secretary shall give consideration to such Federal-State production research data as he deems relevant.

3. "National acreage allotment" means the acreage determined by dividing the national marketing quota by the national average yield goal.

4. "Farm acreage allotment" for a tobacco farm, other than a new tobacco farm, means the acreage allotment determined by adjusting uniformly the acreage allotment established for such farm for the immediately preceding year, prior to any increase or decrease in such allotment due to undermarketings or overmarketings and prior to any reduction under subsection (f), so that the total of all allotments is equal to the national acreage allotment less the reserve provided in subsection (e) of this section with a further downward or upward adjustment to reflect any adjustment in the farm marketing quota for overmarketing or undermarketing and to reflect any reduction required under subsection (f) of this section, and including any adjustment for errors or inequities from the reserve * * *.

5. The "community average yield" means for Flue-cured tobacco the average yield per acre in the community designated by the Secretary as a local administrative area under the provisions of section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended, which is determined by averaging the yields per acre for the 3 highest years of the 5 years 1959 to 1963, inclusive, except that if the yield for any of the 3 highest years is less than 80 per centum of the average for the 3 years then that year or years shall be eliminated and the average of the remaining years shall be the community average yield. (Community average yields have been determined for Flue-cured tobacco and published in the FEDERAL REGISTER, § 724.34u, 30 F.R. 6207, 9875, 14487.)

6. "Preliminary farm yield" for Flue-cured tobacco means a farm yield per acre determined by averaging the yield per acre for the 3 highest years of the 5 consecutive crop years beginning with the 1959 crop year except that if that average exceeds 120 per centum of the community average yield the preliminary farm yield shall be the sum of 50 per centum of the average of the 3 highest years and 50 per centum of the national average yield goal but not less than 120 per centum of the community average yield, and if the average of the 3 highest years is less than 80 per centum of the community average yield the preliminary farm yield shall be 80 per centum of the community average yield. In counties where less than 500 acres of Flue-cured tobacco were allotted for 1964, the county may be considered as one community. If Flue-cured tobacco was not produced on the farm for at least 3 years of the 5-year period the average of the yields for the years in which tobacco was produced shall be used instead of the 3-year average. If no Flue-cured tobacco was produced on the farm in the 5-year period but the farm is eligible for an allotment because Flue-cured tobacco was considered to have been produced under applicable provisions of law, a preliminary farm yield for the farm shall be determined under regulations of the Secretary taking into account preliminary farm yields of similar farms in the community.

7. "Farm yield" means the yield of tobacco per acre for a farm determined by multiplying the preliminary farm yield by a national yield factor which shall be obtained by dividing the national average yield goal by a weighted national average yield computed by multiplying the preliminary farm yield for each farm by the acreage allotment determined pursuant to paragraph (4) for the farm prior to adjustments for overmarketing, undermarketing, or reductions required under subsection (f) and dividing the sum of the products by the national acreage allotment.

8. "Farm marketing quota" for any farm for any marketing year shall be the number of pounds of tobacco obtained by multiplying the farm yield by the acreage allotment prior to any adjustment for undermarketing or overmarketing, increased for undermarketing or decreased for overmarketing by the number of pounds by which marketings of tobacco from the farm during the immediately preceding marketing year, if marketing quotas were in effect under the program established by this section, is less than or exceeds the farm marketing quota for such year: *Provided*, That the farm marketing quota for any marketing year shall not be increased for undermarketing by an amount in excess of the number of pounds determined by multiplying the acreage allotment for the farm for the immediately preceding year prior to any increase or decrease for undermarketing or overmarketing by the farm yield. If on account of excess marketings in the preceding marketing year the farm marketing quota for the marketing year is reduced to zero pounds without reflecting the entire reduction required, the additional reduction required shall be made for the subsequent marketing year or years. * * *

9. Subsection 317(d) of the Act provides that if marketing quotas have been made effective for a kind of tobacco on an acreage-poundage basis pursuant to subsections (b) or (c) the Secretary shall, not later than December 1 of any marketing year with respect to Flue-cured tobacco, * * *, proclaim a national marketing quota for that kind of tobacco for the next 3 succeeding marketing years if the marketing year is the last year of the 3 consecutive years for which marketing quotas previously proclaimed will be in effect. The Secretary, in his discretion, may proclaim the quota on an acreage-poundage basis as provided in this section or on an acreage allotment basis, whichever he determines would result in a more effective marketing quota for that kind of tobacco, and shall conduct a referendum in accordance with the provisions of section 312 (c) of this Act. If the Secretary determines that more than one-third of the farmers voting oppose the national marketing quotas the results shall be proclaimed and the national marketing quota so proclaimed shall not be in effect. If the Secretary proclaims the quotas on an acreage-poundage basis he shall determine and proclaim at the same time the national marketing quota, national

acreage allotment, and national averge yield goal for the first year of the 3 years for which quotas are proclaimed. Notice of the farm marketing qouta which will be in effect for his farm for the first marketing year covered by the referendum insofar as practicable shall be mailed to the farm operator prior to the holding of any special referendum under subsection (b) or a referendum on acreage-poundage quotas under this subsection, and at least 15 days prior to the holding of any special referendum under subsection (c). The Secretary shall determine and announce the national marketing quota, national acreage allotment and national average yield goal for the second and third marketing years of any 3-year period for which national marketing quotas on an acreage-poundage basis are in effect on or before the December 1 with respect to Flue-cured tobacco * * * immediately preceding the beginning of the marketing year to which they apply. Whenever a national marketing quota, national acreage allotment, and national average yield goal are determined and announced, the Secretary shall provide for the determination of farm acreage allotments and farm marketing quotas under the provisions of this section for the crop and marketing year covered by the determinations.

Section 317(e) of the Act provides that (1) no farm acreage allotment or farm yield shall be established for a farm on which no tobacco was produced or considered produced under applicable provisions of law for the immediately preceding 5 years, (2) for each marketing year for which acreage-poundage quotas are in effect under this section the Secretary in his discretion may establish a reserve from the national acreage allotment in an amount equivalent to not more than 1 per centum of the national acreage allotment to be available for making corrections of errors in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms, which are farms on which tobacco was not produced or considered produced during the immediately preceding 5 years, (3) the part of the reserve held for apportionment to new farms shall be allotted on the basis of land, labor, and equipment available for the production of tobacco, crop rotation practices, soil and other physical factors affecting the production of tobacco and the past tobacco-producing experience of the farm operator, and (4) the farm yield for any farm for which a new farm acreage allotment is established shall be determined on the basis of available productivity data for the land involved and farm yields for similar farms, and shall not exceed the community average yield.

Subsection 317(f) provides that only the provisions of the last two sentences of subsection (g) of section 313 of the Act shall apply with respect to acreage-poundage programs established under section 317. The acreage reductions required under the last two sentences shall be in addition to any other adjustments made pursuant to section 317, and when acreage reductions are made the farm marketing quota shall be reduced to reflect such reductions. The provisions of the next to the last sentence of such section 313(g) pertaining to the filing of any false report with respect to the acreage of tobacco grown on the farm shall also be applicable to the filing of any false report with respect to the production or marketings of tobacco grown on a farm for which an acreage allotment and a farm yield are established as provided in section 317. In establishing acreage allotments and farm yields for other farms owned by the owner displaced by acquisition of his land by any agency, as provided in section 378 of this Act, increases or decreases in such acreage allotments and farm yields as provided in section 317 shall be made on account of marketings below or in excess of the farm marketing quota for the farm acquired by the agency.

The subjects and issues involved in the proposed determinations are:

1. Whether national marketing quotas for Flue-cured tobacco for the 1968–69, 1969–70, and 1970–71 marketing years shall be proclaimed on an acreage basis or acreage-poundage basis.

2. If proclaimed on an acreage basis, the amount of the national marketing quota on acreage basis for the 1968–69 marketing year; the apportionment of the national marketing quota (less reserve for new farms) on an acreage basis among the several States, and conversion of the State quotas into State acreage allotments for the 1968–69 marketing year; and the amount of the national marketing quota on an acreage basis to be reserved for new farms (it is not contemplated that any reserve from the national quota will be reserved for further increases in allotments for small farms under section 313(c)) for the 1968–69 marketing year.

3. If proclaimed on an acreage-poundage basis, the amount of the national marketing quota on an acreage-poundage basis for the 1968–69 marketing year; the amount of the national average yield goal; the amount of the national acreage allotment; the amount of acreage to be reserved from the national acreage allotment for making corrections in farm acreage allotments, adjusting inequities, and for establishing acreage allotments for new farms; the national acreage factor; and the national yield factor.

4. Date or period of the referendum on acreage or acreage-poundage quotas, as applicable, and whether such referendum should be conducted at polling places rather than by mail ballot (31 F.R. 12011).

Consideration will be given to data, views, and recommendations pertaining to the proposed determinations, rules, and regulations covered by this notice which are submitted in writing to the Director, Policy and Program Appraisal Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions made pursuant to the notice will be made available for public inspection at such times and in a manner convenient to the public business (7 CFR 1.27(b)). All submissions must be postmarked not later than 30 days from the date of filing of this notice with the Director, Office of the Federal Register.

Signed at Washington, D.C. on May 11, 1967.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 67-5453; Filed, May 15, 1967; 8:50 a.m.]

Consumer and Marketing Service

[7 CFR Part 33]

EXPORT APPLES AND PEARS

Grades, Requirements, and Regulations

Notice is hereby given that the Department is considering the proposed amendment of the regulations (7 CFR Part 33), as hereinafter set forth, effective pursuant to the provisions of the Export Apple and Pear Act, as amended (48 Stat. 123; 7 U.S.C. 581–589), and the authority set forth in § 7.48 Stat. 124; 7 U.S.C. 587.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposal shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than the 30th day after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposed amendment would provide the option of marking packages of apples and pears with the name and address of the distributor in satisfaction of the marking requirement specified in § 33.10(d)(1). Currently this requirement specifies that such packages shall be marked with the name and address of either the grower or packer.

Exporters report that they furnish labels and containers for export shipments, and the proposed change would make possible their arranging for supplies of labels and containers early in the season before they know who the grower or packer of the fruit will be. Also they have indicated that printing costs per unit for a large number of identical units is less, and the flexibility provided by the proposal would assist their export operations materially.

As proposed to be amended § 33.10(d)-(1) reads as follows (for purposes of clarity the preamble text is included):

§ 33.10 Minimum requirements.

No person shall ship, or offer for shipment, and no carrier shall transport, or receive for transportation, any shipment of apples or pears to any foreign destination unless:

* * * * *

(d) Each package of apples or pears is marked plainly and conspicuously with (1) the name and address of the grower,

packer, or domestic distributor: *Provided*, That the name of the foreign distributor may be placed on consumer unit packages shipped in a master container if such master container is marked with the name and address of the grower, packer, or domestic distributor;

* * * * *

Dated: May 10, 1967.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Consumer and Marketing Service.

[F.R. Doc. 67-5457; Filed, May 15, 1967; 8:51 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 67-AL-6]

CONTROL ZONE, CONTROL AREA EXTENSION, AND TRANSITION AREA

Proposed Alteration, Revocation, and Designation

The Federal Aviation Administration is considering amendments to Part 71 of the Federal Aviation Regulations which would alter the Bethel, Alaska, terminal airspace structure.

The following controlled airspace is presently designated in the Bethel, Alaska, terminal area:

1. Bethel, Alaska, Control Zone, within a 5-mile radius of the Bethel Municipal Airport (latitude 60°46'55" N., longitude 161°49'-55" W.); within 2 miles either side of the Bethel VOR 007° and 214° radials extending from the 5-mile radius zone to 12 miles north and southwest of the VOR; within 2 miles either side of the 296° bearing from the Bethel RR extending from the 5-mile radius zone to the RR; and within 2 miles either side of the 023° bearing from the Bethel RBN extending from the 5-mile radius zone to 12 miles northeast of the RBN.

2. Bethel, Alaska, Control Area Extension, within a 30-mile radius of the Bethel VOR.

Conversion of the Bethel radio range to a radio beacon, establishment of continental control area, application of current criteria for establishment of control zones, and revised instrument approach procedures require a change to the Bethel terminal airspace structure.

The Federal Aviation Administration, having completed a comprehensive review of the controlled airspace requirements in the Bethel, Alaska, terminal area, proposes the following airspace action.

1. Alter the Bethel, Alaska, Control Zone by redesignating it to comprise that airspace within a 5-mile radius of the Bethel Municipal Airport (latitude 60°-47'01" N., longitude 161°49'59" W.); within 3 miles each side of the BEA RBN 014° T (356° M) bearing extending from the 5-mile radius zone to 8 miles north of the RBN; within 2 miles each side of the BET RBN 293° T (275° M) bearing extending from the 5-mile radius zone to 8 miles northwest of the RBN; and within 2 miles each side of the Bethel VORTAC 213° T (195° M) radial extending from the 5-mile radius zone to 8 miles southwest of the VORTAC.

2. Revoke the Bethel, Alaska, Control Area Extension.

3. Designate a transition area at Bethel, Alaska, described as that airspace extending upward from 1,200 feet above the surface within a 22-mile radius of the Bethel VORTAC.

The alteration of the control zone would provide protected airspace for aircraft conducting prescribed instrument approach and departure procedures and would decrease the control zone extensions to the north, northeast, and southwest by 4 miles. The proposed 1,200-foot transition area would provide protected airspace for aircraft executing portions of the prescribed instrument approach procedures, missed approaches, departures, and holding procedures conducted beyond the limits of the control zone. Revocation of the control area extension would release airspace for other aeronautical uses.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Division, Alaskan Region, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendments. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic 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 Public Docket will be available for examination by interested persons at the Office of the Regional Counsel, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501.

These amendments are proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348).

Issued in Anchorage, Alaska, on May 4, 1967.

GEORGE M. GARY,
Director, Alaskan Region.

[F.R. Doc. 67-5415; Filed, May 15, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-102]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the 700- and 1,200-foot floor Berlin, N.H., Transition Area.

A new instrument approach procedure has been authorized for Berlin Airport, Berlin, N.H. The present procedure has been modified to permit day and night operations. These procedures will require modification of the transition areas to provide protection for arrival and departing instrument aircraft.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views 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 Office of the Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the terminal airspace requirements for Berlin, N.H., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete in the Berlin, N.H., Transition Area the description of the 700-foot floor transition area and insert in lieu thereof: "That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center of Berlin Airport, Berlin, N.H. (44°34'35" N., 71°10'-40" W.); within 2 miles each side of the Berlin, N.H., RBN (44°34'37" N., 71°10'-47" W.) 334° bearing extending from the 7-mile radius area to 8 miles northwest of the RBN; and within 2 miles each side of the Berlin, N.H., VOR (44°38'05" N., 71°11'12" W.) 355° radial extending from the 7-mile radius area to 8 miles north of the VOR;" and in the description of 1,200-foot floor transition area, between coordinates 44°54'00" N., 71°-10'00" W. and 44°31'00" N., 70°55'00" W., add, "to 44°50'00" N., 71°07'30" W.; to 44°50'30" N., 71°02'00" W.; to 44°40'-00" N., 71°00'30" W."

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 Jamaica, N.Y., on April 25, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5416; Filed, May 15, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket 66-EA-109]

TRANSITION AREA

Proposed Alteration

The Federal Aviation Administration is proposing to amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Dublin, Va., 700-foot floor transition area.

A review of airspace requirements for departure procedures at New River Valley Airport, Dublin, Va., indicates that the 6-mile radius area should be increased to 7 miles. Further a new runway has required a new reference point for the airport; a decommissioning of the Pulaski, Va., LFR permits elimination of the transition area extension based on the LFR.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views 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 Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Dublin, Va., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to delete the description of the 700-foot floor Dublin, Va., transition area and insert in lieu thereof: "That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center (37°08'10" N., 80°40'50" W.) of New River Valley Airport, Dublin, Va., and within 2 miles each side of Pulaski VOR 208° radial extending from the 7-mile radius area to 8 miles southwest of the VOR."

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 Jamaica, N.Y., on May 1, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5418; Filed, May 15, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 67-SO-51]

TRANSITION AREAS

Proposed Alteration

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Waycross, Ga., and Valdosta, Ga., transition areas.

Interested persons may submit such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Area Manager, Atlanta Area Office, Attention: Chief, Air Traffic Branch, Federal Aviation Administration, Post Office Box 20636, Atlanta, Ga. 30320. All communications received within 30 days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Air Traffic Branch. 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 Waycross transition area is described in 32 F.R. 2148 and would be redesignated as follows:

That airspace extending upward from 700 feet above the surface within an 8-mile radius of the Waycross-Ware County Airport (latitude 31°14'55" N., longitude 82°23'48" W.); within 2 miles each side of the Waycross VORTAC 099° radial, extending from the 8-mile radius area to the VORTAC. The portion within a 1½-mile radius of Bivins Airport (latitude 31°11'45" N., longitude 82°16'25" W.) is excluded.

The Valdosta transition area described in 32 F.R. 2148 would be altered as follows: Delete "* * * excluding that airspace which coincides with the Waycross, Ga., transition area * * *."

The classification of the Waycross-Ware County Airport has changed to Criteria III to include turbojet aircraft operations necessitating an increase in the basic radius circle to 8 miles.

A revision to AL-994-VOR-1 instrument approach procedure is proposed in conjunction with the alteration of the Waycross transition area, necessitating an alteration to the transition area extension.

The official docket will be available for examination by interested persons at the Southern Regional Office, Federal Aviation Administration, Room 724, 3400 Whipple Street, East Point, Ga.

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

Issued in East Point, Ga., on May 5, 1967.

JAMES G. ROGERS,
Director, Southern Region.

[F.R. Doc. 67-5419; Filed, May 15, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket No. 66-EA-103]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot floor transition area over Miami University Airport, Oxford, Ohio.

A new instrument procedure has been authorized for Miami University Airport and will require airspace protection for arriving and departing aircraft executing the instrument procedures.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views 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 Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Oxford, Ohio, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot floor Oxford, Ohio, transition area described as follows:

OXFORD, OHIO

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center (39°30'10" N., 84°47'15" W.) of Miami University Airport, Oxford, Ohio, and within 2 miles each side of the Oxford, Ohio, RBN (39°30'27" N., 84°46'50" W.) 225° bearing extending from the 5-mile radius area to 11 miles southwest of the RBN.

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 Jamaica, N.Y., on April 27, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5420; Filed, May 15, 1967; 8:48 a.m.]

[14 CFR Part 71]

[Airspace Docket 66-EA-104]

TRANSITION AREA

Proposed Designation

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a 700-foot floor transition area over Morrisville-Stowe State Airport, Morrisville, Vt.

A new ADF instrument approach procedure to Morrisville-Stowe State Airport has been authorized and this requires airspace protection for arriving and departing aircraft executing the new instrument procedure.

Interested persons may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attention: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y. 11430. All communications received within 30 days after publication in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Standards Branch, Eastern Region.

Any data or views 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 Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, N.Y.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Morrisville, Vt., proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Morrisville, Vt., 700-foot floor transition area as follows:

MORRISVILLE, VT.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the center (44°32'10" N., 72°36'55" W.) of Morrisville-Stowe State Airport, Morrisville, Vt., and within 2 miles each side of the Morrisville RBN (44°35'13" N., 72°35'10" W.) 025° bearing extending from the 5-mile radius area to 8 miles northeast of the RBN.

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 Jamaica, N.Y., on April 27, 1967.

WAYNE HENDERSHOT,
Acting Director, Eastern Region.

[F.R. Doc. 67-5421; Filed, May 15, 1967; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Bureau of Customs

[434.31]

TYPEFACE PROJECTION DEVICES

Tariff Classification

Pursuant to § 16.10a(d) of the Customs Regulations (19 CFR 16.10a(d)), the Bureau of Customs gave notice in the FEDERAL REGISTER on March 16, 1967, that it would review the existing established and uniform practice of classifying certain typeface projection devices free of duty under the provision for linotype and typesetting machines * * *, in Item 668.25, Tariff Schedules of the United States (TSUS). This review has been completed and all representations received carefully considered.

Typeface projection devices affected by this decision consists of enlargers, stands, film holders, and carriages, in which stencils containing letters are projected on film strips one at a time by manual operation. In a letter dated May 10, 1967, addressed to the district director of customs, Chicago, Ill., the Bureau held that such merchandise fails to correspond to the articles described in Item 668.25, TSUS, and is properly classifiable under the provision for enlargers and camera enlargers in Item 722.18, TSUS, with duty at the rate of 15 percent ad valorem.

As this ruling will result in the assessment of duties at a rate higher than that previously assessed on such typeface projection devices, the higher rate will be applied only to such merchandise entered, or withdrawn from warehouse, for consumption after the expiration of 90 days after the date of publication of an abstract of the Bureau letter to the district director of customs, Chicago, Ill., in the weekly Customs Bulletin.

[SEAL] LESTER D. JOHNSON,
Commissioner of Customs.

[F.R. Doc. 67-5409; Filed, May 15, 1967; 8:47 a.m.]

Fiscal Service

[Dept. Circular 570, 1966 Rev., Supp. No. 20]

FORUM INSURANCE CO.

Termination of Authority To Qualify as Surety on Federal Bonds

Notice is hereby given that the Certificate of Authority issued by the Secretary of the Treasury to the Forum Insurance Co., Providence, R.I., under the provisions of the Act of Congress approved July 30, 1947 (6 U.S.C. 6-13), to qualify as an acceptable surety on recognizances, stipulations, bonds, and undertakings permitted or required by the laws of the United States, is hereby terminated, effective April 27, 1967.

Bond-approving officers of the Government should, in instances where such action is necessary, secure new bonds with acceptable sureties in lieu of bonds executed by the Forum Insurance Co.

Dated: May 11, 1967.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 67-5433; Filed, May 15, 1967; 8:49 a.m.]

Office of the Secretary

[Antidumping—ATS 643.3-1]

TUBELESS TIRE VALVES FROM ITALY

Notice of Tentative Determination

MAY 8, 1967.

Information was received on April 26, 1966, that valves, tubeless tire, finished, imported from Italy were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.). This information was the subject of an "Antidumping Proceeding Notice" which was published pursuant to § 14.6(d), Customs Regulations (19 CFR 14.6(d)), in the FEDERAL REGISTER of July 19, 1966, on page 9751 thereof.

On October 14, 1966, the Commissioner of Customs issued a withholding of appraisement notice with respect to such merchandise which was published in the FEDERAL REGISTER dated October 20, 1966.

I hereby make a tentative determination that valves, tubeless tire, finished, imported from Italy are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. The sales to the U.S. purchasers were pursuant to arms-length transactions between parties not related within the meaning of section 207 of the Antidumping Act, as amended (19 U.S.C. 166).

The quantities of certain types of valves sold for home consumption were adequate to furnish a basis of comparison. Other types of valves were not sold for home consumption in quantities adequate to furnish a basis of comparison. As to the latter, sufficient quantities were sold to third countries.

Accordingly, purchase price was compared with adjusted home market price or with adjusted third country price as applicable.

Purchase price was computed on the basis of the c.i.f. or f.o.b. port price as applicable. From such price were deducted, as applicable, the ocean freight and insurance and inland freight. Refunded taxes were added as required by statute.

Calculation of the adjusted home market price was made on the basis of the delivered packed price. From such price were deducted the applicable foreign inland freight and the cost of the quality control differentials on those valves sold to the original equipment manufacturers in Italy.

Calculation of adjusted third country price was made on the basis of the c.i.f. Canadian port price. From this were deducted the foreign inland freight, ocean freight, and insurance. The refunded Imposta Generale Sull' Entrata tax (I.G.E. turnover tax) was added in conformity with the treatment accorded this factor in the calculation of purchase price.

Purchase price was found to be lower than adjusted home market price or adjusted third country prices on all items.

Such written submissions as interested parties may care to make with respect to the contemplated action will be given appropriate consideration by the Secretary of the Treasury.

If any person believes that any information obtained by the Bureau of Customs in the course of this antidumping proceeding is inaccurate or that for any other reason the tentative determination is in error, he may request in writing that the Secretary of the Treasury afford him an opportunity to present his views in this regard.

Any such written submissions or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This tentative determination and the statement of reasons therefor are published pursuant to § 14.8(a) of the Customs Regulations (19 CFR 14.8(a)).

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-5434; Filed, May 15, 1967; 8:49 a.m.]

[Antidumping—ATS 643.3-B]

TUBELESS TIRE VALVES FROM WEST GERMANY

Discontinuance of Investigation and Determination Regarding Fair Value

MAY 8, 1967.

Notice of intent to discontinue investigation, and of tentative determination that no sales exist below fair value as to certain valves and that sales exist below fair value as to other valves.

Information was received on April 26, 1966, that valves, tubeless tire, finished, imported from West Germany were being sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.). This information was the subject of an "Antidumping Proceeding Notice" which was published pursuant to § 14.6(d), Customs Regulations (19 CFR 14.6(d)),

in the FEDERAL REGISTER of July 19, 1966, on page 9751 thereof.

On October 6, 1966, the Commissioner of Customs issued a withholding of appraisement notice with respect to such merchandise which was published in the FEDERAL REGISTER dated October 12, 1966.

This document covers various types of actions with respect to valves from West Germany. Those actions are a notice of intent to discontinue investigation with respect to certain valves, and a tentative determination that (1) certain valves are not being, and are not likely to be, sold at less than fair value and (2) certain valves are being, or are likely to be, sold at less than fair value.

Notice is hereby given of intent to discontinue investigation. This notice of intent applies to valves TR 414, 418, 420, 423, and 425 produced by EHA Ventilfabrik, Muhlheim Am Main, West Germany, as to which the manufacturer has terminated shipments and given assurances that there would be no future sales at less than fair value regardless of the disposition of this complaint.

As to valves other than those to which the intent to discontinue investigation applies, I hereby make a tentative determination that—

(a) (1) Valves TR 413 and 415 produced by EHA Ventilfabrik, Muhlheim Am Main, West Germany, but only if purchased in quantities of over 33,000 units per month over a significant period of time, and (2) valves TR 413 and 415 produced by Alligator Ventilfabrik, Wurttemberg, Germany, are not being, and are not likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)); and

(b) All other valves, tubeless tire, finished, imported from West Germany are being, or are likely to be, sold at less than fair value within the meaning of section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)).

Statement of reasons on which this tentative determination is based. The sales to the U.S. purchasers were pursuant to outright, arms-length transactions between parties not financially related within the meaning of section 207 of the Antidumping Act, as amended (19 U.S.C. 166).

The quantities of certain types of valves sold for home consumption were adequate to furnish a basis of comparison. Other types of valves were not sold for home consumption in quantities adequate to furnish a basis of comparison. As to the latter, sufficient quantities were sold to third countries.

Accordingly, purchase price was compared with adjusted home market price or with adjusted third country price as applicable.

Purchase price was computed on the basis of the c.i.f. of f.o.b. port price as applicable. From such price there was deducted ocean freight and insurance, where pertinent, and inland freight. Refunded and uncollected taxes were added as required by statute.

Calculation of the adjusted home market price was made on the basis of the selling price, delivered, packed, with regard to one manufacturer, and on the basis of the weighted-average price, delivered, packed, with regard to another manufacturer. Consideration was given to the different quantities bought by various U.S. purchasers in selecting the effective home market prices for purchases in such quantities. The applicable trade and cash discounts and inland freight were deducted. As to one manufacturer, an adjustment for the difference in the cost of packing for export to the United States as compared with the cost of packing for home consumption was also made.

Calculation of adjusted third country price was made on the basis of the c.i.f. packed, or f.o.b. packed price, as applicable. From such price there was deducted ocean freight and insurance, where pertinent, and inland freight. Adjustment was made for the difference in the cost of packing for export to third countries as compared with the cost of packing for export to the United States. Adjustment was made for the taxes uncollected and refunded as the same tax treatment is accorded by West Germany to all exports, whether to the United States or to other countries.

Purchase price was found to be lower than adjusted home market price or adjusted third country price as applicable, as to all items except (1) valves TR 413 and 415 produced by EHA Ventilfabrik, Muhlheim Am Main, West Germany, but only if purchased in quantities of over 33,000 units per month over a significant period of time; and (2) valves TR 413 and 415 produced by Alligator Ventilfabrik, Wurttemberg, Germany.

With regard to valves TR 414, 418, 420, 423, and 425 produced by EHA Ventilfabrik, Muhlheim Am Main, West Germany, the manufacturer has terminated shipments and given assurances that there would be no future sales at less than fair value regardless of the disposition of this complaint.

Such written submissions as interested parties may care to make with respect to the contemplated action will be given appropriate consideration by the Secretary of the Treasury.

If any person believes that any information obtained by the Bureau of Customs in the course of this antidumping proceeding is inaccurate or that for any other reason the intent to discontinue investigation or the tentative determination are in error, he may request in writing that the Secretary of the Treasury afford him an opportunity to present his views in this regard.

Any such written submissions or requests should be addressed to the Commissioner of Customs, 2100 K Street NW., Washington, D.C. 20226, in time to be received by his office not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER.

This notice and the statement of reasons therefor are published pursuant to §§ 14.7(b) (9) and 14.8(a) of the Customs Regulations (19 CFR 14.7(b) (9) and 14.8 (a)).

[SEAL] TRUE DAVIS,
Assistant Secretary of the Treasury.

[F.R. Doc. 67-5435; Filed, May 15, 1967; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

ILLINOIS

Designation of Areas for Emergency Loans

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

ILLINOIS	
Boone.	McHenry.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after June 30, 1968, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 10th day of May 1967.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 67-5424; Filed, May 15, 1967; 8:48 a.m.]

DEPARTMENT OF COMMERCE

Business and Defense Services Administration

TEXAS A & M UNIVERSITY

Notice of Decision on Application for Duty Free Entry of Scientific Articles

The following is a decision on an application for duty free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Public Law 89-651; 80 Stat. 897) and the regulations issued thereunder (32 F.R. 2433 et seq.).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the Department of Commerce, at the Office of Scientific and Technical Equipment, Department of Commerce, Room 5123, Washington, D.C. 20230.

Docket No. 67-00004-01-86500. Applicant: Texas A & M University, College Station, Tex. 77843. Article: Weissenberg rheogoniometer system model R. 17 consisting of basic instrument, oscillatory

mechanism, normal force, servo assembly, drive unit, low temperature control equipment, high temperature control equipment, electrical "platen touching" gap setting assembly, transducer changeover switch, panel and racking, and one S.E.L. ultra violet recorder, type SE. 2005 with matched pair of galvanometers. Manufacturer: Sangamo Controls, Ltd., England. Intended use of article: Basic research on rheological properties of materials and for graduate instruction. Decision: Application approved. No instrument or apparatus of equivalent scientific value to such article, for the purposes for which such article is intended to be used, is being manufactured in the United States. Reasons: This is a unique instrument which measures normal stress as well as viscosity as a function of rate of shear. We know of no instrument manufactured in the United States that is capable of measuring normal stress as well as viscosity as a function of rate of shear. No comments have been received by the Department of Commerce concerning this application.

CHARLEY M. DENTON,
Director, Office of Scientific and Technical Equipment, Business and Defense Services Administration.

[F.R. Doc. 67-5386; Filed, May 15, 1967; 8:45 a.m.]

Maritime Administration

[Report No. 80]

LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

SECTION 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through May 4, 1967, exclusive of those vessels that called at Cuba on U.S. Government-approved noncommercial voyages and those listed in section 2. Pursuant to established U.S. Government policy, the listed vessels are ineligible to carry U.S. Government-financed cargoes from the United States.

FLAG OF REGISTRY AND NAME OF SHIP	*Gross tonnage*
Total, all flags (259 ships)	1,846,314
British (75 ships)	563,940
**Amalia (now Maltese).	
**Amazon River (broken up)	7,234
Antarctica	8,785
Arctic Ocean	8,791
**Ardenode (now Tynlee—Panamanian)	7,036
Ardgem	6,981
**Ardmore (now Kali Elpis—British)	4,664
**Ardpatrick (now Haringhata—Pakistani)	7,054
Ardrossmore	5,820
Ardrowan	7,300
**Ardsirod (broken up)	7,025
**Ardstaffa (trip to Cuba under ex-name Inchstaffa—British).	
**Ardtara (now Hyperion—British)	5,795
**Arlington Court (now Southgate—British).	
Athelcrown (tanker)	11,149
Athelduke (tanker)	9,089
**Atheiknight (tanker) (broken up)	9,087
Athelmere (tanker)	7,524
Athelmonarch (tanker)	11,182
**Athelsultan (tanker) (broken up)	9,149
Avisfaith	7,868
Baxtergate	8,813
Cheung Chau	8,566
**Chipbee (broken up)	7,271
**Cosmo Trader (trips to Cuba under ex-name Ivy Fair—British).	
**Dairen (now Agate—Panamanian)	4,939
**East Breeze (now Maulabaksh—Pakistani).	
Eastfortune	8,789
**Elicos (broken up)	7,134
Formentor	8,424
Fortune Enterprise	7,284
**Free Enterprise (now Cypriot).	
**Free Merchant (now Cypriot).	
**Garthdale (now Jeb Lee—British)	7,542
**Grosvenor Mariner (now Red Sea—British).	
Hazelmoor	7,907
Helka (now Anna Maria—Greek)	2,111
Hemisphere	8,718
Ho Fung	7,121
*Huntsfield	9,483
Huntsmore	5,678
Huntsville	9,486
**Hyperion (trips to Cuba under ex-name Ardtara—British).	
**Inchstaffa (now Ardstaffa—British)	5,255
Inchstuart	7,043
**Ivy Fair (now Cosmo Trader—British—broken up)	7,201
**Jeb Lee (trip to Cuba under ex-name Garthdale—British).	
Jollity	8,660
**Kali Elpis (trips to Cuba under ex-name Ardmore—British).	
Kinross	5,388
La Hortensia	9,486
Linkmoor	8,236
**Loradore (now Aliartos—Greek)	8,078
Magister	2,339
Nancy Dee	6,597
Nebula	8,924
**Newdene (now Free Navigator—Cypriot).	
**Newforest (now Cypriot).	
Newgate	6,743
Newglade	7,368
**Newgrove (now Cypriot).	
Newheath	7,643
Newhill	7,855
Newlane	7,043
**Newmeadow (now Cypriot).	
Newmoat	7,151
Newmoor	7,168
Oceantramp	6,185
Oceantravel	10,477
Peony	9,037
**Phoenician Dawn (now Maulabaksh — Pakistani — Previous trips to Cuba under ex-name East Breeze—British)	8,708
**Red Sea (previous trip to Cuba under ex-name Grosvenor Mariner—British)	7,026
**Redbrook (now E. Evangelia—Greek)	7,388
Ruthy Ann	7,361
**St. Antonio (now Maltese).	
Sandsend	7,236
Santa Granda	7,229
Sea Amber	10,421
Sea Coral	10,421
Sea Empress	8,941
Seasage	4,330
Shienfoon	7,127
**Shun Fung (wrecked)	7,148
**Soclyve (now Maltese).	
**Southgate (previous trips to Cuba under ex-name Arlington Court—British)	9,662
**Suva Breeze (now Cathay Trader—Panamanian)	4,970
**Swift River (now Kallithea—now Cypriot).	
**Timios Stavros (now Maltese flag—previous trips to Cuba—Greek).	
Venice	8,611
Vercharmian	7,265
Vergmont	7,381
Yungfutary	5,388
Yunglutăton	5,414
Zela M	7,237
Lebanese (50 ships)	340,287
Aiolos II	7,256
**Ais Giannis	6,997
**Akamas (now Cypriot).	
**Al Amin (now Fortune Sea—Panamanian)	7,186
Alaska	6,989
Anthas	7,044
Antonis	6,259
**Ares (constructive total loss)	4,557
**Areti (now Cypriot)	7,176
**Aristefs (now Tung Yih—Panamanian)	6,995
Astir	5,324
**Athamas (now Cypriot—broken up)	4,729
**Carnation (broken up)	4,884
Claire	5,411
Cris	6,032
**E. Myrtidiotissa (aground, trips to Cuba under ex-name, Kalliopi D. Lemos—Lebanese).	
**Free Trader (now Cypriot).	
Giannis	5,270
Giorgos Tsakiroglou	7,240
Granikos	7,282
Ilena	5,925
Ioannis Aspiotis	7,297
**Kalliopi D. Lemos (now E. Myrtidiotissa—Lebanese)	5,103
Katerina	9,357
Leftric	7,176
Mantric	7,255
**Maria Despina (broken in two)	7,254
Maria Renee (broken up)	7,203
Marichristina	7,124
**Marika (now Cypriot)	7,253
**Marymark (broken up)	4,383
**Mersinidi (broken up)	6,782
Mousse	9,307
Nictric	7,296
Noelle	7,251
**Noemi (aground—total loss)	7,070
**Olga (now Greek).	
Panagos	7,133
Parmarina	6,721
**Razani (broken up)	7,253
**Reneka (now San Carlo—Panamanian—broken up)	7,250
Rio	7,194
**St. Anthony (broken up)	5,349
**St. Nicolas (broken up)	7,165
San Spyridon	7,260

See footnotes at end of document.

Flag of Registry and Name of Ship	Gross tonnage
Lebanese—Continued	
Stevo	7,066
Tertric	7,045
Theodoros Lemos	7,198
Tony	7,176
Toula	6,426
Troyan	7,243
**Vassiliki (now Cypriot).	
**Vastric (broken up)	6,751
Vergolivada	6,339
Yanxilas	10,051
Greek (36 ships)	273,190
Agios Therapon	7,205
**Akastos (now Cypriot).	
**Aliartos (trip to Cuba under ex-name, Loradore—British).	
Alice	7,189
**Ambassade (broken up)	8,600
**Americana (broken up)	7,104
Anacreon (now White Daisey—Panamanian)	7,359
**Anatoli (now Sunrise—Cypriot).	
**Andromachi (previous trips to Cuba under ex-name, Penelope—Greek)	6,712
**Anna Maria (trips to Cuba under ex-name Helka—British).	
**Antonia (now Amfithea—Cypriot).	
Apollon	9,744
Athanassios K	7,216
Barbarino	7,084
Calliopi Michalos	7,249
**Embassy (broken up)	8,418
**E. Evangelia (trips to Cuba under ex-name, Redbrook—British).	
Eftychia	10,865
Eretria	7,199
**Gloria (now Helen—Greek).	
**Helen (previous trips to Cuba under ex-name, Gloria—Greek—broken up)	7,128
Irena	7,232
**Istros II	7,275
**Kapetan Kostis (broken up)	5,032
**Kyra Hariklia (broken up)	6,888
**Maria Theresa (now Ingrid Anne—South African)	7,245
**Marigo (now Amfitriti—Cypriot)	7,147
**Maroudio (now Thalie—Panamanian)	7,369
**Mastro-Stelios II (now Wendy H.—South African)	7,282
*Mery	7,258
**Nicolaos F. (previous trip to Cuba under ex-name, Nicolaos Frangistas—Greek)	7,199
**Nicolaos Frangistas (now Nicolaos F.—Greek).	
Nikolis M	7,176
**Olga (previous trips to Cuba—Lebanese)	7,199
Pantanassa	7,131
Paxoi	7,144
**Penelope (now Andromachi—Greek).	
**Presvia (broken up)	10,820
Redestos	5,911
Roula Maria (tanker)	10,608
**Seirios (broken up)	7,239
Sophia	7,030
**Stylianos N. Vlassopulos (now Antonia II—Cypriot)	7,303
**Timios Stavros (formerly British flag—now Maltese).	
Tina	7,362
Western Trader	9,268
Polish (20 ships)	143,460
Baltyk	6,963
Bialystok	7,173
Bytom	5,967
Chopin	9,148
Chorzow	7,237
Energetyk	10,843
Grodziec	3,379
Huta Florian	7,258
Huta Labedy	7,221
Huta Ostrowiec	7,175
Huta Zgoda	6,840
Hutnik	10,897
Kopalnia Bobrek	7,221
Kopalnia Czladz	7,252
Kopalnia Miechowice	7,223
Kopalnia Siemianowice	7,165
Kopalnia Wujek	7,033
Piast	3,184
Rejowiec	3,401
Transportowiec	10,880
Cypriot (23 ships)	158,504
Acme	7,159
**Adelphos Petrakis (broken up)	7,170
*Agenor	7,139
**Akamas (previous trips to Cuba—Lebanese)	7,285
**Akastos (previous trip to Cuba—Greek)	7,331
**Aktor (sunk)	6,993
Amfiali	7,110
**Amfithea (previous trip to Cuba under ex-name, Antonia—Greek)	5,171
**Amfitriti (trip to Cuba under ex-name, Marigo—Greek).	
Amon	7,229
**Antonia II (trip to Cuba under ex-name, Stylianos N. Vlassopulos—Greek).	
*Apostolos Andreas	5,357
**Areti (trips to Cuba—Lebanese).	
Artemida	7,247
**Athamas (trips to Cuba—Lebanese—broken up).	
*E. D. Papalios	9,431
El Toro	5,949
**Free Enterprise (previous trips to Cuba—British)	6,807
**Free Merchant (previous trips to Cuba—British)	5,237
**Free Navigator (previous trips to Cuba under ex-name, Newdene—British)	7,181
**Free Trader (previous trips to Cuba—Lebanese)	7,067
**Kallithea (previous trips to Cuba under ex-name, Swift River—British—broken up)	7,251
**Marika (trip to Cuba)—Lebanese).	
**Newforest (previous trips to Cuba—British)	7,185
**Newgrove (previous trips to Cuba—British and Haitian—constructive total loss)	7,172
**Newmeadow (previous trips to Cuba—British—sunk)	5,654
**Sunrise (previous trips to Cuba under ex-name, Anatoli—Greek)	7,187
**Vassiliki (previous trips to Cuba—Lebanese)	7,192
Italian (15 ships)	123,058
Achille	6,950
Agostino Bertani	8,380
**Andrea Costa (tanker—broken up)	10,440
**Aspromonte (broken up)	7,154
Caprera	7,189
Elia (tanker)	11,377
**Geremia (previous trips to Cuba under ex-name, Mariasusanna—Italian)	2,479
Giuseppe Giulietti (tanker)	17,519
**Graziella Zeta (trips to Cuba under ex-name, Montiron—Italian).	
**Mariasusanna (now Geremia—Italian).	
**Montiron (now Graziella Zeta—Italian)	1,595
**Nazareno (broken up)	7,173
Nino Bixio	8,427
San Francesco	9,284
San Nicola (tanker)	12,461
Santa Lucia	9,278
**Somalia (now Chung Thai—Panamanian)	3,352
Yugoslav (9 ships)	61,033
**Bar (broken up)	7,233
Cetinje	7,209
**Dugi Otok (broken up)	6,997
Kolasin	7,217
Mojkovac	7,125
Piod	3,657
**Promina (broken up)	6,960
*Tara	7,499
**Trebisnjica (wrecked)	7,145
French (9 ships)	48,758
**Arsinoe (tanker—sunk)	10,426
**Avranches (now Avranchoise—Panamanian)	7,282
Circe	2,874
Enee	1,233
Foulaya	3,739
Mungo	4,820
Nelee	2,874
**Neve (now Drameoumar—Guinean)	852
Senanque (tanker)	14,659
Moroccan (5 ships)	35,838
Atlas	10,392
**Banora (sunk)	3,082
Marrakech	3,214
Mauritanie	10,392
Toubkal	8,748
Maltese (5 ships)	33,788
**Amalia (previous trips to Cuba—British)	7,304
Ispahan	7,156
**St. Antonio (broken up, previous trip to Cuba—British)	6,704
**Soclyve (previous trips to Cuba—British)	7,291
Timios Stavros (previous trips to Cuba—British and Greek)	5,333
Finnish (5 ships)	36,835
Atlas	3,916
Augusta Paulin	7,096
**Hermia (trip to Cuba under ex-name Amfred—Swedish).	
Margrethe Paulin	7,251
Ragni Paulin	6,823
Sword (tanker)	11,749
Netherlands (2 ships)	999
Meike	500
Tempo	499
Norwegian (2 ships)	10,002
Ole Bratt	5,252
**Tine (now Jezreel—Panamanian flag—wrecked)	4,750
Swedish (2 ships)	9,318
**Amfred (now Hermia—Finnish)	2,828

See footnotes at end of document.

Flag of Registry and Name of Ship	Gross tonnage
Swedish—Continued	
**Dagmar (now Bali Mariner—Panamanian)	6,490
Monaco (1 ship)	7,314
Saint Lys (broken up)	7,314
Guinean:	
**Drame Oumar (trip to Cuba under ex-name, Neve—French).	
Haitian:	
**Newgrove (now Cypriot).	
Pakistani:	
**Haringhata (trip to Cuba under ex-name, Ardpatrick—British).	
**Maulabaksh (trip to Cuba under ex-name, Phoenician Dawn and East Breeze—British).	
Panamanian:	
**Agate (trips to Cuba under ex-name, Dalren—British).	
**Avranchoise (trip to Cuba under ex-name, Avranches—French).	
**Bali Mariner (trips to Cuba under ex-name, Dagmar—Swedish).	
**Cathay Trader (trips to Cuba under ex-name, Suva Breeze—British).	
**Chung Thai (trip to Cuba under ex-name, Somalia—Italian).	
**Fortune Sea (trips to Cuba under ex-name, Al Amin—Lebanese).	
**Jezreel (trip to Cuba under ex-name, Tine—Norwegian—wrecked).	
**San Carlo (trip to Cuba under ex-name, Reneka—Lebanese—broken up).	
**Thalie (trip to Cuba under ex-name, Maroudio—Greek).	
**Tung Yih (trip to Cuba under ex-name Aristefs—Lebanese).	
**Tynlee (trip to Cuba under ex-name, Ardenode—British).	
**White Daisy (trips to Cuba under ex-name, Anacreon—Greek).	
South African:	
**Ingrid Anne (trip to Cuba under ex-name, Maria Theress—Greek).	
**Wendy H. (trip to Cuba under ex-name, Mastro-Stelios II—Greek).	

SEC. 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry U.S. Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) That such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the U.S. Government to discourage such trade; and

(b) That no other vessel under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c); and

(c) That vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of Registry and Name of Ship	Number of ships
a. Since last report:	
None.	
b. Previous reports:	
Flag of registry (total)	104
British	41
Cypriot	2
Danish	1
Finnish	2
French	1
German (West)	1
Greek	27
Israeli	1
Italian	5
Japanese	1
Kuwaiti	1
Lebanese	9
Norwegian	4
Spanish	6
Swedish	1
Yugoslav	1

SEC. 3. The ships listed in sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through May 4, 1967.

Flag of registry	1963	1964	1965	1966	1967 Jan	1967 Feb	1967 Mar	1967 Apr	Total
British	133	180	126	101	4	7	10	5	566
Lebanese	64	91	58	25	1	2	2		243
Greek	99	27	23	27	5	4	2	1	188
Italian	16	20	24	11	1		2		74
Yugoslav	12	11	15	10			2		50
Cypriot		1	17	27	2	1	3	3	54
French	8	9	9	10					36
Spanish	8	17							25
Norwegian	14	10							24
Moroccan	9	13	1						23
Finnish	1	4	5	11	1	1	1	1	25
Maltese		2	6	1		2			11
Netherlands		4	2						6
Swedish	3	3							6
Kuwaiti		2	1						3
Israeli			2						2
Danish	1								1
German (West)	1								1
Haitian			1						1
Japanese	1								1
Monaco				1					1
Subtotal	370	394	290	224	14	17	22	10	1,341
Polish	18	16	12	10	1	1	1		59
Grand total	388	410	302	234	15	18	23	10	1,400

NOTE: Trip totals in this section exceed ship totals in secs. 1 and 2 because some of the ships made more than one trip to Cuba. Monthly totals subject to revision as additional data become available.

*Added to Report No. 79, appearing in the FEDERAL REGISTER issue of April 8, 1967.

**Ships appearing on the list that have been sunk, scrapped, or have had changes in name and/or flag of registry.

By order of the Acting Maritime Administrator.

Dated: May 9, 1967.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 67-5474; Filed; May 15, 1967; 8:51 a.m.]

Office of the Secretary

[Dept. Order 117-B; Amdt. 1]

MARITIME ADMINISTRATION

Organization and Functions

The following amendment to the order was issued by the Acting Secretary of Commerce on April 26, 1967. This material amends the material appearing at 31 F.R. 8246-8248 of June 11, 1966.

Department Order 117-B, dated May 20, 1966, is hereby amended as follows:

SEC. 3. *Functions of the Maritime Administration.* Paragraph "h." is amended to read:

"h. The Office of Personnel Management shall plan and administer personnel programs and activities relating to recruitment, placement, promotion, separation, employee performance evaluation, training and career development, employee recognition and incentives, employee relations and services, employee-management relations, classification, pay management, and various employee benefit programs. The Office of Personnel Management has the following divisions:

Division of Classification and Pay Management, Division of Employee Development, and Division of Career Management."

Effective date: April 26, 1967.

DAVID R. BALDWIN,
Assistant Secretary for Administration.

[F.R. Doc. 67-5387; Filed, May 15, 1967; 8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-286]

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.

Notice of Receipt of Application for Construction Permit and Facility License

Please take notice that Consolidated Edison Company of New York, Inc., 4 Irving Place, New York, N.Y. 10003, pursuant to section 104b. of the Atomic Energy Act of 1954, as amended, has filed an application, dated April 25, 1967, for a construction permit and facility license to authorize construction and operation of a pressurized water nuclear reactor at the applicant's Indian Point Station. The site comprises approximately 250 acres on the east bank of the Hudson River in the village of Buchanan, Westchester County, N.Y.

The proposed reactor, designated by the applicant as Indian Point Station Unit No. 3, is designed for initial operation at approximately 3,025 thermal megawatts with a net electrical output of approximately 965 megawatts. The reactor is to be located adjacent to and south of the existing Indian Point Station Unit No. 1. A second nuclear reactor, Indian Point Station Unit No. 2, is presently under construction on this site.

A copy of the application is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 9th day of May 1967.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 67-5384; Filed, May 15, 1967; 8:45 a.m.]

[Docket Nos. 50-259, 50-260]

TENNESSEE VALLEY AUTHORITY

Notice of Issuance of Provisional Construction Permits

Notice is hereby given that, pursuant to the initial decision of the Atomic Safety and Licensing Board, dated May 9, 1967, the Director of the Division of Reactor Licensing has issued Provisional Construction Permits Nos. CPPR-29 and CPPR-30 to the Tennessee Valley Authority for the construction of two boiling water nuclear reactors, designated respectively as the Browns Ferry Nuclear Power Station Units 1 and 2, to be located on the Tennessee Valley Authority's Browns Ferry site at Wheeler Lake, Limestone County, Ala., about 10 miles southwest of Athens, Ala.

A copy of the initial decision is on file in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Bethesda, Md., this 10th day of May 1967.

For the Atomic Energy Commission.

PETER A. MORRIS,
Director,
Division of Reactor Licensing.

[F.R. Doc. 67-5385; Filed, May 15, 1967; 8:45 a.m.]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[OE Docket No. 66-SO-4]

BAY VIDEO, INC.

Grant of Additional Extension to Comment Period

On December 22, 1966, a notice of petition for and grant of review was issued in response to a petition received by the Federal Aviation Administration in opposition to a determination of hazard to air navigation concerning the proposed construction by Bay Video, Inc., of a tower 1,942 feet above mean sea level (1,797 feet above ground) near Woods, Fla.

Since the grant was issued, the proponent has been negotiating with Florida State University in an effort to establish a joint use structure. There have been numerous delays in the negotiations and the proponent has requested several extensions to the comment period. An extension beyond the present May 21, 1967, expiration date has now been requested. To grant this request appears to be in the public interest; however, to allow adequate time to complete the settlement of this matter, it is deemed advisable to extend the comment period for 3 additional months.

Therefore, pursuant to the authority delegated to me by the Administrator, notice is hereby given that the comment period for submitting relevant information for consideration in this review is extended to expire on August 21, 1967. Submission must be filed in triplicate with the Federal Aviation Administration, Obstruction Evaluation Branch, 800 Independence Avenue SW., Washington, D.C. 20590, and must be relevant to the effect of the proposed structure on sale air navigation.

Issued in Washington, D.C., on May 9, 1967.

WILLIAM E. MORGAN,
Acting Director, Air Traffic Service.

[F.R. Doc. 67-5414; Filed, May 15, 1967; 8:47 a.m.]

Federal Highway Administration

[Docket No. FHA-1]

MOTOR VEHICLE SAFETY

Reconsideration of Initial Motor Vehicle Safety Standard 201; Notice of Hearing

Notice is hereby given that a hearing in the above-entitled proceeding will be held May 22, 1967, at 9:30 a.m., e.d.s.t., at General Motors' Training Center, 30901 Van Dyke Avenue, Detroit (Warren), Mich.; and on May 24, 1967, at 9:30 a.m., e.d.s.t., in Hearing Room "A", Interstate Commerce Commission, 12th Street and Constitution Avenue NW., Washington, D.C.

For information concerning the issues involved and other details in this proceeding, interested parties are referred to the Report of Prehearing Conference on file with Rules Dockets, Federal Aviation Administration, Room 915, 800 Independence Avenue SW., Washington, D.C.

Dated at Washington, D.C., May 10, 1967.

RUSSELL A. POTTER,
Presiding Officer.

[F.R. Doc. 67-5431; Filed, May 15, 1967; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 17828; Order No. E-25127]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Delayed Inaugural Flights

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 10th day of May 1967.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 2 and Joint Conferences 1-2 and 2-3 of the International Air Transport Association (IATA). The agreements have been adopted pursuant to the provisions of Resolution 200h (Free and Reduced Fare Transportation for Inaugural Flights) and have been assigned the CAB Agreement numbers, Agreement CAB 19563 and Agreement CAB 19584.

The agreements permit Air India to postpone inaugural flights for their new services between Bombay and Brussels, between London and Brussels, between Bombay and Teheran, and between New York and Teheran, to a date not later than December 31, 1967.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board finds that, on the basis of all facts presently known, the following resolutions, incorporated in the agreements indicated, do not affect air transportation within the meaning of the Act:

CAB agreement:	IATA resolution
19563	200 (Mail 710) 200h. JT23 (Mail 710) 200h.
19584	JT23 (Mail 171) 200h.

2. The Board does not find Resolution JT12(Mail 171) 200h, which is incorporated in Agreement CAB 19584, to be adverse to the public interest or in violation of the Act.

Accordingly, it is ordered, That:

1. Jurisdiction is disclaimed with respect to Agreement CAB 19563 and that portion of Agreement CAB 19584 as set forth in finding paragraph 1; and

2. The portion of Agreement CAB 19584, as set forth in finding paragraph 2, is approved.

Any air carrier party to the agreements, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and 19 copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 67-5427; Filed, May 15, 1967; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 17437; FCC 67M-792]

FRANK HOVIS HEMBY

Order Scheduling Hearing

In the matter of Frank Hovis Hemby, Zion Lutheran Church and School, 6121 East Lovers Lane, Dallas, Tex. 75214, Docket No. 17437; suspension of radiotelegraph first class operator license and radiotelephone first class operator license.

It is ordered, That James D. Cunningham shall serve as Presiding Officer in the above-entitled proceeding, and that the hearing therein shall be convened in the offices of the Commission, Washington, D.C., on June 19, 1967.

Issued: May 11, 1967.

Released: May 11, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN WAPLE,
Secretary.

[F.R. Doc. 67-5436; Filed, May 15, 1967; 8:49 a.m.]

[Docket No. 17243; FCC 67R-197]

KITTYHAWK BROADCASTING CORP. ET AL.

Memorandum Opinion and Order Deleting Issue

In re applications of Kittyhawk Broadcasting Corp., Kettering, Ohio, et al., Docket No. 17243, File No. BP-16603, 17244, 17245, 17246, 17247, 17248, 17249, 17250; for construction permits.

1. This proceeding, involving eight applicants for new or changed standard broadcast facilities, was designated for hearing by memorandum opinion and order, FCC 67-256, released March 16, 1967. In the designation order, the Commission stated, among other things, that the application of Voice of the Ohio Valley, Inc. (Ohio Valley), reflected that it would require $113,697 in order to construct its proposal and operate for 1 year; that, in order to meet this requirement, Ohio Valley was relying upon a $99,000 stock subscription by John O. Bland, Jr., a stock subscription for $11,000 from Jack Gibson, and predicted revenues of $20,000; and that the subscribers' balance sheets indicated that neither had sufficient liquid assets to meet their subscriptions, and no data to support the revenue estimate had been furnished. A financial issue was therefore specified. Presently before the Board is a motion to delete issue, filed on March 27, 1967, by Ohio Valley, requesting the deletion of this financial issue.[1] Also before the Board is Bloomington Broadcasting Co.'s (Bloomington) motion to delete issue, filed on April 5, 1967, wherein that applicant requests the Board to delete an issue inquiring into whether its proposal would constitute a menace to air navigation.[2]

2. In support of its motion, Ohio Valley asserts that the Commission should have found that $110,010 would be required to finance Ohio Valley's proposal, not $113,697; and that this error resulted because the Commission considered the interest payment on the deferred credit arrangement ($3,687) as an additional expense, whereas this item was already included in Ohio Valley's estimate of $55,000 for its first year's operating expenses.[3] Ohio Valley also contends that the balance sheets for Bland and Gibson do indicate that they have sufficient funds to meet their commitments. With regard to Bland, Ohio Valley points out that his balance sheet reflects current assets of $41,618.39 in stocks listed on major exchanges; $5,086 in cash; $1,400 in U.S. bonds; and $98,000 in real estate, consisting of a residence and three commercial properties. These properties, Ohio Valley argues, should have been regarded as liquid assets because Ohio Valley submitted a copy of an offer to sell two of the parcels to the Urban Renewal and Development Agency for $56,000, and a closing statement reflecting that a third parcel was purchased for approximately $27,750. With regard to Gibson, Ohio Valley points out that his balance sheet reflects liquid assets of $10,300 and fixed assets in excess of $8,000. Citing Massillon Broadcasting Co., Inc., FCC 61-1164, 22 RR 218,[4] Ohio Valley submits that Gibson should have been credited with the additional $700 needed from his fixed assets. Up-dated balance sheets for both Bland (Bland's reflects the sale of two of the parcels of real property) and Gibson were filed with Ohio Valley's reply pleading. The Broadcast Bureau and The Gem City Broadcasting Co. (Gem City) oppose Ohio Valley's motion.

3. The Board does not agree with Ohio Valley's contention that its predesignation showing was adequate to establish its financial qualifications. Assuming that Ohio Valley will require only $110,010 to finance its proposal, and therefore that it will not have to rely upon anticipated revenues to any appreciable degree, we find the predesignation balance sheets of Bland and Gibson insufficient to support their stock subscriptions. As to Bland's $99,000 commitment, his balance sheet reflects approximately $48,104 in liquid assets,[5] other than the real estate, and we do not believe that the unsigned offer to sell two parcels of property to a Government agency (subject to the approval of another Government agency), or the closing sheet were adequate means of establishing the liquidity of the real estate relied upon. As to Gibson's $11,000 commitment, his balance sheet reflects approximately $10,300 in liquid assets and $8,000 in fixed assets. Although the Commission and the Board have refused to add financial issues where a small amount of money must be obtained from a large amount of fixed assets in several cases,[6] those cases involved applicants with fixed assets of far greater value than that relied upon by Gibson.[7] Thus,

[1] In response to Ohio Valley's motion, the following pleadings were filed: (a) Opposition, filed on Apr. 6, 1967, by The Gem City Broadcasting Co.; (b) opposition, filed on Apr. 6, 1967, by Bloomington Broadcasting Co.; (c) Broadcast Bureau's opposition, filed on Apr. 11, 1967; and (d) reply, filed on Apr. 28, 1967, by Ohio Valley.

[2] The Broadcast Bureau filed a pleading in support of Bloomington's motion on Apr. 17, 1967.

[3] With its reply pleading, Ohio Valley filed, for the first time, a breakdown of its estimated costs of first year's operations, which includes an item of $3,687 for "interest on bank loan." We assume that this actually refers to the interest on the deferred credit arrangement.

[4] The case is cited as Covington Broadcasting Co. in Ohio Valley's pleading.

[5] Bland's balance sheet also reflects $19,000 in liabilities, and no showing is made of whether these liabilities are current or long term.

[6] See Massillon Broadcasting Co., Inc., supra; United Artists Broadcasting, Inc., FCC 64R-551, released Dec. 8, 1964; Springfield Television Broadcasting Corp., FCC 64R-234, 2 RR 2d 841; and Garo W. Ray, FCC 63R-103, 23 RR 286.

[7] For example, in the Massillon case, cited by Ohio Valley, the Commission refused to add a financial issue regarding the ability of a stock subscriber to meet his $30,630 subscription where the subscriber had $11,000 in cash; a $15,000 bank loan commitment; a net worth of $180,000; and a net yearly income of $92,000. Compare Kent-Ravenna Broadcasting Co., FCC 61-1219, 22 RR 230.

the Board is unwilling to give an applicant credit for approximately $1,000[8] based upon a statement that he has $8,000 in fixed assets, particularly where, as here, there is no indication of the nature of those fixed assets.

4. With regard to the financial showing made with Ohio Valley's subject motion, the Board has followed a policy of refusing to delete issues, except in unusual circumstances, where the request is based upon material contained in post-designation amendments or pleadings.[9] Moreover, regardless of this policy, the Board would not delete the issue as requested here. There is no indication that the information relied upon by Ohio Valley has, by way of amendment, been made a part of Ohio Valley's application, and the Board has held that it must consider whether a financial issue is warranted on the basis of the proposal of record. Triad Stations, Inc., FCC 64R-540, 3 RR 2d 1064. Finally, Bland's updated balance sheet reflects less than $71,600 in liquid assets over current liabilities,[10] exclusive of real estate, and, as previously indicated, Ohio Valley has not established the liquidity of this real property.

5. Bloomington, in support of its request to delete the air hazard issue, submitted a copy of a determination of no hazard to air navigation for its proposal, issued by the FAA on November 26, 1965. It alleges that the Commission's staff has advised it that this letter was received by the Commission on December 8, 1965, but misplaced prior to the drafting of the designation order; and that it was subsequently found and is now in the Commission's files. Bloomington's unopposed request will be granted.

Accordingly, it is ordered, That the motion to delete issue, filed on March 27, 1967, by Voice of the Ohio Valley, Inc., is denied; that Bloomington Broadcasting Co.'s motion to delete issue, filed on April 5, 1967, is granted; and that the Commission's memorandum opinion and order (FCC 67-256), released March 16, 1967 is modified by the deletion of Issue 11.

Adopted: May 10, 1967.

Released: May 11, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5437; Filed, May 15, 1967; 8:49 a.m.]

[8] Ohio Valley did not subtract the $300 in current liabilities shown on Gibson's balance sheet from the $10,300 in liquid assets.

[9] See, e.g., Marion Moore, FCC 65R-53, released Feb. 8, 1965; and Nebraska Rural Radio Association, FCC 65R-158, 5 RR 2d 43.

[10] Bland's balance sheet shows $44,833.89 in stock; $33,044 in cash and U.S. bonds; accounts payable of $4,181; and $2,098 due in payroll taxes. Other assets, including an interest in Business Radio, Inc., trucks and autos, and accounts receivable, cannot be regarded as liquid in the absence of further information.

[Docket Nos. 17411, 17412]

MT. CARMEL BROADCASTING CO. AND K H RADIO CO.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Edward A. Romance, trading as Mt. Carmel Broadcasting Co., Mount Carmel, Pa., Docket No. 17411, File No. BP-16806; Requests: 1590 kc, 500 w, Day; Robert Kerris and Edward Helfrick, doing business as K H Radio Co., Mount Carmel, Pa., Docket No. 17412, File No. BP-17158; Requests: 1590 kc, 500 w, Day; for construction permits.

1. The Commission, by the Chief, Broadcast Bureau, under delegated authority considered the above applications.

2. The above proposals are mutually exclusive in that they request cochannel operation in the same community. Except as indicated by the issues specified below, the applicants are qualified to construct, own and operate as proposed. However, since the applications are mutually exclusive, they must be designated for hearing in a consolidated proceeding on the issues specified below.

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine which of the proposals would better serve the public interest, convenience, and necessity.

2. To determine, in the light of the evidence adduced pursuant to the foregoing issue which of the applications should be granted.

It is further ordered, That, in the event of a grant of either of the applications, the construction permit shall contain the following condition:

Pending a final decision in Docket No. 14419 with respect to presunrise operation with daytime facilities, the present provisions of § 73.87 of the Commission's rules are not extended to this authorization, and such operation is precluded.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: May 10, 1967.

Released: May 11, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5438; Filed, May 15, 1967; 8:49 a.m.]

[Docket Nos. 17420-17422; FCC 67-529]

MICHAEL S. RICE ET AL.

Memorandum Opinion and Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Michael S. Rice, St. Charles, Mo., Docket No. 17420, File No. BP-17043; Requests: 1460 kc, 5 kw, Day-DA, Class III; First Capitol Radio, Inc., St. Charles, Mo., Docket No. 17421, File No. BP-17155; Requests: 1460 kc, 5 kw, Day DA, Class III; Cecil W. Roberts, St. Charles, Mo., Docket No. 17422, File No. BP-17156; Requests: 1460 kc, 5 kw, Day, DA, Class III; for standard broadcast construction permits.

1. The Commission has before it for consideration: the above captioned and described applications; a "Request that (the First Capitol Radio, Inc.) Application Be Dismissed as Patently Defective," filed by Michael S. Rice; and pleadings in opposition and reply thereo.

2. Each of the applicants seeks to operate on the frequency vacated by former Station KADY, St. Charles, Mo. Their applications are mutually exclusive and must be designated for comparative consideration in a consolidated proceeding.

3. The First Capitol Radio, Inc., application is predicated upon the availability to First Capitol of the antenna-transmitter site and physical plant of former Station KADY. Michael S. Rice, a competing applicant, contends that KADY property is not available to First Capitol.

4. As evidence of the availability to it of the KADY site and physical plant, First Capitol includes in its application a letter to its president from John M. Drescher, Jr., a St. Louis, Mo., attorney. In his letter, Drescher states that he is authorized to act as attorney-in-fact for William R. Cady, Jr., the present holder of a mortgage executed by KADY's last licensee, and of the note secured thereby which is now in default. The mortgage, according to Drescher, covers substantially all the studio and broadcasting equipment of Radio Station KADY and the leasehold estate, together with all buildings, antenna systems, and other improvements thereon, comprising the station site.

5. After quoting from the foreclosure and sale provisions of the mortgage, Drescher states that "Mr. Cady * * * has offered to First Capitol Radio, Inc., * * * to foreclose said mortgage, take

possession of said studio and broadcasting equipment and said leasehold estate comprising said station site, on which are situated said buildings, antenna systems, and other improvements, and to sell all the same to First Capitol Radio, Inc., for a purchase price of $91,500, payable $15,000 in the first year after closing and the balance in equal increments over the following 4 years, with interest at 6½ percent on the unpaid balance."

6. Rice, in his "Request that (the First Capitol) Application Be Dismissed as Patently Defective," contends, first, that, "Under Missouri law, William R. Cady, Jr., cannot deliver a good leasehold right to the site of the * * * KADY facilities to First Capitol Radio, Inc., because the alleged mortgage is invalid and defective insofar as it purports to cover the leasehold estate and because Michael S. Rice has a prior right to a lease to said site from the owners of the fee"; second, that, under the terms of the Commission-approved transfer agreement between the last and next-to-last licensees of KADY—pursuant to which the mortgage and note now held by Cady were delivered—the proper remedy, in the event of default on the note, is not mortgage foreclosure (as contemplated by Cady's offer to First Capitol) but rather a sale, at public auction, of the last KADY licensee's stock; and, third, that "the letter from John M. Drescher, Jr., is, at best, an offer to make the site available to First Capitol Radio, Inc., and there is no indication of acceptance thereof by First Capitol Radio, Inc."

7. Rice's contention that First Capitol's failure thus far to accept Cady's offer raises a question of site availability, is without merit.[1] Rice's other contentions, however, do raise a substantial doubt as to Cady's ability to effectuate his offer to First Capitol. An issue will therefore be specified as to the availability to First Capitol of the site which it proposes.

8. For the following reasons, a question also exists as to the financial qualifications of First Capitol Radio, Inc., to construct and operate as proposed: First Capitol anticipates that the initial construction and other costs of its proposal, plus the proposed station's first-year operating expenses, will total $97,500.[2] It claims to have available $42,000 in liquid assets and a $50,000 bank line of credit, or a total of $92,000. This amount is $5,500 less than the applicant's own estimate of total initial, and first-year operating, costs. In addition, the bank letter (dated June 2, 1966) submitted by First Capitol in support of its application states that any loan made to the applicant shall be "on a regularly secured basis—without any specification of the security that would be required. Because of that, a question exists as to the availability to First Capitol of a $50,000 bank loan or line of credit.

9. A financial question is also presented by the Cecil W. Roberts application: Roberts estimates that the initial construction and other costs of his proposal, plus the proposed station's first-year operating expenses, will total $90,850.[3] To meet these expenses, he proposes to rely solely upon "existing capital, $50,000," and "profits from existing operations, $2,000 monthly"—or $24,000 per year. The sum of these two figures—$50,000 plus $24,000—is only $74,000, an amount $16,850 below Roberts' own estimate of the initial costs and first-year operating expenses of his proposed station. A financial issue regarding Roberts will be specified herein.

10. Examination of the engineering part of the Cecil W. Roberts application indicates that, in contravention of § 73.35 (a) of the Commission's rules, the 1 mv/m contour of the Roberts proposal would overlap the 1 mv/m contour of KREI, a Farmington, Mo., standard broadcast station licensed to Roberts. However, Roberts has submitted a statement, signed by him and his wife, advising the Commission that, if his application is granted, they will divest themselves of all interest in KREI before the proposed St. Charles, Mo., station commences operation. A construction permit condition to that effect will be specified in this order.

11. The Michael S. Rice application was amended on March 28, 1967, to propose a new antenna site approximately 3,400 feet from that of former station KADY. The applicant states that notification of this has been submitted to the Federal Aviation Agency; the Commission, however, has not yet received from the FAA a statement of its views as to the effect of such antenna tower relocation upon air navigation safety. Accordingly, an air safety issue will be specified with respect to the Rice proposal, and the FAA will be made a party to the proceeding.

12. In view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below.

Accordingly, it is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether the transmitter-antenna site proposed by First Capitol Radio, Inc., is available to it.

2. To determine, with respect to the First Capitol Radio, Inc., financial proposal:

(a) The availability to the applicant of $50,000 which it proposes to obtain from bank loans.

(b) Assuming that all of the funds upon which the applicant relies will be available to it, how the applicant will obtain sufficient additional funds to construct and operate the proposed station for 1 year.

(c) Whether, in the light of the evidence adduced pursuant to Items 2–a and 2–b, First Capitol Radio, Inc., is financially qualified.

3. To determine, with respect to Cecil W. Roberts financial proposal:

(a) Assuming that all of the funds upon which the applicant relies will be available to him, how he will obtain sufficient additional funds to construct and operate as proposed.

(b) Whether, in the light of the evidence adduced pursuant to Item 3–a, Cecil W. Roberts is financially qualified.

4. To determine whether there is a reasonable possibility that the tower height and location proposed by Michael S. Rice would constitute a menace to air navigation.

5. To determine which of the proposals would best serve the public interest, convenience and necessity.

6. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any, of the applications should be granted.

It is further ordered, That, in the event of a grant of the Cecil W. Roberts application, the construction permit shall also contain the following condition:

Program tests will not be authorized until the permittee and his wife have divested themselves of all interest in Station KREI, Farmington, Mo.

It is further ordered, That Michael S. Rice's "Request that (the First Capitol Radio, Inc.), Application Be Dismissed as Patently Defective" is granted to the extent indicated above and is denied in all other respects.

It is further ordered, That the Federal Aviation Agency is made a party to the proceeding.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.221(c) of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or, if feasible and consistent with the rules, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such

[1] See Luis Prado Martorell, 5 FCC 2d 138 (1966); Greater New Castle Broadcasting Corp., 8 RR 291 (1952), Sheffield Broadcasting, 31 FCC 563, 21 RR 514a (1961), Suburban Broadcasting Co., Inc., FCC 60–182, 19 RR 956 (1960).

[2] (a) Initial payment for purchase of KADY leasehold and chattels, $15,000; (b) other items, $7,500; (c) first-year operating expenses, $75,000.

[3] I.e., (a) initial construction and other costs, $40,850; (b) first-year operating expenses, $50,000.

notice as required by § 1.594(g) of the rules.

Adopted: May 3, 1967.

Released: May 11, 1967.

FEDERAL COMMUNICATIONS COMMISSION,[*]
BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5439; Filed, May 15, 1967; 8:49 a.m.]

[Docket Nos. 17420-17422; FCC 67M-790]

MICHAEL S. RICE ET AL.

Order Scheduling Hearing

In re applications of Michael S. Rice, St. Charles, Mo., Docket No. 17420, File No. BP-17043; First Capitol Radio, Inc., St. Charles, Mo., Docket No. 17421, File No. BP-17155; Cecil W. Roberts, St. Charles, Mo., Docket No. 17422, File No. BP-17156; for standard broadcast construction permits.

It is ordered, That Thomas H. Donahue shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 5, 1967, at 10 a.m.; and that a prehearing conference shall be held on June 9, 1967, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: May 9, 1967.

Released: May 11, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5440; Filed, May 15, 1967; 8:49 a.m.]

[Docket Nos. 17423, 17424; FCC 67-533]

SARASOTA-BRADENTON, FLORIDA TELEVISION CO., INC., AND TAMIAMI, T.V., INC.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Sarasota-Bradenton, Florida Television Co., Inc., Sarasota, Fla., Docket No. 17423, File No. BPCT-3687; Tamiami T.V., Inc., Sarasota, Fla., Docket No. 17424, File No. BPCT-3798; for construction permit for new television broadcast station.

1. The Commission has before it for consideration the above-captioned applications each requesting a construction permit for a new television broadcast station to operate on Channel 40, Sarasota, Fla.

2. With respect to the issues set forth below the following considerations are pertinent:

Based on the information contained in the application of Tamiami T.V., Inc., cash in the amount of $554,208 will be needed for the construction and first-year operation of the proposed station, consisting of down payment on equipment—$137,500; first-year payments on equipment including interest—$117,545; cost of equipment not subject to deferred payment — $22,620; building — $30,000; first-year payments on building mortgage including interest—$4,543; other items—$42,000; first-year cost of operation—$200,000. To meet the cash requirements, the applicant relies upon the availability of $500 in existing capital, $249,500 in stock subscription agreements, and an agreement by Republic Investments, Inc., to purchase up to 75,000 additional shares of the applicant's stock at $1 per share. The applicant has demonstrated the availability of $500 in existing capital and $204,500 in stock subscription agreements. Since, the financial statements submitted by Robert S. Baynard, George E. Youngberg, Sr., John R. McDonald, and Louis H. La Motte, do not comply with the requirements of section III, paragraph 4(d), FCC Form 301, it cannot be determined whether they have available liquid and current assets in excess of current liabilities in sufficient amounts to meet their respective commitments to the applicant. In addition, since Republic Investments, Inc.'s agreement to purchase up to 75,000 additional shares of the applicant's stock is contingent upon the same amount of stock being purchased by residents of the Sarasota area, it cannot be determined whether such funds will be available to the applicant. Moreover, the applicant has made no showing as to the validity of its $200,000 revenue estimate for the first year. Accordingly, financial issues have been specified.

3. Since Federal Aviation Administration approval has not been obtained for Tamiami T.V., Inc.'s antenna structure, air menace issues has been specified.

4. Sarasota-Bradenton, Florida Television Co., Inc., proposes to locate its main studios outside of the corporate limits of Sarasota, Fla., for economic reasons. We believe that good cause has been shown for so locating the main studios and that the location proposed would not be inconsistent with the operation of the station in the public interest. We will provide, therefore, that in the event of a grant of the application of Sarasota-Bradenton Florida Television Co., Inc., the Commission's consent to the location will be granted, pursuant to § 73.613(b) of the rules.

5. There appears to be a significant disparity in the proposed Grade B contours of the applicants. In accordance with the Commission's policy evidence with respect to which of the proposals would represent a more efficient use of the frequency may be adduced under the comparative issue.[1]

6. Sarasota-Bradenton, Florida Television Co., Inc., is qualified to construct, own, and operate the proposed new television broadcast station and, except as indicated by the issues set forth below, Tamiami T.V., Inc., is qualified to construct, own, and operate the proposed new television broadcast station. The applications are, however, mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference. The Commission is, therefore, unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity and is of the opinion that they must be designated for hearing in a consolidated proceeding on the issues set forth below.

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the above-captioned applications of Sarasota-Bradenton, Florida Television Co., Inc., and Tamiami T.V., Inc., are designated for hearing in a consolidated proceeding at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine with respect to the application of Tamiami, T.V., Inc:

(a) Whether Robert S. Baynard, George E. Youngberg, Sr., John R. McDonald, and Louis H. La Motte have liquid and current assets (as defined in sec. III, par. 4(d), FCC Form 301) in excess of current liabilities in sufficient amounts to meet their respective commitments to purchase the applicant's stock.

(b) Whether, in view of the contingent nature of Republic Investments, Inc.'s agreement to purchase up to 75,000 additional shares of the applicant's stock at $1 per share, such funds will be available to the applicant.

(c) Assuming that the applicant is able to demonstrate the availability of the funds specified in Issues (a) and (b) above, how the applicant will obtain sufficient additional funds to construct and operate the proposed station for 1 year.

(d) Whether, in the light of the evidence adduced pursuant to the foregoing, Tamiami T.V., Inc., is financially qualified.

(e) Whether there is a reasonable possibility that the tower height and location proposed by Tamiami T.V., Inc., would constitute a menace to air navigation.

2. To determine which of the proposals would better serve the public interest.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

It is further ordered, That, in the event of a grant of the application of Sarasota-Bradenton, Florida Television Co., Inc., the applicant's request, pursuant to § 73.613(b) of the Commission's rules to locate its main studios outside the corporate limits of Sarasota, Fla., shall be granted.

It is further ordered, That the Federal Aviation Administration is made a party to this proceeding with respect to the application of Tamiami T.V., Inc.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants herein, pursuant to § 1.221(c) of the Commission's rules,

[*] Statement of Commissioner Bartley, concurring in part and dissenting in part, filed as part of original document.

[1] Harriscope, Inc., FCC 65-1165, 2 FCC 2d 223.

in person or by attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.594 of the Commission's rules, give notice of the hearing, either individually or if feasible, jointly, within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.594(g) of the rules.

Adopted: May 3, 1967.

Released: May 11, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5441; Filed, May 15, 1967; 8:50 a.m.]

[Docket Nos. 17423, 17424; FCC 67M-791]

SARASOTA-BRADENTON, FLORIDA, TELEVISION CO., INC., AND TAMIAMI T.V., INC.

Order Scheduling Hearing

In re applications of Sarasota-Bradenton, Florida, Television Co., Inc., Sarasota, Fla., Docket No. 17423, File No. BPCT-3687; Tamiami T.V., Inc., Sarasota, Fla., Docket No. 17424, File No. BPCT-3798; for construction permit for new television broadcast station (Channel 40).

It is ordered, That Basil P. Cooper shall serve as Presiding Officer in the above-entitled proceeding; that the hearings therein shall be convened on July 10, 1967, at 10 a.m.; and that a prehearing conference shall be held on June 6, 1967, commencing at 9 a.m.: *And, it is further ordered*, That all proceedings shall take place in the offices of the Commission, Washington, D.C.

Issued: May 9, 1967.

Released: May 11, 1967.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 67-5442; Filed, May 15, 1967; 8:50 a.m.]

FEDERAL MARITIME COMMISSION

BAHAMA ISLANDS RATE AGREEMENT

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the offices of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 20 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Stephen Doolos, Secretary, Bahama Islands Rate Agreement, 1 Whitehall Street, New York, N.Y. 10004.

Agreement 9558-1 between Atlantic Lines, Ltd., Blue Ribbon Line, Ltd., and United Fruit Co., common carriers operating in the trade between ports in the Bahama Islands and U.S. Atlantic and Gulf ports as refiled modifies the basic agreement so that (1) expenses incurred under the agreement shall be divided among the member lines in proportion to the degree that each has participated in the activities thereunder, (2) meetings shall be called at the request of the Secretary or of any member line, and (3) only those members who are currently active or who furnish satisfactory assurance of resumption of service shall be entitled to vote on matters pertaining to rates, charges, and practices governing the carriage of cargo in the trade. This notice supersedes notice of the filing of the original version of 9558-1 which appeared in the FEDERAL REGISTER on March 14, 1967, Volume 32, number 49, at page 4034.

Dated: May 10, 1967.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 67-5429; Filed, May 15, 1967; 8:49 a.m.]

MARSEILLES NORTH ATLANTIC U.S.A. FREIGHT CONFERENCE

Notice of Agreement Filed for Approval

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1321 H Street NW., Room 609; or may inspect agreements at the office of the District Managers, New York, N.Y., New Orleans, La., and San Francisco, Calif. Comments with reference to an agreement including a request for hearing, if desired, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, within 10 days after publication of this notice in the FEDERAL REGISTER. A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the comments should indicate that this has been done.

Notice of agreement filed for approval by:

Mr. Burton H. White, Burlingham, Underwood, Barron, Wright and White, 25 Broadway, New York, N.Y. 10004.

Agreement 5660-8, between the member lines of the Marseilles North Atlantic U.S.A. Freight Conference, proposes (1) the revocation and cancellation of a pending modification, Agreement 5660-7, which is presently in docketed proceedings (Docket No. 67-17), and (2) amendment of the basic agreement to establish an admission fee of $5,000.

Dated: May 11, 1967.

FRANCIS C. HURNEY,
Special Assistant to the Secretary.

[F.R. Doc. 67-5430; Filed, May 15, 1967; 8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. E-7308]

TOWN OF BELHAVEN, N.C., ET AL.

Order Denying Motion To Dismiss, Accepting Answer for Filing, Joining Additional Persons as Respondent Parties, and Providing for Hearing

MAY 8, 1967.

Town of Belhaven, N.C., et al. (complainants), v. Virginia Electric and Power Co. et al. (respondents); Docket No. E-7308.

This order directs a hearing on issues raised in a complaint filed August 30, 1966, by the town of Belhaven, N.C., and 10 other North Carolina municipalities,[1] as amended on February 20, 1967. The complaint, directed against Virginia Electric and Power Co. (VEPCO) as the named respondent, alleges, inter alia, that VEPCO's present rates to complainants are unlawful within the meaning of sections 205 and 206 of the Federal Power Act and seeks relief pursuant to sections 201, 202, 205, 206, 207, 208, and 209 of the Act. On October 3, 1966, VEPCO filed an answer and motion to dismiss. Complainants filed an objection to the motion to dismiss on October 10, 1966. The motion to dismiss argues that there is no "reasonable ground for in-

[1] The town of Edenton, N.C., and Board of Public Works, of Edenton; the city of Elizabeth City, N.C.; the town of Enfield, N.C.; the city of Greenville, N.C. and Greenville Utilities Commission; the town of Hertford, N.C.; the town of Robersonville, N.C.; the town of Scotland Neck, N.C.; the town of Tarboro, N.C.; the city of Washington, N.C.; and, the town of Windsor, N.C.

vestigating such complaint". We do not agree. In order that we may make determination as to the merits of the complaint, we are ordering a hearing on the issues raised by complainants as to the lawfulness of the rate schedules complained of.[3]

On February 20, 1967, the Complaint was amended by a motion for assignment to Trial Examiner for early hearing and an order directing answers to interrogatories (amendment). Complainants specifically requested that this filing be treated as an amendment to the Complaint. The Complaint and the amendment raise issues which appear to involve not only the named respondents but also the other members of the Carolina-Virginias Power Pool (CARVA Pool), Carolina Power and Light Co. (Carolina), Duke Power Co. (Duke), and South Carolina Electric and Gas Co. (South Carolina),[3] each a public utility and licensee within the meaning of the Federal Power Act. Therefore, in order to assure that all persons who may be affected by an order on this matter have an opportunity to be heard, we are ordering that Carolina, Duke, and South Carolina be joined as parties respondent in this proceeding, with opportunity for full participation in all hearings to be held in this case. To further facilitate the development of a complete record in this case, we are providing by this order that this investigation and hearing include the terms of the CARVA Pool Agreement[4] as they may pertain to the issues raised by the pleadings filed in this case.

The February 20, 1967 amendment requests an order directing answers to interrogatories, which were appended to the amendment. Complainants further request that if any of the interrogatories cannot be answered by VEPCO, that VEPCO be directed to notify other members of the CARVA Pool and that those other members be directed to answer within 10 days following notification. On March 16, 1967, VEPCO filed objections to Complainant's motion for interrogatories; on March 24, 1967, VEPCO filed a motion for extension of time to answer complainants' motion, asking that its March 16, 1967 objections be accepted for filing; and on March 29, 1967, Complainants filed objections to the motion for extension of time. There is good cause to grant VEPCO's motion for extension of time and accept its objections for filing. VEPCO contends in its objections that the totality of the demands made in the interrogatories are harassing, oppressive and unjustified by the Complaint as to their relevance and materiality. VEPCO also points out that some of the information requested is available in the files of this Commission or of State Commissions.

We believe that requests for interrogatories can be dealt with most expeditiously in the context of a prehearing conference before a hearing examiner. Therefore, we are not here passing on the motion for interrogatories but directing the examiner to be appointed to hear the case to do so. We are ordering a prehearing conference for the purpose of narrowing the issues to be heard, hearing requests for discovery by all parties, setting dates for service of testimony and cross examination and for such other matters as may be appropriate.

The Commission further finds:

(1) It is necessary and appropriate for the purposes of the Federal Power Act that VEPCO's motion to dismiss be denied.

(2) Good cause has been shown to grant VEPCO's motion for extension of time.

(3) It is necessary and appropriate for purposes of the Federal Power Act that a prehearing conference be held before a hearing examiner of this Commission for the purposes set forth in the recital above.

(4) It is appropriate for the purposes of the Federal Power Act that Carolina Power & Light Co., Duke Power Co., and South Carolina Electric & Gas Co., be joined as parties respondent to this proceeding, that they be served with copies of all pleadings filed in this docket and that they be afforded opportunity to answer the complaint and amendment and to participate in all hearings to be held on this matter.

The Commission orders:

(a) A hearing shall be held concerning the lawfulness of the rate schedules referred to in the recital above as they relate to isues raised in the pleadings heretofore filed in this case or as may be filed hereafter pursuant to paragraph (G) below; said hearing to commence with a prehearing conference to be held before a hearing examiner of the Commission at 10 a.m., e.d.t., June 8, 1967, in a hearing room of the Commission, 441 G Street NW., Washington, D.C.

(B) VEPCO's motion to dismiss is denied.

(C) VEPCO's objections to Complainants' motion for an early hearing and for an order directing answers to interrogatories is accepted for filing.

(D) Complainants' motion for an order directing answers to interrogatories is forwarded to the hearing examiner for action by him at the prehearing conference ordered herein.

(E) Carolina Power & Light Co., Duke Power Co., and South Carolina Electric & Gas Co. are joined as parties respondent in this proceeding.

(F) The Secretary of the Commission is directed to serve copies of all pleadings heretofore filed in this case on Carolina, Duke, and South Carolina.

(G) Answers to the Complaint, as amended, may be filed by parties to this proceeding on or before June 5, 1967.

(H) Notices of intervention and petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37) on or before June 1, 1967.

By the Commission.

[SEAL] GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 67-5388; Filed, May 15, 1967; 8:45 a.m.]

---

[3] VEPCO's Rate Schedule FPC No. RS (Electric Tariff).

[3] Complainants Feb. 20, 1967 amendment states (pp. 1, 3): "* * * the relief requested herein may include the necessity of admission of complainants as members of said pool * * *;" and "Belhaven et al., move that * * * copies of the complaint * * * be served upon * * * Carolina Power * * * Duke Power * * * South Carolina Electric & Gas * * *."

[4] Carolina Power & Light Co. Rate Schedule FPC No. 92, Duke Power Co. Rate Schedule FPC No. 148, South Carolina Electric and Gas Co. Rate Schedule FPC No. 26, and Virginia Electric and Power Co. Rate Schedule FPC No. 72.

[Docket No. E-7351]

IOWA SOUTHERN UTILITIES CO.

Notice of Application

MAY 8, 1967.

Take notice that on May 2, 1967 Iowa Southern Utilities Co. (Applicant) filed an application for an order pursuant to section 204 of the Federal Power Act authorizing the issuance of $8 million principal amount of first mortgage bonds.

Applicant is incorporated under the laws of Delaware with its principal business office at Centerville, Iowa, and is engaged in the electric utility business in 24 counties in Iowa.

The bonds which will mature in 1997 will bear interest at a rate to be determined by competitive bidding pursuant to the Commission's regulations. The bonds will be issued on the closing date tentatively fixed for June 20, 1967.

The proceeds from the issuance of the bonds will be used to repay bank loans incurred to finance in part the Applicant's 1967 and 1968 construction program, the principal item of which, construction work on Applicant's 212 mw Burlington generating station, will require an estimated expenditure of $18.3 million.

Any person desiring to be heard or to make any protest with reference to the application should on or before May 19, 1967, file with the Federal Power Commission, Washington, D.C. 20426, petitions or protests in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file with the Commission and is available for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5389; Filed, May 15, 1967; 8:45 a.m.]

[Docket No. G-17371]

MONTANA POWER CO.

Notice of Postponement of Prehearing Conference

MAY 8, 1967.

Upon consideration of the motion filed May 1, 1967, by High Crest Oils, Inc.;

Notice is hereby given that the prehearing conference presently scheduled to commence on May 15, 1967, is post-

poned to May 17, 1967, at 10 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 67-5390; Filed, May 15, 1967; 8:45 a.m.]

FEDERAL RESERVE SYSTEM

FIRST VIRGINIA CORP.

Order Approving Application Under Bank Holding Company Act

In the matter of the application of the First Virginia Corp., Arlington, Va., for approval of the acquisition of 80 percent or more of the outstanding voting shares of Cambria Bank, Inc., Christiansburg, Va.

There has come before the Board of Governors, pursuant to section 3(a)(3) of the Bank Holding Company Act of 1956 (12 U.S.C. 1842(a)(3)), and § 222.4 (a) of Federal Reserve Regulation Y (12 CFR 222.4(a)), an application by the First Virginia Corp., Arlington, Va., a registered bank holding company, for the Board's approval of the acquisition of 80 percent or more of the oustanding voting shares of Cambria Bank, Inc., Christiansburg, Va.

As required by section 3(b) of the Act, notice of receipt of the application was given to the Virginia Commissioner of Banking with a request for his views and recommendation. The Commissioner advised that he had no objection to approval of the application.

Notice of receipt of the application was published in the FEDERAL REGISTER on January 13, 1967 (32 F.R. 398), providing an opportunity for submission of comments and views regarding the proposed acquisition. A copy of the application was forwarded to the Department of Justice for its consideration. The time for filing such comments and views has expired and all those received have been considered by the Board.

It is ordered, For the reasons set forth in the Board's statement[1] of this date, that said application be and hereby is approved: *Provided*, That the acquisition so approved shall not be consummated (a) before the 30th calendar day after the date of this order or (b) later than 3 months after the date of the order.

Dated at Washington, D.C., this 9th day of May 1967.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 67-5391; Filed, May 15, 1967; 8:45 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C. 20551, or to the Federal Reserve Bank of Richmond.

[2] Voting for this action: Chairman Martin, and Governors Robertson, Shepardson, Mitchell, Daane, Maisel, and Brimmer. Governor Sherrill did not participate in the Board's action in this matter.

SECURITIES AND EXCHANGE COMMISSION

[54-240]

AMERICAN GAS CO.

Notice of Filing and Order for Hearing

MAY 8, 1967.

Notice is hereby given that American Gas Co. ("American"), 546 South 24th Avenue, Omaha, Nebr. 68105, a registered holding company, has filed pursuant to section 11(e) of the Public Utility Holding Company Act of 1935 ("Act") Part II of an amended plan ("Part II"), regarding the liquidation of American by the distribution of its net assets to the holders of its debt and equity security holders and the dissolution of American. All interested persons are referred to Part II, which is summarized below, for a complete statement of the proposed transactions.

Pursuant to Part I of the amended plan, approved by the Commission on September 26, 1966 (Holding Company Act Release No. 15568), and enforced by order of the U.S. District Court for the District of Nebraska (Civil Action No. 02622, Dec. 2, 1966), American sold its gas utility properties and certain other assets to Northern Natural Gas Co., a nonaffiliated company, for a cash consideration of $2,383,717. As a result, American is no longer a public-utility company and is solely a holding company. Its sole subsidiary company is American Gas Company of Wisconsin ("Wisconsin"), which was organized by American in 1960 and is engaged in the sale of natural gas at retail in 18 communities in north-central Wisconsin.

As of January 31, 1967, American's assets, per books, totaled $2,717,960, including $1,590,000 representing the aggregate par value ($1 per share) of its holding of the common stock of Wisconsin and its cost to American, and $1,013,957 of temporary cash investments. As of the same date American's total capitalization included 382,370 shares of common stock, $1 par value per share, or an aggregate par value of $382,370, and $2,241,900 principal amount of 6½ percent sinking fund subordinated debentures ("Debentures") which are publicly held.

As of December 31, 1966, Wisconsin's net plant, less related valuation reserves, totaled $3,707,989; and its liabilities included $2,100,000 principal amount of 6½ percent first mortgage bonds, Series A, due 1986, held by the State of Wisconsin Investment Board ("Investment Board"), an agency of the State of Wisconsin. Current liabilities included bank loans in the aggregate amount of $360,000. As of the same date it had outstanding 1,806,500 shares ($1 par value) common stock, or an aggregate par value of $1,806,500, and its earned surplus deficit was $258,503.

American holdings of the 1,590,500 shares of Wisconsin stock amount to 88 percent of the total outstanding, and the balance is owned by the Investment Board. The proposed acquisition by American of an additional 400,000 of authorized and unissued shares of Wisconsin common stock, as noted below, will increase American's stock ownership to 90.2 percent of the total to be outstanding.

In further compliance with section 11(b) of the Act, Part II proposes the following transactions:

(a) Wisconsin proposes to issue, and American proposes to acquire for cash, 400,000 shares of Wisconsin common stock at the aggregate par value of $400,000. The proceeds of sale will be applied by Wisconsin towards construction, the total cost of which is estimated at $1 million. Wisconsin has secured from a bank a commitment for short-term loans totaling $600,000 on condition that Wisconsin obtain the balance of the required funds by the issue and sale of common stock. American states that the proposed construction will contribute to the continued growth of Wisconsin and is thus in the interest of the holders of American's common stock and debentures, who under part II will receive all the Wisconsin common stock held by American and other net assets of American.

(b) American proposes to make, pro rata, an initial cash payment of $448,300 to its debentureholders, or 20 percent of the principal amount of the outstanding debentures. Thereafter, to retire the remaining 80 percent principal amount of debentures, American proposes to distribute to its debentureholders a total of about 1,380,000 shares of the Wisconsin common stock, plus an estimated cash amount of $97,000. Accrued and unpaid interest on the debentures will be paid in cash. This proposed distribution gives effect to the proposed purchase by American of the 400,000 Wisconsin shares and assumes a value of about $1.20 for each share of Wisconsin common stock. The remaining shares of Wisconsin common stock, which are not required to satisfy the claims of the debentureholders, will be distributed among the stockholders of American.

No fractional shares of Wisconsin common stock will be distributed to American's debentureholders and stockholders in connection with Part II. American proposes to pay in cash an amount equal to the fair value of such fractional shares to persons otherwise entitled thereto.

American heretofore had outstanding $700,000 principal amount of 6½ percent first mortgage bonds, due 1985, all held by the Investment Board. Under Part I of the plan American retired these bonds on December 6, 1966, at the principal amount plus accrued interest, and deposited in escrow $42,000, an amount equal to the redemption premium. In its findings and opinion on Part I of the plan, the Commission stated that it would determine in the proceeding in Part II whether such premium should be paid. American states in Part II that as a matter of law no such premium is payable; that on payment of the principal plus accrued interest American had fully discharged its liability on the bonds;

and that the amount of $42,000, upon release from escrow, will become part of American's general funds.

American requests the Commission, pursuant to section 11(e) of the Act, to apply to an appropriate U.S. District Court to enforce and carry out the terms and provisions of Part II of the amended plan, except the provisions relating to the initial 20 percent cash distribution to the debentureholders and the sale of the 400,000 Wisconsin shares to American. American requests that, as soon as practicable after the hearing on Part II, the Commission authorize and approve these transactions, which American proposes to consummate promptly thereafter without court enforcement.

American requests that upon the effectuation of Part II of the plan, the Commission enter an order pursuant to section 5(d) of the Act declaring that American has ceased to be a holding company and terminating its registration.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to Part II of the amended plan, and that interested persons be afforded an opportunity to be heard at such hearing with respect to the matters proposed therein;

It is ordered, That a hearing be held with respect to Part II of the plan on June 8, 1967, at 10 a.m., at the office of the Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. On such date the Hearing Room Clerk will advise as to the room in which the hearing will be held.

It is further ordered, That a Hearing Examiner, hereafter to be designated, shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18(c) of the Act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation of the Commission having advised the Commission that it has made a preliminary examination of Part II of the plan and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether the proposed issue and sale by Wisconsin of 400,000 shares of its common stock, and the acquisition thereof by American, satisfies sections 6(b) and 10 of the Act.

2. Whether Part II of the plan, as filed or as it may be modified or amended, is necessary to effectuate the provisions of section 11(b) of the Act and is fair and equitable to all persons affected thereby.

3. Whether, in general, the transactions proposed in Part II of the plan satisfy the applicable provisions of the Act.

It is further ordered, That the Secretary of the Commission shall serve notice of such hearing by mailing a copy of this notice and order by certified mail to American, Wisconsin, the Federal Power Commission, the Iowa State Commerce Commission, and the Wisconsin Public Service Commission; that American mail a copy of this notice and order to the Omaha National Bank, the Continental Illinois National Bank and Trust Company of Chicago, the State of Wisconsin Investment Board, and to all holders of record of the Debentures and of the common stock of American, at least 20 days prior to the date herein fixed as the date for hearing; and that notice to all other persons be given by a general release of the Commission and by publication of this notice and order in the FEDERAL REGISTER.

It is further ordered, That, not later than 2 days prior to the date fixed herein for the hearing, any person desiring to participate at the hearing on Part II of the plan may make a request therefor in writing, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by Part II of the plan which he desires to controvert. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (airmail if the person being served is located more than 500 miles from the point of mailing) upon American at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Persons filing an application to participate or be heard will receive notice of any adjournment of the hearing as well as other actions of the Commission involving the subject matter of these proceedings.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5395; Filed, May 15, 1967; 8:46 a.m.]

[File No. 1-3886]

AMERICAN STEEL & PUMP CORP.

Order Suspending Trading

MAY 10, 1967.

The 4 percent Income Bonds, Series A due December 1, 1994, listed and registered on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and the common stock, 47 cents par value of American Steel & Pump Corp., being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such Exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

It is ordered, Pursuant to sections 15(c)(5) and 19(a)(4) of the Securities Exchange Act of 1934, that trading in such securities on the American Stock Exchange and otherwise than on a national securities exchange be summarily suspended, this order to be effective for the period May 11, 1967, through May 20, 1967, both dates inclusive.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 67-5396; Filed, May 15, 1967; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 384]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

MAY 11, 1967.

The following are notices of filing of applications for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC 67 (49 CFR Part 340), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protest must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protest must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 1872 (Sub-No. 65 TA), filed May 9, 1967. Applicant: ASHWORTH TRANSFER, INC., 1526 South 600 W Street, Salt Lake City, Utah 84104. Applicant's representative: Keith E. Taylor, Kearns Building, Salt Lake City, Utah 84101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities* as require special handling or special equipment by reason of size or weight, and *commodities* which do not require special handling, or the use of special equipment, when moving in the same shipment on the same bill of lading and for the same consignee as commodities which because of size or weight require special handling or the use of special equipment, between points in Colorado and points in New Mexico, for 180 days. Supporting shippers: Mine & Smelter Supply Co., 3800 Race Street; C. S. Card Iron Works Co., 2501 West 16th Avenue; Denver Equipment Co., 1400 17th Street; Morse Brothers Machinery Co., 1400 West Evans; Armco Steel Corp., 130 East Fifth Avenue; and Colorado Builders Supply Co., 1300 West Evans; all of Denver, Colo. Send protests to:

John T. Vaughan, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2224 Federal Building, Salt Lake City, Utah 84111.

No. MC 53965 (Sub-No. 57 TA), filed May 8, 1967. Applicant: GRAVES TRUCK LINE, INC., 739 North 10th Street, Post Office Box 838, Salina, Kans. 67401. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat byproducts, and articles distributed by meat packinghouses*, as described in sections A and C of appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, in tank vehicles), from the plantsite and storage facilities of Griffith Provision Co., Inc., at or near Downs, Kans., to points in Arkansas, Louisiana, Missouri, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, and Texas; points in Laramie County, Wyo.; and points in Sedgwick, Logan, Weld, Larimer, Boulder, Morgan, Phillips, Yuma, Washington, Jefferson, Adams, Arapahoe, Douglas, Elbert, Kit Carson, Lincoln, El Paso, Cheyenne, Kiowa, Crowley, Pueblo, Heurfano, Las Animas, Baca, Prowers Bent, and Otero Counties, Colo., for 180 days. Supporting shipper: Griffith Provision Co., Inc., Highway 24 West, Downs, Kans. 67437. Send protests to: I. C. Peterson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans. 66603.

No. MC 53965 (Sub-No. 58), filed May 8, 1967. Applicant: GRAVES TRUCK LINE, INC., 739 North 10th Street, Post Office Box 838, Salina, Kans. 67401. Applicant's representative: John E. Jandera, 641 Harrison Street, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between Goodland, Kans., and the plantsite of Great Western Sugar Co., approximately 5 miles west of Goodland, Kans., for 180 days. Supporting shipper: Jens C. Jensen, G.T.M., Great Western Sugar Co., Post Office Box 5308, Terminal Annex Building, Denver, Colo. Send protests to: I. C. Peterson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 234 Federal Building, Topeka, Kans.

No. MC 66562 (Sub-No. 2234 TA), filed May 9, 1967. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. 10017. Applicant's representative: James C. Ingwersen, 1815 Egbert Avenue, San Francisco, Calif. 94124. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, in express service, between Coeur d'Alene and Farragut State Park, Idaho, as follows: From Coeur d'Alene, over U.S. Highway 95 to junction Idaho Highway 54, thence over Idaho Highway 54 to Farragut State Park, and return over the same route; for 45 days, beginning July 15, 1967. Supporting shipper: Howard Boyd, Director of Registration, Boy Scouts of America, New Brunswick, N.J. 08903. Send protests to: Anthony Chiusano, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 346 Broadway, New York, N.Y. 10013.

No. MC 108676 (Sub-No. 18 TA), filed May 9, 1967. Applicant: A. J. METLER HAULING AND RIGGING, INC., 117 Chicamauga Avenue NE., Knoxville, Tenn. 37917. Applicant's representative: Louis J. Amato, Central Building, Bowling Green, Ky. 42101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Concrete products, prestressed, precast, and accessories*, from Knoxville, Tenn., to points in Alabama, Georgia, Illinois, Indiana, Kentucky, Missouri, North Carolina, Ohio, South Carolina, Tennessee, Virginia, and West Virginia, for 180 days. Supporting shippers: Hermitage Concrete Pipe, Inc., Post Office Box 3288, Knoxville, Tenn., and Southern Cast Stone Co., Inc., Post Office Box 1669, Knoxville, Tenn. Send protests to: J. E. Gamble, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 706 U.S. Courthouse, Nashville, Tenn. 37203.

No. MC 118535 (Sub-No. 29 TA), filed May 8, 1967. Applicant: JIM TIONA, JR., 803 West Ohio Street, Post Office Box 127, Butler, Mo. 64730. Applicant's representative: Tom B. Kretsinger, 450 Professional Building, Kansas City, Mo. 64106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer, dry fertilizer ingredients, and urea*, in bulk, from the plantsite of Solar Nitrogen Chemicals, Inc., at Atlas, Mo., to points in Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Minnesota, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, and Wisconsin, for 150 days. Restriction: (1) Applicant shall not tack this authority with any other existing authority held by him. (2) Further restricted against the transportation of dry chemicals to Houston, Tex., and 50 miles thereof. Supporting shipper: Solar Nitrogen Chemicals, Inc., Midland Building, Cleveland, Ohio 44115. Send protests to: John V. Barry, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1100 Federal Office Building, 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 118831 (Sub-No. 52 TA), filed May 9, 1967. Applicant: CENTRAL TRANSPORT, INCORPORATED, 27263 Uwharrie Road, Post Office Box 5044, High Point, N.C. 27261. Applicant's representative: John Tabor (same address as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bags, from Charlotte, N.C., to points in North Carolina, South Carolina, and Virginia, for 180 days. Supporting shipper: Southern Cement Co., Division of Martin Marietta Co., 16th Floor, Bank for Savings Building, Birmingham, Ala. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 10385, Cameron Village Station, Raleigh, N.C. 27605.

No. MC 118989 (Sub-No. 14 TA), filed May 9, 1967. Applicant: CONTAINER TRANSIT, INC., 5223 South Ninth Street, Milwaukee, Wis. 53221. Applicant's representative: Richard A. Heilprin, 222 South Hamilton Street, Post Office Box 941, Madison, Wis. 53701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic containers and incidental parts thereof, boxes and partitions*, between Ligonier, Ind., on the one hand, and, on the other, points in Illinois, for 180 days. Supporting shippers: Monsanto Co., 800 North Lindbergh Boulevard, St. Louis, Mo. 63166, and Alton Board Co., Alton, Ill., 62002. Send protests to: W. F. Sibbald, Jr., District Supervisor, Interstate Commerce Commission, Bureau of Operations, 135 West Wells Street, Room 807, Milwaukee, Wis. 53203.

No. MC 119211 (Sub-No. 10 TA), filed May 9, 1967. Applicant: MAU TRUCKING, INC., Early, Iowa 50535. Applicant's representative: Donald E. Leonard, Post Office Box 2028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, for the account of Kent Feeds, Inc., from Estherville, Iowa, to points in Minnesota, for 180 days. Supporting shipper: Thomas D. Donis, Assistant Traffic Manager, Kent Feeds, Inc., Muscatine, Iowa 52761. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 304 Post Office Building, Sioux City, Iowa 51101.

No. MC 127067 (Sub-No. 3 TA), filed May 9, 1967. Applicant: MCLEE TRUCKING COMPANY, INC., 1229 Kansas Street, Post Office Box 6363, Memphis, Tenn. 38106. Applicant's representative: James N. Clay III, 2700 Sterick Building, Memphis, Tenn. 38103. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Tallow*, in bulk, in tank vehicles, between points in Tennessee, Alabama, Arkansas, Georgia, Mississippi, Ohio, North Carolina, South Carolina, Florida, Oklahoma, Kentucky, Louisiana, Texas, Missouri, Kansas, Illinois, and Indiana, for 180 days. Supporting shipper: Mid-South Milling Co., Inc., 1229 Kansas Avenue, Post Office Box 6366, Memphis, Tenn. 38106. Send protests to: William W. Garland, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 390 Federal Office Building, 167 North Main, Memphis, Tenn. 38103.

No. MC 129050 (Sub-No. 1 TA), filed May 9, 1967. Applicant: FAYETTEVILLE MOVING & STORAGE, INC., 3715 Ramsey Street, Post Office Box 3574, Fayetteville, N.C. 28301. Applicant's representative: Robert J. Gallagher, 111 State Street, Boston, Mass. 02109. Authority sought to operate as a *common carrier*,

by motor vehicle, over irregular routes, transporting: *Used household goods*, restricted to shipments moving on the through bill of lading of a forwarder operating under section 402(B)(2) exemption, and having an immediate, prior or subsequent line haul movement by rail, motor, water, or air, between points in North Carolina, for 180 days. The proposed service is limited to providing a local service for a forwarder of used household goods. Supporting shipper: Four Winds Forwarding, Inc., 4600 Wheeler Avenue, Post Office Box 9056, Alexandria, Va. 22304. Send protests to: Archie W. Andrews, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Post Office Box 10885, Cameron Village Station, Raleigh, N.C. 27605.

No. MC 129066 (Sub-No. 1 TA), filed May 9, 1967. Applicant: BRIDGEWATER TRANSPORT, INC., Post Office Box 110, Main Street, Bound Brook, N.J. Applicant's representative: Charles J. Williams, 47 Lincoln Park, Newark, N.J. 07102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude iron oxide*, in bulk, in dump vehicles, from ports of entry on the international boundary line between the United States and Canada, located at or near Buffalo, Niagara Falls, and Lewiston, N.Y., to Nixon, N.J., restricted to traffic originating in Canada, for 150 days. Supporting shipper: Stabilized Pigments, Inc., Saw Mill Road, Nixon, N.J. Send protests to: Robert S. H. Vance, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 1060 Broad Street, Newark, N.J. 07102.

By the Commission.

[SEAL] H. NEIL GARSON, *Secretary.*

[F.R. Doc. 67-5449; Filed, May 15, 1967; 8:50 a.m.]

CUMULATIVE LIST OF PARTS AFFECTED—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR

Page

PROCLAMATION:
3781 ... 6757
3782 ... 7167
3783 ... 7169
3784 ... 7203

EXECUTIVE ORDERS:
9988 (see EO 11350) ... 6961
10001 (see EO 11350) ... 6961
10008 (see EO 11350) ... 6961
10116 (see EO 11350) ... 6961
10202 (see EO 11350) ... 6961
10292 (see EO 11350) ... 6961
10363 (see EO 11350) ... 6961
10659 (see EO 11350) ... 6961
10714 (see EO 11350) ... 6961
10984 (see EO 11350) ... 6961
11136 (amended by EO 11349) ... 6759
11007 (see EO 11349) ... 6759
11188 (see EO 11350) ... 6961
11349 ... 6759
11350 ... 6961

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
Reorganization Plan No. 1 of 1967 ... 7049

5 CFR

177 ... 7052
213 ... 6901, 6965, 7011, 7172
531 ... 7246
550 ... 6674

7 CFR

7 ... 7171
27 ... 7011
28 ... 7011
81 ... 6673
330 ... 7011
730 ... 6965, 7054
811 ... 7011
876 ... 7243
905 ... 6930
908 ... 6930, 6966, 7211
909 ... 7211
910 ... 6674, 6966, 7212
911 ... 7212
915 ... 7171, 7213
918 ... 7012
944 ... 7245
1004 ... 7056
1006 ... 6763
1012 ... 6835
1062 ... 6967
1096 ... 6763
1099 ... 7067
1127 ... 6835
1134 ... 6835
1205 ... 7068
1421 ... 7246
1425 ... 7123
1427 ... 6967
1434 ... 6967
1483 ... 6931
1488 ... 6836
1821 ... 7171
1823 ... 7171

PROPOSED RULES:
33 ... 7289
52 ... 6848
725 ... 7287

7 CFR—Continued

Page

PROPOSED RULES—Continued
907 ... 7088
908 ... 7089
926 ... 7089
1030 ... 6692
1031 ... 6692
1038 ... 6692
1039 ... 6692
1040 ... 7182
1045 ... 6692
1051 ... 6692
1060 ... 6872
1063 ... 6692
1090 ... 7133
1099 ... 6978
1101 ... 7133
1106 ... 7090
1125 ... 7025
1126 ... 7090
1132 ... 7090

8 CFR

336 ... 7205

PROPOSED RULES:
100 ... 6781
101 ... 6781
103 ... 6781
204 ... 6781, 6978
211 ... 6781, 7025
212 ... 6781
213 ... 6781
214 ... 6781
215 ... 6781
221 ... 6781
223 ... 6781
231 ... 6781
234 ... 6781
235 ... 6781
236 ... 6781
238 ... 6781
239 ... 6781
242 ... 6781
243 ... 6781
245 ... 6781
248 ... 6781
249 ... 6781
251 ... 6781
252 ... 6781
253 ... 6781
264 ... 6781
292 ... 6781
299 ... 6781
312 ... 6781
316a ... 6781
334 ... 6781
337 ... 6781
339 ... 6781
341 ... 6781
343 ... 6781
343a ... 6781
343b ... 6781
349 ... 6781
499 ... 6781

9 CFR

83 ... 7012
94 ... 7051
203 ... 6901

PROPOSED RULES:
101 ... 7177
102 ... 7177
114 ... 7177

10 CFR

Page

10 ... 6836
31 ... 7247
32 ... 7247
40 ... 7172

PROPOSED RULES:
25 ... 6702
26 ... 6706
95 ... 6710

12 CFR

10 ... 7070
18 ... 7070
509 ... 6764
541 ... 6769
542 ... 6769
547 ... 6769
548 ... 6770
549 ... 6770, 6773
550 ... 6771
551 ... 6772
566 ... 6773

PROPOSED RULES:
19 ... 6687
263 ... 6723
308 ... 6716
561 ... 7026

13 CFR

PROPOSED RULES:
121 ... 7092

14 CFR

1 ... 6905
23 ... 6912
25 ... 6912
27 ... 6914
29 ... 6914
39 ... 6674, 6675, 6914, 6968, 6969, 7051, 7124, 7205, 7247, 7248.
61 ... 6905, 7249
71 ... 6676, 6837, 7014, 7124, 7125, 7250–7254
73 ... 7014, 7015, 7125
75 ... 7126
77 ... 6970
91 ... 6906
97 ... 6915, 7254
103 ... 7015
135 ... 6908
151 ... 6925
153 ... 6925

PROPOSED RULES:
1 ... 6938, 7219, 7220
39 ... 6845, 6983
71 ... 6845, 6846, 7133, 7219, 7290–7292
73 ... 7026, 7134
91 ... 6938, 7219, 7220
97 ... 6938, 7219
121 ... 6938, 7219
135 ... 6938, 7219
137 ... 7183
207 ... 7090
208 ... 7090
233 ... 6714
243 ... 6941
302 ... 6714
378 ... 6847, 7134

FEDERAL REGISTER

VOLUME 32 • NUMBER 94

Tuesday, May 16, 1967 • Washington, D.C.

PART II

Department of Commerce

National Bureau of Standards

•

Test Fee Schedules

Electricity

Title 15—COMMERCE AND FOREIGN TRADE

Chapter II—National Bureau of Standards, Department of Commerce

SUBCHAPTER A—TEST FEE SCHEDULES

PART 201—ELECTRICITY

Revision

Under the provisions of 15 U.S.C. 275(a) and 277, the test fee schedules of the National Bureau of Standards, Department of Commerce, pertaining to Part 201—Electricity are revised to increase the fees for most services. The fees have been revised to assure full recovery of the cost of providing calibration services.

This revision, effective upon publication in the FEDERAL REGISTER, supersedes in its entirety Part 201, Title 15 Code of Federal Regulations previously issued.

Part 201 is revised to read as follows:

NOTE: The calibration service covered by this part includes the determinations of the corrections for standard electrical and electronic measuring apparatus and their range-extending auxiliaries used at power and audio frequencies (up to 30 kHz (kc/s), high frequencies 30 kHz (kc/s) to 1000 MHz (Mc/s) and higher), and microwave frequencies (above 1000 MHz (Mc/s)).

The Bureau does not test, except occasionally for other agencies of the Federal Government, electrical devices or supplies not directly related to the field of measurement. Tests of power transformers, motors, generators, relays, wiring, appliances, etc., should not be requested.

RESISTANCE MEASUREMENTS INVOLVING PRECISION WIRE-WOUND RESISTORS

Sec.
201.100 General.
201.101 Precision standard resistors.
201.102 Precision resistance apparatus.

RESISTANCE STANDARDS OTHER THAN WIRE-WOUND

201.103 Multi-megohm resistance standards—except wire-wound.

INDUCTANCE AND CAPACITANCE MEASUREMENTS

201.104 Standard inductors.
201.105 Standard capacitors.

ELECTROCHEMISTRY

201.201 Standard cells.

ELECTRICAL INSTRUMENTS

201.300 General.
201.301 Standard resistors for current measurements.
201.302 Volt boxes (fixed ratio voltage dividers).
201.303 Ac–dc instruments and thermal converters (20 to 50,000 Hz (c/s), up to 20 A and 600 V).
201.304 Ac–dc wattmeters, single phase (20 to 2,000 Hz (c/s), up to 15 A and 500 V).
201.305 Watthour meters.
201.306 Current transformers.
201.307 Current transformer comparators (testing sets).

MAGNETIC MEASUREMENTS

Sec.
201.400 General.
201.401 General magnetic measurements; normal induction and hysteresis.
201.402 Magnetic materials; a–c permeability and core loss.
201.403 Magnetic testing apparatus; mutual inductors, search coils, and fluxmeters.

DIELECTRIC MEASUREMENTS

201.500 Dielectric constant and dissipation factor.

VOLTAGE RATIO AND HIGH-VOLTAGE MEASUREMENTS

201.601 Voltage dividers.
201.602 Voltage transformers.
201.603 Voltage transformer comparators.
201.604 Kilovoltmeters.

LOW-FREQUENCY REGION

201.701 Frequency stability of signal sources, to 30 kHz.

HIGH-FREQUENCY REGION

201.800 General.
201.810 Rf–dc voltmeters, and thermal converters in the frequency range of 30 kHz to 1000 MHz, from 0.1 to 300 V.
201.811 Rf micropotentiometers, voltmeters, and signal sources in the frequency range of 30 kHz to 1000 MHz, from 1 μV to 0.1 V.
201.812 Pulse voltage, peak measurement, coaxial systems.
201.820 Rf calorimeters, 30 kHz to 500 MHz.
201.821 Coaxial bolometer units and bolometer-coupler units, continuous wave, low-level power.
201.822 Pulse power, peak measurement, coaxial systems.
201.830 Immittance, two-terminal devices, 30 kHz to 8 GHz.
201.831 Immittance, three-terminal devices, 100 kHz to 1 MHz.
201.840 Dissipative fixed coaxial attenuators.
201.841 Dissipative variable coaxial attenuators.
201.842 Waveguide below-cutoff (piston) attenuators.
201.843 Coaxial fixed directional couplers.
201.844 Coaxial variable directional couplers.
201.850 Electric and magnetic field strength measurements.
201.851 Field-strength receivers (0 to 1000 MHz).
201.852 Loop antennas (30 Hz to 30 MHz).
201.853 Dipole antennas (30 to 1000 MHz).
201.860 Frequency stability of signal sources, 30 kHz to 500 MHz.
201.861 Power spectral analysis of signal sources.

MICROWAVE REGION

201.900 General.
201.910 Waveguide bolometer units and bolometer-coupler units, continuous wave, low-level power.
201.911 Waveguide dry calorimeters, continuous wave, low-level power.
201.912 Coaxial bolometer units, continuous wave, low-level power.
201.920 Waveguide reflectors (mismatches), reflection coefficient magnitude.
201.930 Cavity wavemeters, frequency measurement.
201.940 Waveguide variable attenuators, attenuation difference.
Sec.
201.941 Waveguide fixed attenuators, insertion loss.
201.950 Waveguide noise sources, effective noise temperature.

AUTHORITY: The provisions of this Part 201 issued under sec. 9, 31 Stat. 1450, as amended; 15 U.S.C. 277; interprets or applies sec. 7, 70 Stat. 959; 15 U.S.C. 275a.

RESISTANCE MEASUREMENTS INVOLVING PRECISION WIRE-WOUND RESISTORS

§ 201.100 General.

In general, §§ 201.101 and 201.102 apply only to apparatus embodying the following features:

(a) The resistance material should have a low temperature coefficient, should not change its resistance appreciably with time, and for low-valued coils should have a small thermoelectric power against copper.

(b) All wire standard resistors and the more important section of resistance apparatus for use in d-c circuits should be wound on metal or ceramic supports, preferably in a single layer. Electrical connections to the resistance material should be brazed in all cases in which the total resistance is less than 1,000 ohms. The resistance material should be protected against oxidation and other chemical action and should be annealed or aged by baking after winding.

(c) Precision standard resistors should be so adjusted as to give an accuracy of at least 0.02 percent without corrections. Precision resistance apparatus should be adjusted within 0.05 percent of nominal value.

(d) Because comparatively rapid changes in resistance take place in new apparatus, it is not advisable to calibrate new or repaired apparatus until at least two months after the resistors have been annealed and adjusted. Precision apparatus known to be a prototype will be held in the laboratory (in the absence of other instructions) for at least a month, when the measurements will be repeated to determine the drift in value, if any. No extra charge is made for these later measurements. Occasionally during the course of calibration it is discovered that the standard or instrument under observation is defective and in need of repair. In such instances the item in question will be rejected and a fee equal to the published fee, in whole or in part, will be assessed, commensurate with the effort expended before calibration was halted.

(e) Unless otherwise stated, the tests listed are generally made using a direct current of such magnitude as to cause only a negligible heating of the resistance material. Calibrations of standard resistors, bridges, and decade resistors consist of determinations of the resistance of the standards or of the resistance of the elements of the bridges or similar apparatus from which values corresponding to all possible readings can be computed. Precision standard

resistors are ordinarily measured at a temperature of 25° C., while resistance apparatus is measured at room temperatures, usually from 22 to 25° C.

(f) The Bureau does not calibrate portable self-contained test equipment having relatively low accuracy such as portable potentiometers, resistance test sets, and double-bridge ohmmeters. The accuracy of these devices is such that a complete detailed determination of corrections is not economically feasible. Apparatus of this type may be spot-checked by measuring known voltages or resistances with them. Adequate calibration services of this type can be obtained from a number of commercial testing laboratories.

§ 201.101 Precision standard resistors.

Standards of 10 ohms and less of the precision type provided with amalgamated current terminals and designed for oil immersion must be of the four-terminal type, that is, must have both current and potential terminals. The resistance of standards having nominal values in range 0.0001 ohm to 100,000 ohms will usually be given to the nearest 0.0001 percent in terms of the calibrating unit (the legal unit) maintained by the Bureau with a group of 1-ohm standard resistors. Each report of calibration will state the uncertainty of the reported value at the time of calibration. This uncertainty will vary from 0.0001 percent for Thomas-type 1-ohm standards to 0.002 percent for resistors of nominal value 0.0001 ohm. Additional information regarding standard resistors (is included with) the report of calibration.

Item	Description	Fee
	Determination of resistance in oil bath at 25° C. For all standards having resistances in the range 0.0001 to 100,000 ohms, inclusive, provided they are adjusted with 0.05 percent of a nominal value which is itself a decimal multiple (or submultiple) of 1 ohm:	
201.101a-1	Two-terminal measurements	$40.00
201.101a-2	Four-terminal measurements 0.01 ohm to 10 ohms (except Thomas type)	50.00
201.101a-3	Four-terminal measurements, Thomas-type 1 ohm and standards 0.001 ohm and less	70.00
	Determination of resistance in oil bath at 25° C. For odd-valued standards not falling within the scope of item 201.101a:	
201.101b-1	Two-terminal measurements	65.00
201.101b-2	Four-terminal measurements	75.00
	Measurement of resistance in oil bath at 20, 25, and 30° C., and determination of temperature coefficient. Such measurements are made only when it is shown that the small changes in resistance resulting from necessary variations of the temperature from 25° C. are of importance:	
201.101c-1	Two-terminal measurements	150.00
201.101c-2	Four-terminal measurements	175.00
201.101x	For special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged dependent on the time involved in making the tests.	

§ 201.102 Precision resistance apparatus.

Corrections pertinent to apparatus of suitable quality submitted under this section will ordinarily be reported to a number of significant figures so chosen that normal variation of ambient conditions within the stated bounds of test conditions will not affect the corrections by more than a few units in the last place reported. Calibrations will be made at room temperature, usually 22 to 25° C.

Item	Description	Fee
201.102a	Precision decade and plug boxes. For decades not exceeding 10,000 ohms per step: (1) First point in each box	$20.00
	(2) Each additional point in same resistance box	5.00
201.102b	Megohm box, 10 sections each 100,000 ohms	195.00
201.102c	Megohm boxes, wire-wound, 10 equal sections. Calibrations with all sections in parallel giving nominal value 0.01 to 10 megohms	70.00
201.102d-1	Precision Wheatstone bridges	520.00
201.102d-2	Calorimetric bridges of all kinds	705.00
201.102e	Potentiometers, minimum steps 10_6 V or more	300.00
201.102f	Potentiometers, minimum steps less than 10_6 V	555.00
201.102g	Kelvin bridge ratio box	215.00
201.102h	Double ratio set for Kelvin bridge, with double set of fixed and variable arms	630.00
201.102i-1	Four-dial precision resistive voltage divider	350.00
201.102i-2	Five-dial precision resistive voltage divider	435.00
201.102i-3	Six-dial precision resistive voltage divider or universal ratio set	475.00
201.102j	Quick resistance ratio test on any precision voltage divider. Linearity check in steps of one-ninth of input resistance	110.00
201.102k	Direct reading ratio set, 3 dials	110.00
201.102l	Direct reading ratio set, 4 dials	285.00
201.102m	Double direct reading ratio set	520.00
201.102x	For special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged dependent on the time involved in making the tests.	

Resistance Standards Other Than Wire-Wound

§ 201.103 Multi-megohm resistance standards—except wire-wound.

Measurements made on resistors submitted under this section are accurate to 0.1 percent at the time of test if nominal values are in the range 10^6 to 10^{13} ohms; for higher-valued resistors the accuracy is 0.5 percent. In order that the reported results be of significance it is necessary that standards submitted for tests be made of suitable materials processed in such a manner that resistance values do not change rapidly with time. They should be so constructed and treated that the effect of relative humidity is minimized. The resistance of these standards usually depends on the magnitude of the applied voltage; the test voltage should therefore be specified. Each resistor should have an identifying number engraved on or permanently attached to it.

Item	Description	Fee
201.103a	Determination of resistance of a resistor at one voltage (1.5 to 250 V) at room temperature (23° C.) and humidity (50 percent rh or less) when the resistor has a nominal value between 10^6 and 10^8 ohms	$60.00
201.103b	Determination of resistance of a resistor at one voltage (1.5 to 250 V) at standard laboratory temperature (23° C.) and humidity (50 percent rh or less) when the resistance is higher than 10^{12} ohms but the current involved is not less than 10^{-12} amp	70.00
201.103c	Determination of resistance of a resistor at each voltage (1.5 to 250 V) at standard laboratory temperature (23° C.) and humidity (50 percent rh or less) when the current involved is less than 10^{-12} amp but not less than 10^{-13} amp	80.00
201.103x	For special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged dependent on the time involved in making the tests.	

Inductance and Capacitance Measurements

Note: Tests at radio frequencies are performed at the National Bureau of Standards, Boulder, Colo. 80302.

§ 201.104 Standard inductors.

(a) Inductors for use in a–c bridges are ordinarily tested at 100, 400, 1,000, or 10,000 Hz (c/s) at a room temperature of 23° C. and a relative humidity of 50 percent or less. Measurements at 10,000 Hz (c/s) are limited to standard inductors of 0.1 henry or less. Most inductors used at 60 Hz (c/s) can be tested at 100 Hz (c/s) since the variation of inductance with frequency in this range is usually negligible. Purchase orders should state which frequency or frequencies are to be used for calibration purposes. A metal-encased standard is calibrated with the case connected to the "low" terminal of the inductor unless other conditions are specified. Variable inductors used at circuit elements in laboratory setups are low-accuracy devices which do not come within the purview of this schedule and should not be submitted for calibration. *Q* values are not supplied for inductors calibrated under this schedule. Inductors intended for use as *Q* standards at radio frequency should be referred to the Bureau's Radio Standards Engineering Division at Boulder, Colorado 80302. Mutual inductors used in magnetic testing for calibrating ballistic galvanometers should be calibrated with direct current under item 201.403a.

(b) Accuracy: Inductance values and accuracy statements given in reports of calibration depend upon two factors: (1) The accuracy of the comparison of the client's inductor with the NBS working standards of inductance; (2) the uncertainty in the derivation of the unit of inductance which is embodied in the NBS working standards. In general, inductance values will be given to as many significant figures as are justified at the

time of measurement. The uncertainty figure given in each report of calibration takes into account factors (1) and (2) stated above and will vary from 0.02 percent to 0.2 percent depending upon the nominal value of the inductor and the frequency of the test current employed.

(c) Inductors can usually be shipped safely by express but should be carefully packed to avoid damage to the coil fastenings and terminals.

Item	Description	Fee
201.104a	Determination of self or mutual inductance of a fixed inductor with non-magnetic core at one frequency, 100, 400, 1,000, or 10,000 Hz (c/s)	$75.00
201.104b	Determination at an additional frequency 100, 400, 1,000, or 10,000 Hz (c/s) on an inductor tested under 201.104a	60.00
201.104z	For special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged depending upon the nature of the calibration.	

§ 201.105 Standard capacitors.

(a) Calibrations are ordinarily performed at 65, 100, 400, 1,000, and 10,000 Hz (c/s) with an ambient temperature of about 23° C. and a relative humidity of 50 percent or less.

(b) The accuracy stated in the report of calibration is determined in part by the accuracy of the NBS measurements and in part by the performance characteristics of the capacitor itself and is sufficiently broad to allow for variations in the stray capacitance at the connectors, variations in temperature of a few degrees Celsius, considerable variation in relative humidity and atmospheric pressure, and frequency deviations of a few percent from the stated test conditions. Over the above frequency range, and in the capacitance range from 0.001 pF to 100 μF, the uncertainty usually lies in the range 0.002 to 0.5 percent.

(c) The capacitance value given is the equivalent parallel capacitance. In general a determination of the equivalent parallel conductance with high accuracy is not feasible; however, for solid dielectric capacitors an approximate value is given without additional charge.

(d) Continuously adjustable ("variable") capacitors are no longer calibrated by the Bureau.

(e) In applying the following schedule to decade capacitance boxes the first entry (201.105a) applies to a determination of the zero capacitance and conductance of the box (all dials set at zero). The second entry applies to the determination of the capacitance and conductance added to the circuit when any one dial is advanced from zero to a specified setting, and at the frequency used in determining zero capacitance. For measurements at additional frequencies the schedule is applied in the same manner, i.e., the higher fee is used for the first point (zero calibration) at the new frequency, and the lower fee applies to additional points at that frequency.

Item	Description	Fee
201.105a	Determination of either direct or grounded capacitance of a fixed capacitor or one section of a subdivided capacitor, with alternating current at one frequency selected from those listed above (201.105)	$50.00
201.105b	Determination of either direct or grounded capacitance of each additional point on the same subdivided capacitor submitted under item 201.105a	20.00
201.105z	For special calibrations not covered by the above schedule, advance arrangements must be made. Fees will be charged dependent on the time involved in making the calibration.	

Electrochemistry

§ 201.201 Standard cells.

(a) Unsaturated standard cells will be accepted for calibration by the Bureau only from public utilities and others having operations of such a nature as to require calibrations by the Bureau.

(b) Unsaturated cells normally require about 2 weeks for a complete calibration. The cells are kept in a thermally insulated cabinet and readings of their emf are taken daily for a period of 10 days after the values have become reasonably constant. If the emf continues to fluctuate, or is unusually low, or if the cell shows other abnormal indications, the nature of the failure is stated. Unsaturated cells are not likely to be injured by normal transportation (mail or express), if they are carefully packed. Shipment during very cold weather should be avoided because of the possible hazard from freezing.

(c) Saturated cells should be transported by messenger because they should never be inverted nor tipped more than 45°. In order that the reported values are of the highest accuracy the emfs of saturated cells are measured while they are kept 6 to 8 weeks in an NBS temperature-controlled oil bath or in their own thermoregulated air bath.

Item	Description	Fee
201.201a	Cadmium standard cell (unsaturated type), determination of electromotive force with an uncertainty of 0.005 percent	$45.00
201.201b	Cadmium standard cell (saturated type), measurement of the first cell of a group at a fixed temperature of 28° C., in thermostatically controlled oil bath or at a fixed temperature in a thermoregulated air bath	95.00
201.201c	Each additional saturated cell of a group	50.00
201.201d	Cadmium standard cell (saturated type), measurement of the first cell of a group at any temperature between 20 and 35° C., except 28° C., in a thermostatically controlled oil bath	120.00
201.201e	Each additional cell of a group (at temperatures between 20 and 35° C., except 28° C., in a thermostatically controlled oil bath)	60.00
201.201z	For special tests not covered by the above schedule, fees will be charged dependent upon the nature of the test.	

Electrical Instruments

§ 201.300 General.

(a) Indicating (pointer-and-scale) instruments should be calibrated quite frequently with d–c standards and ac–dc transfer instruments, or with stable d–c or a–c sources which are calibrated periodically in this way. Suitable standards and transfer instruments are now readily available commercially. Because of the necessity of frequent tests, a single d–c or a–c calibration of an indicating instrument has little permanent value. Thus in this category the Bureau ordinarily accepts for calibration only rms ac–dc instruments and thermal converters of 0.1 percent rated accuracy or better, for ac–dc difference tests only.

(b) The Bureau's ac–dc difference tests consist of determination of the difference between quantities (current, voltage, or power) required to give the same response (output) of an instrument or thermal converter on alternating current and on reversed direct current, as evaluated by comparison with an NBS ac–dc transfer standard. The alternating quantity, Q_a, required for a given response of the instrument or converter is then $Q_a = Q_d\ (1+S)$ where Q_d is the average quantity required for this response on reversed direct current, as determined by d–c standards, and S is the small fractional ac–dc difference. Usually NBS ac–dc difference tests are made on each range of the instrument or converter. The differences depend on the ratios of the reactances of the components, and increase with frequency, but are small and relatively permanent over the rated frequency range of a well-designed instrument. Therefore, NBS tests are normally made only at the upper rated frequency on each range and at the lower rated frequency on one range. Ordinarily, the tests need not be repeated at intervals of less than 5 years, and then only if the instrument is to be used over the upper part of its frequency range.

§ 201.301 Standard resistors for current measurements.

(a) *Calibration.* The Bureau normally calibrates only resistors of 0.04 percent accuracy or better. Test results for suitable standard resistors for current measurements are usually reported with an uncertainty of 0.01 percent.

(b) *Design.* A standard resistor for current measurements is a four-terminal resistor, for which the resistance is defined as the ratio of the open-circuit potential difference between the potential terminals to the current through the current terminals. The resistance value will be definite and reproducible only if the current flow pattern at the potential terminals is completely reproduced. This flow pattern should be fixed by resistor

design to be independent of the way in which current is introduced at the current terminals and of the location of leads on the potential terminals. In some instances where this has not been done the type and location of connections to the current terminals can be specified adequately to fix the flow pattern at the potential terminals.

(c) *High-current resistors.* (1) Resistors for high currents (above about 1,000 amperes) require considerable power, so that their temperature rise between low and rated current, and the resulting change in resistance, will depend not only on their design, including means provided for dissipating heat, but also on the connecting bus bars and their junctions to the resistor. Bus bars of generous cross section may carry away a significant part of the heat generated in the resistor; inadequate bus bars may actually contribute to the heating of the resistor. In addition, contact resistance at the points of connection to the bus bars, unless carefully minimized, may contribute appreciably to the heating. (Contact resistance of bolted connections depends on area of contact, cleanness of surfaces, and pressure.) Resistance determinations made in the laboratory at rated current may therefore be of little value because the working temperature conditions cannot be duplicated. The best experimental procedure to use in such cases is to place the standard in a temperature-controlled enclosure and measure its resistance with a comparatively low test current when it is heated uniformly to temperatures approximating that at which it will operate in service (201.301 d and e). From data at two or more elevated temperatures, combined with that at room temperature, a curve can be plotted from which the resistance at the operating temperature can be read, provided this temperature is determined by the user with the resistor under the actual operating conditions.

(2) Changes in the resistance may also result from strains in the resistance element produced by mechanical forces incidental to clamping the resistor connections, as well as from inherent internal expansion constraints on resistor parts, or forces from the magnetic field produced by the current.

(d) *Test schedule.* Resistors when first submitted for test should be tested with about 20 percent of rated current and with full rated current; normally when resubmitted for test, determinations need be made only with 20 percent of rated current; once stability is proved, the resistor need not be recalibrated at intervals of less than 2 years.

Item	Description	Fee
201.301a-1	Initial determination of resistance of a single-range resistor or one range of a multirange resistor, at 30 percent rated current or less (current rating not to exceed 300 amp)	$100.00
201.301a-2	Same as a-1, except current rating above 300 amp but not to exceed 1,000 amp	160.00
201.301b	Determination of resistance on another range of a multirange resistor, at 30 percent rated current or less (current rating not to exceed 300 amp)	30.00
201.301c	Test according to item 201.301a or 201.301b having been made, for an additional determination at another test current (not to exceed 1,000 amp)	45.00
201.301d	Additional determination of resistance at temperatures above room temperature at a current not greater than 30 percent rated, for first elevated temperature	160.00
201.301e	Additional determination of resistance of each additional elevated temperature, at a current not greater than 30 percent rated	45.00
201.301f	Twenty determinations of resistances corresponding to 9 plug positions and 11 slider positions of an adjustable low-resistance standard, at 30 amp	410.00
201.301g	For determinations of resistance at currents larger than 1,000 amp and requiring unusual setups or procedures, and for special tests not covered by the above schedule, advance arrangements must be made. Fees for such tests will depend upon the nature of the test.	

§ 201.302 Volt boxes (fixed ratio voltage dividers).

A volt box is a resistive voltage divider used to extend the range of the voltage measured by a potentiometer. Its ratio for any range is obtained by dividing the voltage across its input terminals by the open-circuit voltage across the section to be connected to the potentiometer.

(a) *Calibration.* The Bureau normally calibrates only volt boxes for which the maker's stated ratio accuracy is 0.04 percent or better. Values of ratio are normally reported with an uncertainty of 0.005 percent.

(b) *Humidity effects.* The insulating structure of a volt box is equivalent to a network of high resistances in parallel with one or more of its wire-wound precision resistance elements. Thus, changes in insulation resistance as a result of variations in surface or volume moisture may affect the ratios. Such ratio changes are normally less on low than on high ratios. This effect can be reduced or eliminated by constructions which provide built-in guard electrodes, maintained at appropriate potentials. Another effect of humidity is to produce changes in the values of the precision wire-wound resistors. The magnitude of this effect varies with coil construction and with wire size and coating. Because humidity effects may reach equilibrium only after days (or even weeks), it is recommended that laboratory humidity be held continuously at or below 50 percent.

(c) *Ambient temperature and self-heating effects.* Changes in ambient temperature should have little effect on ratio if all the resistance elements have the same temperature coefficient. However, self-heating as a result of sustained operation may significantly change the ratios because of unequal temperature rise in the various resistors. The magnitude of this effect depends on construction and coil arrangement, and on the power-dissipated. It should (1) be less for low than for high ranges, (2) be greater for volt boxes that require higher current at rated voltage, (3) increase approximately with the square of the applied voltage, and (4) be entirely negligible at 20 percent of rated voltage on all ranges.

(d) *Suggested test schedule.* (1) Volt boxes should be tested at rated voltage. The first calibration test should also include a test at 20 percent rated voltage on one or more of the higher ranges, which are preferably selected by the Bureau. The equilibrium values at 20 and 100 percent rated voltage may be used to estimate the magnitude of the self-heating effects for the various ranges. Tests having once been made at 20 and 100 percent rated voltage, subsequent determinations need be made only at rated voltage, since the self-heating effect should not change with time.

(2) Once stability has been established, a volt box should not require recalibrations at intervals less than 2 years.

Item	Description	Fee
201.302a	Determination of ratio on one range at rated voltage, not to exceed 1,500 V, and at a ratio not to exceed 10,000/1	$150.00
201.302b	Determination of ratio at rated voltage on an additional range	30.00
201.302c	Determination at a reduced voltage on a range tested in 201.302a or b	10.00
201.302d	Determination of each ratio, at rated voltage, of a multirange guarded standard voltage divider. (Design of standard and its calibration similar to that described in NBS RP1419.) Values normally reported with an uncertainty of 0.001 percent	30.00
201.302z	For tests on volt boxes not covered by the above schedule, advance arrangements must be made. Fees will be charged depending upon the nature of the test.	

§ 201.303 Ac–dc instruments and thermal converters (20 to 50,000 Hz (c/s), up to 20 A and 600 V).

Ordinarily rms ac–dc instruments or converters of 0.1 percent rated accuracy or better are accepted for test, which consists of the ac–dc difference determinations by the procedures of items 201.303 a to c. See 201.300.

Item	Description	Fee
201.303a	Initial determination of ac-dc difference of an instrument or converter at one applied voltage or current, one frequency from 20 through 50,000 Hz (c/s)	$80.00
201.303b	Each additional determination of ac-dc difference of the same instrument, converter or set of converters, one frequency from 20 through 20,000 Hz (c/s)	20.00
201.303c	Each additional determination of ac-dc difference of the same instrument, converter, or set of converters, one frequency from 20,000 through 50,000 Hz (c/s)	35.00
201.303z	For special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged depending upon the nature of the test. For tests at higher voltages see 201.604.	

§ 201.304 Ac–dc wattmeters (single phase (20 to 2,000 Hz (c/s), up to 15 A and 500 V).

Ordinarily only single-phase ac–dc wattmeters of 0.1 percent rated accuracy or better are accepted for test, which consists of ac–dc difference determinations by the procedures of items 201.304 a to c. See 201.300. Unless otherwise specified, these tests are made at two scale points at 0.5 power factor on a base range and one scale point at other combinations of ranges, followed by tests at unity power factor at one scale point on one or more ranges, depending upon the results obtained.

Item	Description	Fee
201.304a	Determination of the difference between the reading on reversed direct current and the reading on alternating current at the first scale point at which this difference is determined, at currents not to exceed 15 amp.	$95.00
201.304b	Determination of this difference at one scale point on an additional range, frequency, or power factor, at currents not to exceed 15 amp	35.00
201.304c	Determination at each additional scale point with the same combination of range, frequency, and power factor, at currents not to exceed 15 amp	15.00
201.304z	For frequencies greater than 70 Hz (c/s) and for special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged depending upon the nature of the test.	

§ 201.305 Watthour meters.

Except under unusual circumstances, only portable standard watthour meters (rotating standards) will be accepted for test. Tests consist of determinations of the percentage registration of the meter "as received." If meters are to be cleaned and adjusted this must be done before they are submitted for test. The Bureau does not undertake the cleaning and adjustment of meters and does not knowingly begin tests on faulty meters. Before tests can be started the test conditions must be completely specified by the user as to current and voltage ranges to be tested, frequency, applied voltage and current, and power factor. A guide listing a limited yet adequate schedule of tests is available at no charge. Test voltages should be chosen from the following values: 1, 2, or 4 times 110, 115, 120, 125, and 130 V. Test current should be chosen from the following values: 1, 10, or 100 times 0.25, 0.5, 0.75, 1, 1.25, 1.5, 2, 2.5, 3, 3.75, 4, 5, 7.5 amperes (but not to exceed 100 amperes). Tests at other voltages or currents, or at power factors other than 1.0 and 0.5 current lagging, will be considered as special tests, because rearrangements of circuits are required (see 201.305z). Unless otherwise specified, test runs on portable standard watthour meters (rotating standards) are of approximately 100 seconds duration. The meters are energized for at least 30 minutes at rated voltage and current on one range before starting the test.

Item	Description	Fee
201.305a	Test at 60 Hz (c/s) on one combination of range, applied voltage, and power factor, at not more than five current loads	$115.00
201.305b	Additional test on the same or an additional combination of range, applied current, voltage, and power factor	15.00
201.305c	Test of one or two additional meters simultaneously with the first, under the same conditions as 201.305a, per meter	60.00
201.305d	Test of each additional meter simultaneously with the first, under the same conditions as 201.305b, per meter	10.00
201.305z	For special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged depending upon the time required for the test.	

§ 201.306 Current transformers.

(a) Calibration: The Bureau normally calibrates only current transformers of high quality for use as reference standards. The Bureau may decline requests for tests which are not to be used for establishing or checking a reference standard. If the transformer quality is stated in terms of ASA accuracy classes, calibration will normally be limited to transformers stated to be in the 0.3 percent class for one or more ASA burdens. Bureau equipment is primarily designed for testing current transformers whose rated secondary current is 5 amperes. Results obtained at frequencies near 60 Hz (c/s) will normally be reported with an uncertainty of 0.05 percent in ratio and 1 min in phase angle. However, in some instances the ratio can be reported with an uncertainty of 0.02 percent and the phase angle to 0.5 minute.

(b) Test information: Tests cannot be started until information is furnished concerning the following conditions: (1) Test frequency, (2) secondary test currents, (3) secondary burdens, (4) ranges to be tested. It is customary to make tests at secondary currents of 0.5, 1, 2, 3, 4, and 5 amperes.

(c) Transformer burden: (1) Current transformers should be tested with burdens equivalent to the impedance imposed when the transformer is used as a reference standard. Inclusion of tests at ASA burdens is not recommended. The burdens listed in the American Standard for Instrument Transformers, C–57.13, are for rating purposes only and differ from the instrument burdens imposed on a reference standard. Large errors in measurement can result if the values of ratio and phase angle obtained with an ASA burden are used for the transformer when it supplies only an instrument burden.

(2) Preferably the burden should be specified in terms of the measured resistance and inductance, including the leads to connect the instruments to the secondary of the transformer. If this measurement cannot be made conveniently, it will suffice in most cases to state the name of the maker, the type, range, and serial number of each instrument used in the burden, and the length and size of the leads used in the secondary circuit. Alternatively the burden may be stated in terms of the volt-amperes and power factor of the secondary circuit at the test frequency.

(3) The test equipment regularly used at the Bureau imposes a minimum test burden of about 0.16 ohm with a minimum inductance of about 10 μH (if the burden inductance is larger than 10 μH, the minimum resistance is increased above 0.16 ohm). Special test equipment and procedures must be used for burdens lower than 0.16 ohm, so that advance arrangements must be made and higher fees must be charged. In planning for the tests of a transformer it is therefore desirable to select a low burden, but one larger than this minimum, preferably not less than 0.2 ohm. The required total may be made up by incorporating resistance in the leads to the instruments.

(d) Multirange current transformers, in which the same sections of primary windings are used in series and in parallel, usually have phase angles and ratio factors which are equal on the several ranges to within the accuracy needed for almost any measurement purpose. Hence a test at six values of secondary current on one range is nearly always sufficient to determine the characteristics of the transformer. Further tests, often made at 0.5 and 5 secondary amperes on each additional range, merely serve as a safeguard by means of which mistakes in winding may be detected. When the various ranges of a multirange transformer are obtained by taps on either winding, this relation does not necessarily hold, particularly in the case of secondary taps; and tests in addition to the initial six-point test on one range should be made, using two values of secondary current on each of the ranges so obtained. Transformers of some designs, however, show very little difference in ratio factor and phase angle on the various ranges, and the Bureau should be consulted before tests on a large number of ranges are requested.

(e) Demagnetization: Unless otherwise specified, current transformers will be demagnetized before being tested. If it is desired to have a transformer tested as submitted (without demagnetization), this fact should specifically be stated.

(f) Test limitation at frequencies greater than 60 Hz (c/s): At 400 Hz (c/s), the maximum current range for which tests are made is about 200 amperes and the phase angle values are

normally reported to an accuracy of 3 minutes; at 800 Hz (c/s) there is a further reduction in the current range and accuracy. If the burdens at these higher frequencies are specified in terms of volt-amperes and power factor, the frequency for which these values are stated must be clearly indicated so that the proper burden resistance and inductance can be duplicated.

(g) Recalibration: At room temperature the ratio and phase angle under a specified test condition should be repeatable unless the core is magnetized. Once stability has been demonstrated a current transformer should not require recalibration at intervals less than 5 years.

Item	Description	Fee
201.306a-1	Determinations of the ratio and phase angle of a current transformer on one range at one frequency and one burden (not less than 0.2 ohm resistance) at not more than six values of secondary current, namely, 0.5, 1, 2, 3, 4, and 5 amp unless otherwise specified; primary current not to exceed 500 amp	$180.00
201.306a-2	Same as a-1 except primary current greater than 500 amp but not to exceed 8,000 amp	210.00
201.306b-1	Determinations of the ratio and phase angle at one value of secondary current on an additional combination of frequency, range, and burden (not less than 0.2 ohm resistance); primary current not to exceed 500 amp	30.00
201.306b-2	Same as b-1 except primary current greater than 500 amp but not to exceed 8,000 amp	5.00
201.306c	Determinations of ratio and phase angle at an additional value of secondary current with the same combination of frequency, range, and burden used in 201.306 a or b, primary current not to exceed 8,000 amp	10.00
201.306z	For tests of current transformers at frequencies other than 25, 50, or 60 Hz (c/s), or with burdens less than 0.2 ohm resistance, or with primary currents greater than 8,000 amp, and for special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged depending upon the nature of the test.	

§ 201.307 Current transformer comparators (testing sets).

Item	Description	Fee
201.307a	Determination of the values of current ratio and phase angle for settings of the dials of a current transformer comparator for 60 Hz (c/s) (not exceeding 13 points on ratio dial and 15 on phase angle dial)	$540.00
201.307b	Determination according to 201.307a having been made, for 10 determinations at 25 Hz (c/s) or for determinations on the second range of a double-range comparator	60.00
201.307z	For special test not covered by the above schedule, advance arrangements must be made. Fees will be charged depending upon the nature of the test.	

Magnetic Measurements

§ 201.400 General.

(a) A general discussion of magnetic principles and methods used in magnetic testing is given in NBS Monograph 47, Basic Magnetic Quantities and the Measurement of the Magnetic Properties of Materials. Price 30 cents. Available from Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(b) Tests in this field are for the most part made on samples which serve as standards to coordinate work in various laboratories and thus secure uniformity in commercial testing. For this purpose it is essential that the standard bars be very uniform in their magnetic properties. The Bureau does not normally make routine acceptance tests of magnetic materials unless these specimens are to be used, at least temporarily, as standards. The standard dimensions of magnetic test specimens are given in §§ 201.401 and 201.402. It is occasionally possible to test specimens of unusual materials or shapes where the services of the Bureau are needed in the development of new test procedures which are likely to be of importance in the industry. In such cases a full understanding of the problem should be developed by correspondence, or preferably by a visit which will permit direct discussion between engineers concerned and the Bureau staff.

§ 201.401 General magnetic measurements; normal induction and hysteresis.

Specimens submitted for test should be of rectangular cross section, width not to exceed 3.0 cm (1⅛ in.); thickness not to exceed 1.0 cm (⅜ in.); for magnetizing forces from 0 to 300 or 0 to 5,000 oersteds, length to be not less than 25.4 cm (10 in.); for magnetizing forces in the range 100 to 5,000 oersteds, length to be not less than 7 cm (2⅝ in.). Specimens whose permeability is not greater than 4 may be of circular cross section, diameter not to exceed 1.27 cm (½ in.) but in any event cross-sectional area must be not less than 0.2 cm^2 (0.031 $in.^2$).

Item	Description	Fee
201.401a	Determination of data for normal induction curve in the range 0 to 300 oersteds	$70.00
201.401b	Determination of data for normal induction curve in the range 100 to 5,000 oersteds	80.00
201.401c	Determination of data for normal induction curve in the range 0 to 5,000 oersteds	140.00
201.401d	Determination of data for demagnetization curve, one value of magnetizing force	70.00
201.401e	Same as 201.401d, each additional value of maximum magnetizing force	50.00
201.401f	Determination of permeability for specimens whose permeability is less than 4, first specimen	25.00
201.401g	Each additional specimen submitted at the same time	10.00
201.401z	For examination of material found to be unsuitable for test, or for special tests not covered by the above schedule, fees will be charged dependent on the cost of such examination or special test.	

§ 201.402 Magnetic materials; a–c permeability and core loss.

Test specimens should consist of the proper number of strips 3 cm (1³⁄₁₆ in.) wide and either 28 cm (11³¹⁄₃₂ in.) to 30.5 cm (12 in.), or 50 cm (19¹¹⁄₁₆ in.) long prepared in accordance with the specifications of the American Society for Testing and Materials, A–34.

Item	Description	Fee
201.402a	Determination of total core loss at 60 Hz (c/s) at one value of maximum induction	$45.00
201.402b	Same as 201.402a, each additional value of maximum induction	15.00
201.402c	Determination of a-c permeability at 60 Hz (c/s) at one value of maximum induction	45.00
201.402d	Same as 201.402c, each additional value of maximum induction	15.00
201.402z	For examination of material found to be unsuitable for test, or for special tests not covered by the above schedule, fees will be charged dependent on the cost of such examination or special test.	

§ 201.403 Magnetic testing apparatus; mutual inductors, search coils, and fluxmeters.

Item	Description	Fee
201.403a	Determination of mutual induction by direct current	$35.00
201.403b	Same at 201.403a, each additional inductor submitted at the same time or each additional value for variable or tapped inductors	20.00
201.403c	Determination of the area-turns of a search coil, first coil	40.00
201.403d	Each additional search coil submitted at the same time	25.00
201.403e	Calibration of fluxmeter at not more than five points on one range	45.00
201.403f	Calibration of fluxmeter at one scale point on an additional range	10.00
201.403g	Calibration of standard magnets	30.00-70.00
201.403z	For examination of apparatus unsuitable for test, or for special tests not covered by the above schedule, fees will be charged dependent on the cost of such examination or special test.	

Dielectric Measurements

§ 201.500 Dielectric constant and dissipation factor.

In general, the Bureau will make tests of insulating and dielectric properties of materials only on (1) specimens of known composition of pure materials for which values are considered of use by the Bureau, or by other government agencies; and (2) dielectric reference standards made from materials exhibiting reproducible behavior under specified environmental conditions (such as humidity), when such standards are needed for improving methods of measurement. Measurements are not made on the effective insulation resistances, dielectric constant or dissipation factor of structures and assemblies of insulation, or on electric breakdown generally. Inquiries giving comprehensive information regarding any tests desired from low frequencies up to 30 kHz (kc/s) should be directed to the National Bureau of Standards, Washington, D.C. 20234. Inquiries concerning tests above 30 kHz (kc/s) should be addressed to the National Bureau of Standards, Boulder, Colo. 80302.

Voltage Ratio and High-Voltage Measurements

Note: See § 201.102 for information relative to the calibration of resistive voltage

dividers with direct current. See § 201.302 for information relative to the calibration of volt boxes.

§ 201.601 Voltage dividers.

(a) The calibration of ratio devices such as voltage dividers need not be referred to the national standards of inductance or resistance or to any other national standard. However, methods and equipment are available at the Bureau for the measurement of alternating-voltage ratios with high accuracy, and a routine calibration service for first-quality decade inductive voltage dividers is provided. Inductive voltage dividers which incorporate a resistive divider as a fine adjustment are not accepted for calibration.

(b) The largest contribution to instability in inductive voltage dividers often arises in the decade switches. Variable contact resistance in these switches sometimes affects the stability of voltage-ratio measurements to a significant extent but is most evident by its effect on the phase angle. When a decade inductive voltage divider exhibits large changes in phase angle on repeated measurements after the switches have been disturbed, the divider should no longer be considered satisfactory for use as a standard of voltage ratio.

(c) Corrections for the separate decades of an inductive divider, in general, cannot be simply combined; however, the correction to a step setting of one of the higher decades is usually independent of the setting of the lowest decades. Stray impedances must be fixed by connecting the case to the divider at one point; and unless otherwise specified, the case will be connected to one of the common terminals. Calibration intervals of 3 years should be satisfactory for good quality inductive voltage dividers which have not been abused.

(d) Decade inductive voltage dividers are calibrated at the Bureau by a comparison method, using as a working standard a well-constructed inductive divider which has previously been calibrated by capacitance-ratio or other suitable methods. The comparison method is simple and convenient and can be used in other laboratories for the rapid calibration of other voltage dividers. Accordingly, it is recommended that, in general, only one divider from a laboratory be submitted to the Bureau for calibration and that other dividers be calibrated by a comparison method using it as a standard.

Item	Description	Fee
201.601a	Determination of the ratio and phase angle of an inductive voltage divider for each setting of the three highest decades (all decades except the one under calibration being set at 0) and for two other arbitrary settings to be selected by NBS, at one frequency (50, 100, 400 and 1,000 Hz (c/s) services are available at NBS Washington; 400 and 1,000 Hz (c/s) services are available at NBS-Boulder) and with an input voltage not exceeding 150 volts rms (calibrations are ordinarily made with an input voltage of 100 volts rms)	$140.00
201.601b	Determination of the ratio and phase angle of an inductive voltage divider for each setting of the highest decade (all other decades being set at 0) and for one arbitrary setting of each of the 2d and 3d decades to be selected by NBS, at one frequency and with an input voltage not exceeding 150 volts rms (see 201.601a above)	85.00
201.601z	Determination of the ratios and phase angles of resistive or capacitive voltage dividers and of inductive voltage dividers at frequencies (other than those listed) up to 10 k Hz (kc/s) or in other respects beyond those covered in items 201.601a and 201.601b are handled on a special test basis, and advance arrangements must be made. Fees will be charged dependent upon the nature of the test.	

§ 201.602 Voltage transformers.

(a) *Acceptance.* The Bureau normally accepts voltage transformers for calibration only if they are suitable for use as reference standards. Results of tests at or near 60 Hz (c/s) will normally be reported to 0.01 percent in ratio and 1 minute in phase angle.

(b) *Test information.* Tests cannot be started until information is furnished concerning the following test conditions: (1) Test frequency; (2) secondary test voltages; (3) secondary burdens; (4) ranges to be tested.

(c) *Transformer burdens.* The ratio and phase angle of a voltage transformer vary linearly with secondary current under conditions of constant voltage, frequency, and power factor within its rating. Hence, if values of ratio and phase angle are determined on open circuit (zero burden) and at one burden having a particular power factor, values at other burdens with the same power factor (and at the same voltage and frequency) can be found by linear interpolation. If the ratio and phase angle of a voltage transformer are known both on open circuit (zero burden) and at a single unity power-factor burden, the ratio and phase angle for any burden within its rating at any power factor (at the same voltage and frequency) can be computed with sufficient accuracy for many measurement purposes by the following formulas:

$$F = F_0 + \frac{I}{I_1}[(F_1 - F_0)\cos\Phi + (\gamma_1 - \gamma_0)\sin\Phi],$$

and

$$\gamma = \gamma_0 + \frac{I}{I_1}[(F_1 - F_0)\sin\Phi - (\gamma_1 - \gamma_0)\cos\Phi],$$

where I_1 and I are the secondary current at the known unity power-factor burden and the desired burden, respectively; F_0, F_1, and F are the ratio correction factors at zero burden, the known unity power-factor burden, and the desired burden, respectively; γ_0, γ_1, and γ are the corresponding phase angles in radians; and $\cos\Phi$ is the power factor of the desired burden (Φ being taken as positive for inductive burdens). The following conversion factors apply:

1 minute = 0.000291 radian
1 radian = 3438 minutes

The "standard burdens" of the ASA Standard for Instrument Transformers (C57.13) are for rating purposes only, and are not recommended for use as test burdens in calibrating a voltage transformer for use as a reference standard. Values of ratio and phase angle at any ASA burden can be computed with sufficient accuracy for rating purposes by using the above formulas. The test burdens recommended are stated in item 201.602a–1, below. In this item, the instrument burden "to be specified by the user" should preferably be the burden with which the transformer will be used as a reference standard, in the test circuit, and may be stated either in terms of volt-amperes and power factor at a specified voltage and frequency, or the resistance and reactance of the test circuit elements.

(d) *Test voltages.* When a secondary burden of fixed impedance is used, the ratio and phase angle of a well-designed voltage transformer are nearly independent of the secondary voltage within its normal operating range. Hence, tests at a single voltage are sufficient unless the transformer is to be operated over an extended voltage range. In extended-range operation the variations of ratio factor and phase angle with voltage are identical for any constant-impedance burden. Hence, it should be sufficient to make ratio and phase-angle determinations at the extremes of the expected voltage-range of operation and at one or perhaps two intermediate voltage points on one burden (preferably zero burden). Tests at all additional burdens need be made at only a single voltage.

(e) *Multirange transformer.* When multiple ranges are provided by series-parallel primary connections, the ratio correction factors and phase angles (for constant secondary voltage, burden, and frequency) are practically identical for all ranges so obtained. (Hence a single determination on each range after the first serves to completely define the transformer performance when the added ranges are obtained by primary series-parallel combinations.) When multiple ranges are obtained by tapping a portion of one of the windings, or by secondary series-parallel combinations, the ratio correction factors and phase angles are not necessarily the same on the various ranges.

(f) *Fuses.* It is recommended that voltage transformers intended as refer-

ence standards be used without fuses, because fuse resistance affects both ratio and phase angle values so that fuse deterioration or replacement may alter the values. When a fused transformer is submitted, tests with the fuses in place will be made only if this is specifically requested by the customer.

(g) *Tests at 400 Hz (c/s).* Ratio and phase angle determinations at 400 Hz (c/s) can be made up to 9,000 volts. Results of such tests will normally be reported to 0.03 percent in ratio and 3 minutes in phase angle.

(h) *Recalibration.* The ratio and phase angle of a voltage transformer for a given burden, voltage, and frequency should not change significantly with time unless the transformer is damaged. Once stability has been demonstrated, a transformer should not require recalibration at intervals less than 5 years.

(i) *Shipment.* Heavy transformers should be shipped in wooden boxes and held in place, if necessary, by checks or cleats. Large transformers, especially those having oil-filled iron cases, should be crated separately and arranged, whenever possible, so that the terminals can be made accessible for tests without removing the entire crate. The tops of boxes should be marked "this side up." Large transformers (those more than 12 ft. high including crating, or weighing more than 6,000 lbs.) require special handling; advance arrangements, including provision for delivery inside the laboratory, must be made.

Item	Description	Fee
	NOTE: It is recommended that a voltage transformer be calibrated under schedule 201.602a-1 or 201.602a-2 the first time it is submitted to NBS for calibration. In view of the performance characteristics discussed above, it is believed that subsequent calibrations under schedule 201.602a-3 or 201.602a-4 should meet most requirements.	
201.602a-1	Determinations of the ratio and phase angle of a voltage transformer at one frequency (25, 50, or 60 Hz (c/s)), one range, and one secondary voltage, with not more than four values of secondary burden; namely those giving zero, half, and full rated noninductive load at rated voltage, and with one instrument burden of approximately unity power factor to be specified by the user; primary voltage not to exceed 25,000 V	$120.00
201.602a-2	As in a-1 except primary voltage greater than 25,000 V but not to exceed 100,000 V	165.00
201.602a-3	Determination of the ratio and phase angle of a voltage transformer at one frequency (25, 50, or 60 Hz (c/s)), one range, one secondary voltage and with one unity power factor burden; primary voltage not to exceed 25,000 V	90.00
201.602a-4	Determination of the ratio and phase angle of a voltage transformer at one frequency (25, 50, or 60 Hz (c/s)), one range, one secondary voltage and with one unity power factor burden; primary voltage not to exceed 100,000 V	130.00
201.602b	Determination of ratio and phase angle at one value of secondary voltage on an additional range or frequency, and with any of the burdens used in 201.602a	22.00
201.602c	Determination of ratio and phase angle with an additional burden (already used in 201.602a) and with the same combination of range, frequency, and voltage used in 201.602b	20.00
201.602d	Determination of ratio and phase angle at an additional burden of approximately unity power factor other than those used in 201.602a	33.00
201.602e	Determination of ratio and phase angle at an additional value of secondary voltage on the same combination of range, frequency, and burden used in 201.602 a, b, c, or d	11.00
201.602z	For tests of voltage transformers at other frequencies, with primary voltage greater than 100,000 V, or with other than unity power factor burdens, and for other special tests not covered by the above schedule, advance arrangements must be made. Fees will be charged depending on the nature of the test. At 400 Hz (c/s), test fees are approximately double those at 60 Hz (c/s).	

§ 201.603 Voltage transformer comparators.

Item	Description	Fee
201.603z	Calibrations of voltage transformer comparators are handled on a speical test basis; however, advance arrangements need not be made. Fees will be charged dependent upon the nature of the calibration required.	

§ 201.604 Kilovoltmeters.

Item	Description	Fee
201.604a	Calibration of kilovotmeters at five scale points on one range using 60 Hz (c/s) alternating voltage (up to 60 kV)	$110.00
201.604b	Calibration of kilovoltmeters at five scale points on one range using direct voltage of one polarity to ground (up to 60 kV)	90.00
201.604c	Calibration at one scale point on an additional range (up to 60 kV) for 201.604 a or b	28.00
201.604d	Calibration of each additional scale point on one of the ranges calibrated under 201.604 a, b, or c	11.00
201.604z	For calibrations at voltages above 60 kV, advance arrangements must be made. Fees will be charged dependent upon the nature of the calibration required.	

LOW-FREQUENCY REGION

§ 201.701 Frequency stability of signal sources, to 30 kHz.

(Services available only at the NBS Radio Standards Laboratory, Boulder, Colo.)

(a) Frequency stability calibrations are made on signal sources up to 30 kHz. (See § 201.860 for calibration service at higher frequencies.)

(b) The signal source should have a power output of at least 10 mW (into a matched load).

(c) Frequency stability of the signal source should be better than approximately one part in 10^7.

Item	Description	Fee
201.701a	Measurement of frequency stability of signal sources, up to 30 kHz	(*)
201.701z	Special calibrations not covered by the above schedule	(*)

*As fixed prices have not been established for these services, charges will be made for actual costs incurred. Upon request, estimates will be furnished for specific tasks which should provide a close approximation of actual costs.

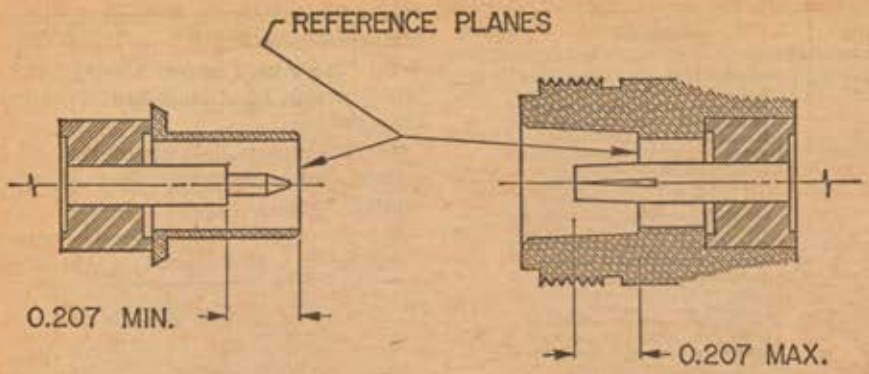
HIGH-FREQUENCY REGION

§ 201.800 General.

(a) The "High-Frequency Region" for purposes of this schedule, extends approximately from 30 kHz to 18 GHz. As the "Microwave Region" starts at approximately 1 GHz, the two regions overlap in that portion of the spectrum between 1 GHz and 18 GHz. The present coverage in the "High-Frequency Region" above 1 GHz is quite limited and involves only coaxial structures. It should be noted that some calibration services for coaxial instruments are listed in the "Microwave Region" sections of this schedule in addition to the waveguide services listed therein.

(b) In the "High-Frequency Region" the Radio Standards Laboratory, Boulder, Colo., is equipped to calibrate standards of pulse and CW voltage, pulse and CW power, immittance, attenuation, and field strength. Calibrations are performed at discrete frequencies as well as continuously over certain frequency bands (depending upon the particular item).

(c) Connectors limit the accuracy of measurements in the high-frequency region to some extent, particularly at the higher frequencies. To avoid uncertainty from this cause, all interlaboratory standards submitted for calibration, fitted with coaxial connectors, should be equipped with Type N connectors complying with the MIL C 39012/1, 2 specification, or with the new precision 7 or 14 mm. connectors. The critical mating dimensions required by NBS for Type N connectors are shown in the following diagram.



NOTE: DIMENSIONS IN INCHES

§ 201.810 Rf–dc voltmeters, and thermal converters in the frequency range of 30 kHz to 1000 MHz, from 0.1 to 300 V.

Ordinarily instruments equally suitable for use on dc and rf will be calibrated only for rf–dc difference by the procedure of Item 201.810a, since periodic calibrations can be made by the user on reversed direct current. Such reversed dc calibrations will be made only under unusual circumstances and by advance arrangement. Instruments suitable for use only on rf will be given rf calibrations by the procedures of Items 201.810 a, b, c, d. Instruments which respond to average or peak values or which are not in ASA accuracy class one-quarter percent or better are not usually accepted for calibration below 30 MHz.

Item	Description	Fee
201.810a	Measurement of a voltage or an rf-dc difference at 30, 100, 300 kHz, 1, 3, 10, 30, or 100 MHz in the range of 0.1 to 300 V	(*)
201.810b	Each measurement additional to 201.810a at a different frequency or voltage	(*)
201.810c	Measurement of a voltage at 300, 400, 500, 700, or 1000 MHz, in the range of 0.2 to 20 V	(*)
201.810d	Each measurement additional to 201.810c at a different frequency or voltage	(*)
201.810z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.811 Rf micropotentiometers, voltmeters, and signal sources in the frequency range of 30 kHz to 1000 MHz, from 1 μV to 0.1 V.

Only high-quality voltmeters, suitable for use as interlaboratory standards, are normally accepted for calibration. These instruments should have a stability of 1 percent or better and an accuracy of 3 percent or better. Rf voltmeters will be calibrated by the procedures of Items 201.811 a, b, c, d. Only signal sources high enough in quality to be considered as interlaboratory standards are accepted for calibration. If these instruments are equally suitable for use on dc and rf, they will be calibrated for rf–dc difference by the procedures of Items 201.811 a, b, c, d. Signal sources suitable for use only on rf will be calibrated by the procedures of Items 201.811 a, b.

Item	Description	Fee
201.811a	Measurement of a voltage for micropotentiometers, voltmeters, and signal sources in the range of 50 kHz to 900 MHz, from 1 μV to 0.1 V	(*)
201.811b	Each measurement additional to 201.811a at a different frequency or voltage	(*)
201.811c	Measurement of a voltage for voltmeters in the range of 900 to 1000 MHz, from 100 μV to 0.1 V	(*)
201.811d	Each measurement additional to 201.811c at a different frequency or voltage	(*)
201.811z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.812 Pulse voltage, peak measurement, coaxial systems.

(a) For general information on pulse terminology reference is made to the following:

Standards on Pulses: Definition of Terms—Part I, 1951, Proc. IRE, Vol. 39, No. 6, June 1951.

Standards on Pulses: Definition of Terms—Part II, 1952, Proc. IRE, Vol. 40, No. 5, May 1952.

Specifically, in this schedule, the term "peak duration for a trapezoidal pulse" denotes the time interval between the leading edge and trailing edge at 99.8 percent of maximum pulse amplitude. "Pulse duration for a trapezoidal pulse" denotes the time interval between the leading edge and trailing edge at 50 percent of maximum pulse amplitude.

(b) Measurements are made with unidirectional, trapezoidal pulses with a rise and fall time of 10 nanoseconds or greater and with a peak duration of 10 nsec or greater for pulse amplitudes less than 100 V.

(c) For amplitudes greater than 100 V, the pulses have a rise and fall time of 30 nsec or greater and a peak duration of 30 nsec or greater.

Item	Description	Fee
201.812a	Calibration of instrument for peak voltage measurement of pulse waveforms in coaxial systems in the voltage range of 5 to 100 V; pulse duration 20 nsec to 100 μsec; pulse repetition rate 60 to 2×10^6 pps, with a maximum duty cycle of 0.1	(*)
201.812b	Calibration of each additional instrument for peak voltage measurement, performed under conditions of 201.812a	(*)
201.812c	Calibration of instrument for peak voltage measurement of pulse waveforms in coaxial systems in the voltage range of 100 to 1000 V; pulse duration 60 nsec to 5 μsec; pulse repetition rate, 60 to 1.66×10^6 pps, with a maximum duty cycle of 0.01	(*)
201.812d	Calibration of each additional instrument for peak voltage measurement, performed under conditions of 201.812c	(*)
201.812z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.820 Rf calorimeters, 30 kHz to 500 MHz.

(a) For maximum calibration accuracy, interlaboratory rf calorimeters should repeat readings to one-half percent or better with a constant power input.

(b) At present only rf calorimeters utilizing Type N or precision connectors for rf power input can be calibrated. Refer to 201.800 for special requirements for the connectors used on interlaboratory standards.

Item	Description	Fee
201.820a	Measurement of rf calorimeter at one frequency at 100 or 300 kHz, 1, 3, 10, or 30 MHz; and at one power level, from 0.001 to 200 W	(*)
201.820b	Measurement of each additional power level at the same frequency as for 201.820a	(*)
201.820c	Measurement of rf calorimeter at one frequency at 100, 200, 300, 400, or 500 MHz; at one power level, from 0.001 to 100 W	(*)
201.820d	Measurement of each additional power level at the same frequency as for 201.820c	(*)
201.820z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.821 Coaxial bolometer units and bolometer-coupler units, continuous wave, low-level power.

(a) A bolometer unit includes both the bolometer element or elements and the bolometer mount in which they are supported.

(b) Power measurements are made on barretter-type bolometer units having nominal resistance of 50, 100, or 200 ohms at a bias current between 3.5 and 10 mA; and on thermistor-type bolometer units having a nominal resistance of 50, 100, or 200 ohms at a bias current between 5 and 15 mA. Bolometer units should

band type and must have suitable [12] male be of the fixed tuned or untuned broad- or female Type N or precision connectors.

(c) Power measurements are made on bolometer units at cw power levels of 1 and 10 mW only.

(d) Power measurements are made on bolometer-coupler combinations having coupling ratios from 3 to 30 dB. A bolometer unit of the fixed tuned or untuned broadband type should be permanently attached to the side arm of the directional coupler. The directional coupler should have good design features, with a directivity of 30 dB or greater, and a VSWR no greater than 1.10 for the input and output ports of the main arm of the coupler.

(e) Effective efficiency for bolometer units is defined as the ratio of the substituted dc power in the bolometer unit to the power dissipated within the bolometer unit.[14]

(f) Calibration factor for bolometer units is defined as the ratio of the substituted dc power in the bolometer unit to the rf power incident upon the bolometer unit.[14]

(g) Calibration factor for bolometer-coupler units is defined as the ratio of the substituted dc power in the bolometer unit on the side arm of the directional coupler to the rf power incident upon a 50-ohm load (with a VSWR less than 1.05) attached to the output port of the main arm.[14]

Item	Description	Fee
201.821a	Determination of calibration factor of coaxial bolometer unit at one frequency at 100 MHz or 1 GHz; and at one power level, 1 or 10 mW	(*)
201.821b	Determination at each additional power level at the same frequency as for 201.821a	(*)
201.821c	Determination of calibration factor of coaxial bolometer unit at 3 ** GHz; and at one power level, 1 or 10 mW	(*)
201.821d	Determination at each additional power level at 3 ** GHz, as for 201.821c	(*)
201.821e	Determination of calibration factor of coaxial bolometer-coupler unit at one frequency at 30, 100, 200, 300, 400, 500 MHz, or 1 GHz; and at one power level	(*)
201.821f	Determination at each additional power level at the same frequency as for 201.821e	(*)
201.821z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

**For measurements on coaxial bolometer units at 4 GHz and higher frequencies, see 201.912.

§ 201.822 Pulse power, peak measurement, coaxial systems.

(a) Instruments submitted for calibration should have a nominal impedance of 50 ohms, and be fitted with Type N, BNC, HN, or precision input connectors.[13]

(b) Measurements are made with pulsed rf signals having a rectangular envelope.

Item	Description	Fee
201.822a	Calibration of instrument for measuring peak power of pulsed signals in coaxial systems, in the frequency range of 950 to 1200 MHz, at a peak power in the range of 1 mW to 3 kW; at a pulse width in the range of 2 to 10 μsec, and at a pulse repetition rate in the range of 100 to 1600 pps with a maximum duty cycle of 0.0033	(*)
201.822b	Calibration of instrument for measuring peak power of pulsed signals in coaxial systems at each additional peak power level or a different pulse width or pulse repetition rate, at the same frequency as for 201.822a	(*)
201.822z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.830 Immittance, two-terminal devices, 30 kHz to 8 GHz.

(a) Maximum accuracy can be achieved only in the case of instruments and components equipped with connectors having a plane of reference directly compatible with the NBS system with no necessity for special adapters. In the interest of preserving higher calibration accuracies, coaxial connectors should be utilized on standard instruments and components wherever possible. Calibrations are not performed on capacitors with unshielded terminals; e.g., binding posts and banana-plug connectors.

(b) Power applied to any item under test will normally not exceed 1 W. Where caution in this respect is necessary it should be clearly stated in the calibration request. All calibrations described in this section are performed under ambient conditions of 23±2 degrees C and 40±2 percent relative humidity.

Item	Description	Fee
201.830a-1	Two-terminal impedance measurement at one point in the frequency range 30 to 400 kHz, 0 to 10,000 ohms resistance, and 0 to 1100 μH inductance	(*)
201.830a-2	Two-terminal impedance measurement at each additional point within limits of 201.830a-1	(*)
201.830b-1	Two-terminal impedance measurement at one point in the frequency range 30 kHz to 1 MHz, 0 to 1000 ohms resistance, and 0 to 110 μH inductance	(*)
201.830b-2	Two-terminal impedance measurement at each additional point within limits of 201.830b-1	(*)
201.830c-1	Two-terminal admittance measurement at one point in the frequency range 30 kHz to 1 MHz, 0 to 1100 μmhos conductance, and 0 to 1100 pF capacitance	(*)
201.830c-2	Two-terminal admittance measurement at each additional point within limits of 201.830c-1	(*)
201.830d-1	Two-terminal admittance measurement at one point in the frequency range 5 to 300 MHz, 0 to 50 mmhos conductance, and 0 to 50 pF capacitance	(*)
201.830d-2	Two-terminal admittance measurement at each additional point within limits of 201.830d-1	(*)
201.830e-1	Q-Standard measurement in the frequency range 50 kHz to 45 MHz, 0 to 1000 for effective Q, and 30 to 450 pF for effective resonating capacitance	(*)
201.830f-1	Two-terminal impedance measurement of coaxial component at one point in frequency range 50 MHz to 8 GHz, within range of 0.5 to 5000 ohms for magnitude and 0 to 90° for phase angle	(*)
201.830g-1	Measurement of magnitude of reflection coefficient of a coaxial matched termination in 50-ohm line at one point in frequency range 1 to 4 GHz, by coaxial reflectometer to provide greater accuracy than provided by 201.830f-1	(*)
201.830g-2	Each additional point within limits of 201.830g-1	(*)
201.830z	Special two-terminal immittance measurements not covered by the above	(*)

*See footnote, § 201.701

§ 201.831 Immittance, three-terminal devices, 100 kHz to 1 MHz.

(a) Three-terminal techniques are required for the measurement of extremely low admittance so that unwanted admittance to ground (especially capacitances) do not significantly affect the measurements. Conductance or dissipation factor is not included in Reports of Calibration for three-terminal capacitance.

(b) All measurements described in this section are performed under ambient conditions of 23±2 degrees C and 40±2 percent relative humidity.

Item	Description	Fee
201.831a-1	Three-terminal capacitance measurement at 100 kHz, 465 kHz, or 1 MHz for fixed nominal values of 10^{-2}, 10^{-1}, 10^{0}, 10^{1}, 10^{2}, and 10^{3} pF, per frequency	(*)
201.831b-1	Three-terminal capacitance measurement at 465 kHz at one point in the range 0.001 to 100 pF	(*)
201.831b-2	Three-terminal capacitance measurement of 465 kHz at each additional point within limits of 201.831b-1	(*)
201.831z	Special three-terminal immittance measurements not covered by above schedule	(*)

*See footnote, § 201.701.

§ 201.840 Dissipative fixed coaxial attenuators.

(a) Dissipative fixed coaxial attenuators are normally calibrated in a system having a characteristic impedance of 50 ohms. Since the accuracy of the calibration is degraded by any deviation or uncertainty in this characteristic impedance, the types of allowable connectors are limited. Connectors having a known plane of reference, or the Type N or precision connectors [12] are required. All measurements are made by the substitution method, which requires that the connectors used be asexual or the attenuator have a male connector at one port and a female connector at the other port. If an adapter is required to comply with the foregoing, it must be sup-

[12] See sec. 201.800.

[14] Desch, R. F., and R. E. Larson, Bolometric microwave power calibration techniques at NBS, IEEE Trans. Instr. Meas., IM-12, No. 1, 29 (June 1963).

[12] See § 201.800.

plied with the attenuator and the combination will be calibrated as one unit.

(b) Maximum power to any attenuator will not exceed 20 mW unless prior arrangements for higher power levels have been made.

(c) Insertion loss is defined as the loss encountered when a standard connector [35] pair is broken and the attenuator under test is inserted. The parameters of the standard connector pair must be known, and the generator and load impedances have been adjusted so that the system is nonreflecting. These conditions cannot be strictly realized and an allowance for mismatch must be made.

Item	Description	Fee
201.840a-1	Measurement of insertion loss of fixed coaxial attenuator at one of the following frequencies: 1, 10, 60, and 100 MHz, in the range of 0 to 80 dB	(*)
201.840a-2	Measurement of insertion loss of fixed coaxial attenuator at a frequency of 30 MHz, in the range of 0 to 100 dB	(*)
201.840a-3	Measurement of insertion loss of each additional fixed coaxial attenuator at the same frequency and over the same ranges as for 201.840a-1 to 201.840a-2	(*)
201.840b-1	Measurement of insertion loss of fixed coaxial attenuator at any frequency from 0.100 to 8.19 GHz in the range of 0 to 60 dB (†)	(*)
201.840b-2	Measurement of insertion loss of fixed coaxial attenuator at any frequency from 8.2 to 12.39 GHz, in the range of 0 to 60 dB (†)	(*)
201.840b-3	Measurement of insertion loss of fixed coaxial attenuator at any frequency from 12.4 to 18.0 GHz, in the range of 0 to 60 dB (†)	(*)
201.840b-4	Measurement of insertion loss of each additional fixed coaxial attenuator at the same frequency and over the same ranges as for 201.840b-1 to 201.840b-3	(*)
201.840z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.
(†) Measurement of insertion loss available to 80 dB at reduced accuracy.

§ 201.841 Dissipative variable coaxial attenuators.

(a) These attenuators are calibrated in accordance with Item 201.840 except that the zero or other specified setting is used as the reference. Because attenuation difference only is measured, both ports may have the same connector.

(b) Variable attenuators must have a repeatability of setting better than 0.1 dB; incremental attenuators must have a repeatability of 0.01 dB or better.

[35] Beatty, Robert W., Effects of connectors and adapters on accurate attenuation measurements at microwave frequencies, IEEE Trans. Instr. Meas., IM-13, No. 4, 272 (December 1964). In this referenced publication a "standard connector" is defined as one which is made precisely to standard specifications for the particular type of connector under consideration. Standard connector pairs usually have low but appreciable loss and reflection.

Item	Description	Fee
201.841a-1	Measurement of one increment on a dissipative variable attenuator at one of the following frequencies: 1, 10, 60, and 100 MHz, in the range of 0 to 80 dB	(*)
201.841a-2	Measurement of one increment on a dissipative variable attenuator at a frequency of 30 MHz, in the range of 0 to 100 dB	(*)
201.841a-3	Measurement of each additional increment on a dissipative variable attenuator at the same frequency and over the same ranges as for 201.841a-1 to 201.841a-2	(*)
201.841b-1	Measurement of one increment on a dissipative variable attenuator at any frequency from 0.100 to 8.19 GHz, in the range of 0 to 60 dB	(*)
201.841b-2	Measurement of one increment on a dissipative variable attenuator at any frequency from 8.2 to 12.39 GHz, in the range of 0 to 60 dB	(*)
201.841b-3	Measurement of one increment on a dissipative variable attenuator at any frequency from 12.4 to 18.0 GHz, in the range of 0 to 60 dB	(*)
201.841b-4	Measurement of each additional increment on a dissipative variable attenuator at same frequency and over the same ranges as for 201.841b-1 to 201.841b-3	(*)
201.841z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.842 Waveguide below-cutoff (piston) attenuators.

(a) Waveguide below-cutoff attenuators are calibrated normally in a system having a characteristic impedance of 50 ohms. As only attenuation difference measurements are made on this type of attenuator, Type BNC, C, TNC connectors and other types are acceptable but precision connectors are preferred.

(b) An insertion loss measurement at the attenuator zero setting can be made. Maximum power to any attenuator will not exceed 20 mW unless prior arrangements for higher power levels have been made.

(c) Calibrations are performed at the following frequencies: 1, 10, 30, 60, and 100 MHz.

Item	Description	Fee
201.842a-1	Measurement of one increment on a waveguide below-cutoff attenuator at one of the following frequencies: 1, 10, 60, and 100 MHz, in the attenuation range (including initial insertion loss) of 0 to 120 dB	(*)
201.842a-2	Measurement of one increment on a waveguide below-cutoff attenuator at 30 MHz, in the attenuation range (including initial insertion loss) of 0 to 140 dB	(*)
201.842a-3	Measurement of each additional increment on a waveguide below-cutoff attenuator at the same frequency and over the same ranges as for 201.842a-1 to 201.842a-2	(*)
201.842z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.843 Coaxial fixed directional couplers.

Coaxial fixed directional couplers are calibrated in accordance with Item 201.840. Terminations must be supplied for any arm not used during a measurement.

Item	Description	Fee
201.843a-1	Measurement of insertion loss between any two ports of a coaxial fixed directional coupler at any one of the following frequencies: 1, 10, 60, and 100 MHz, in the range of 0 to 80 dB	(*)
201.843a-2	Measurement of insertion loss between any two ports of a coaxial fixed directional coupler at a frequency of 30 MHz, in the range of 0 to 100 dB	(*)
201.843a-3	Each additional measurement of insertion loss between any two ports of a coaxial fixed directional coupler at same frequency and over the same range as for 201.843a-1 to 201.843a-2	(*)
201.843b-1	Measurement of insertion loss between any two ports of a coaxial fixed directional coupler at any frequency from 0.100 to 8.19 GHz, in the range of 0 to 60 dB	(*)
201.843b-2	Measurement of insertion loss between any two ports of a coaxial fixed directional coupler at any frequency from 8.2 to 12.39 GHz, in the range of 0 to 60 dB	(*)
201.843b-3	Measurement of insertion loss between any two ports of a coaxial fixed directional coupler at any frequency from 12.4 to 18.0 GHz, in the range of 0 to 60 dB	(*)
201.843b-4	Each additional measurement of insertion loss between same two ports of a coaxial fixed directional coupler, and at the same frequency, and over the same range as for 201.843b-1 to 201.843b-3	(*)
201.843z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.844 Coaxial variable directional couplers.

(a) Coaxial variable directional couplers are calibrated in accordance with Item 201.841. Terminations must be supplied for any arm not used during a measurement.

(b) The change in coupling to the side-arm relative to the minimum setting on the device is normally measured.

Item	Description	Fee
201.844a-1	Measurement of single coupling increment between input and variable arm of coaxial variable directional coupler at one of the following frequencies: 1, 10, 60, and 100 MHz, in the range (including initial coupling loss) of 0 to 80 dB	(*)
201.844a-2	Measurement of single coupling increment between input and variable arm of coaxial variable directional coupler at a frequency of 30 MHz, in the range of 0 to 100 dB	(*)
201.844a-3	Each additional measurement of coupling increment between input and variable arm of coaxial variable directional coupler at same frequency and over the same ranges as for 201.844a-1 to 201.844a-2	(*)
201.844b-1	Measurement of single coupling increment between input and variable arm of coaxial variable directional coupler at any frequency from 0.100 to 8.19 GHz, in the range of 0 to 60 dB (including initial coupling loss)	(*)

Item	Description	Fee
201.844b-2	Measurement of single coupling increment between input and variable arm of coaxial variable directional coupler at any frequency from 8.2 to 12.39 GHz, in the range of 0 to 60 dB (including initial coupling loss)	(*)
201.844b-3	Measurement of single coupling increment between input and variable arm of coaxial variable directional coupler at any frequency from 12.4 to 18.0 GHz, in the range of 0 to 60 dB (including initial coupling loss)	(*)
201.844b-4	Each additional measurement of coupling increment between input and variable arm of coaxial variable directional coupler at the same frequency and over the same ranges as for 201.844b-1 to 201.844b-3	(*)
201.844z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.850 Electric and magnetic field strength measurements.

(a) Field-strength standards and field-strength meters are calibrated in terms of rms cw signals in the frequency range of 30 Hz to 1000 MHz. Loop antennas are calibrated from 30 Hz to 30 MHz, and horizontally polarized dipole antennas are calibrated from 30 to 1000 MHz. The antennas of field-strength meters are calibrated normally when terminated in their respective field-strength receivers. The field-strength receivers are calibrated normally for use in a 50-ohm system.

(b) When field-strength standards or meters are submitted for calibration an instruction manual and all accessories should be included, and the instrument must be in excellent operating condition.

§ 201.851 Field-strength receivers (0 to 1000 MHz).

There are three basic calibrations that can be performed on a field-strength receiver:

1. Calibration of the receiver as a two-terminal rf voltmeter.
2. Calibration of the signal input attenuators.
3. Determination of overall linearity of the receiver in terms of the output indicating circuits.

Although these measurements are not required for antenna calibrations, they are recommended in order that the field-strength meter can be used more accurately over its measurement range.

Item	Description	Fee
201.851a-1	Calibration of receiver as a two-terminal rf voltmeter, 1 to 10,000 μV, 0 to 1000 MHz, at one frequency	(*)
201.851a-2	Calibration of receiver as a two-terminal rf voltmeter at each frequency additional to Item 201.851a-1, 0 to 400 MHz	(*)
201.851a-3	Calibration of receiver as a two-terminal rf voltmeter at each frequency additional to Item 201.851-a, 400 to 1000 MHz	(*)
201.851b-1	Calibration of initial step of the input attenuator at one frequency, 0 to 1000 MHz	(*)
201.851b-2	Calibration of each additional step of the input attenuator, additional to Item 201.851b-1, 0 to 1000 MHz	(*)
201.851c-1	Determination of overall linearity of receiver and output circuit, at one frequency and one attenuator setting, initial point, 0 to 1000 MHz	(*)
201.851c-2	Determination of overall linearity at each additional point, at same frequency and at same attenuator setting as for 201.851c-1	(*)
201.851z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.852 Loop antennas (30 Hz to 30 MHz).

Loop antennas are calibrated in terms of a quasi-static magnetic field at frequencies from 30 Hz to 30 MHz. The magnitude of the calibrating field varies from approximately 20 to 200 mV/m.

Item	Description	Fee
201.852a	Calibration of loop antenna at one frequency, 30 Hz to 30 MHz	(*)
201.852b	Calibration of loop antenna at each frequency additional to Item 201.852a, 30 Hz to 30 MHz	(*)
201.852z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.853 Dipole antennas (30 to 1000 MHz).

Dipole antennas are calibrated in terms of horizontally polarized fields at frequencies from 30 to 1000 MHz. The magnitude of the calibrating field varies from approximately 20 to 400 mV/m.

Item	Description	Fee
201.853a	Calibration of dipole antenna at one frequency, 30 to 400 MHz	(*)
201.853b	Calibration of dipole antenna at one frequency, 400 to 1000 MHz	(*)
201.853c	Calibration of dipole antenna at each frequency additional to Items 201.853a and 201.853b, 30 to 1000 MHz	(*)
201.853z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.860 Frequency stability of signal sources, 30 kHz to 500 MHz.

(a) Frequency stability calibrations are made on signal sources from 30 kHz to 500 MHz. (See Schedule 201.701 for calibration service at lower frequencies.)

(b) The signal source should have a power output of at least 10 mW (into a matched load).

(c) Frequency stability of the signal source should be better than approximately one part in 10^7.

Item	Description	Fee
201.860a	Measurement of frequency stability of precision fixed-frequency signal source in the frequency range of 30 kHz to 500 MHz	(*)
201.860z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.861 Power spectral analysis of signal sources.

(a) Power spectral analysis of frequency-modulation components of frequency standards and other high-quality signal sources are made at nominal frequencies of 1, 2.5, 5, and 10 MHz.

(b) Frequency-modulation components are measured to limits of ±10 kHz from the carrier frequency for magnitudes greater than 6 dB above the continuous noise spectrum.

(c) Noise power level of the continuous spectrum relative to the power level of the carrier frequency is measured at any selected frequency within ±10 kHz of the carrier frequency.

(d) The signal source should have a power output of at least 20 mW (into a matched load).

Item	Description	Fee
201.861a	Measurement of the power spectrum of a fixed signal source	(*)
201.861z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.870 Coaxial phase shifters, precision air- or dielectric-filled line.

(a) Phase shifters are calibrated by insertion into a 50-ohm coaxial line. A VSWR of any reasonable magnitude for the phase shifter is acceptable; the measurement uncertainty will be adjusted to the VSWR relation.

(b) The phase shifter must be fitted with Type N or TNC connectors or precision-type connectors.

Item	Description	Fee
201.870a	Measurement of phase angle shift by insertion of a coaxial phase shifter (precision air- or dielectric-filled line) in coaxial line, at 30 MHz	(*)
201.870z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.871 Coaxial phase shifters, variable type.

(a) Phase shifters are calibrated by insertion into a 50-ohm coaxial line. A VSWR of any reasonable magnitude for the phase shifter is acceptable; the measurement uncertainty will be adjusted to the VSWR relation.

(b) Measurements will be performed at any specified phase angle(s).

(c) Phase shifters should have a repeatability of setting better than 0.1 degree.

(d) The phase shifter must be fitted with Type N or TNC connectors or precision-type connectors.

Item	Description	Fee
201.871a	Measurement of phase angle shift at initial setting by insertion of variable-type coaxial phase shifter in coaxial line, at 30 MHz	(*)
201.871b	Measurement of phase angle shift at each setting additional to the initial setting as for 201.871a	(*)
201.871z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

Microwave Region

§ 201.900 General.

(a) Microwave calibration services presently available include measurements of power, impedance, frequency, attenuation, and noise. The frequency range covered for each of the waveguide measurements is given below. While most of the calibration services are for waveguide, it should be noted there are a few services listed in the "Microwave Region" for coaxial instruments. Additional services in the 1 GHz to 18 GHz range for coaxial instruments are listed in the "High-Frequency Region" sections of this schedule.

(b) In performing microwave calibrations, a considerable amount of time is needed to prepare the system for measurement operation. Much of this preparation is related to the adjustment of the system to the frequency of operation selected for the calibration. Time and cost often can be reduced by minimizing the number of times the operating frequency of the calibration system must be readjusted. To help in achieving this reduction in costs, a list of suggested calibration frequencies is presented in the following table. These frequencies are suggested for use in connection with this schedule and for interlaboratory standards utilizing terminations consisting of the standard waveguide sizes given below in the table of suggested calibration frequencies. It should be emphasized that the suggested frequencies are primarily for economy and for convenience to those requesting calibrations. In general the calibration instrumentation for the microwave region is intended to provide complete and continuous frequency coverage as appropriate for the various waveguide sizes. Those having need for calibrations at other than suggested frequencies can be accommodated.

EIA waveguide designation	Frequency range, GHz	Suggested calibration frequencies GHz		
		No. 1	No. 2	No. 3
WR430	1.70- 2.60	1.80	2.20	2.50
WR284	2.60- 3.95	2.85	3.25	3.55
WR187	3.95- 5.85	4.35	4.90	5.25
WR137	5.85- 8.20	6.45	7.00	7.40
WR112	7.05-10.0	7.75	8.50	9.00
WR90	8.20-12.4	9.00	9.80	11.2
WR62	12.4 -18.0	13.5	15.0	17.0
WR42	18.0 -26.5	19.8	22.0	23.8
WR28	26.5 -40.0	29.0	33.0	37.0

§ 201.910 Waveguide bolometer units and bolometer-coupler units, continuous wave, low-level power.

(a) Power measurements are made on barretter-type bolometer units having nominal resistance of either 100 or 200 ohms at a bias current between 3.5 and 10 mA, and on thermistor-type bolometer units having a nominal resistance of either 100 or 200 ohms at a bias current between 5 and 15 mA. Bolometer units should be of the fixed tuned or untuned broadband type.

(b) Power measurements are made on waveguide bolometer units at power levels from 0.1 to 10 mW.

(c) Power measurements are made on bolometer-coupler combinations having coupling ratios from 3 to 20 dB. A bolometer unit of the fixed tuned or untuned broadband type should be permanently attached to the side arm of the coupler. The three-port directional coupler should have good design features, with a directivity of 40 dB or greater and a VSWR no greater than 1.05 for the input and output ports of the main arm of the coupler.

(d) Efficiency for bolometer units is defined as the ratio of the microwave power absorbed by the barretter element to the microwave power dissipated within the bolometer unit.[14]

(e) Calibration factor for bolometer units is defined as the ratio of the substituted dc power in the bolometer unit to the microwave power incident upon the bolometer unit.[14]

(f) Calibration factor for bolometer-coupler units is defined as the ratio of the substituted dc power in the bolometer unit on the side arm of the directional coupler to the microwave power incident upon a nonreflecting load attached to the output port of the main arm.[14]

(g) Effective efficiency for bolometer units is defined as the ratio of the substituted dc power in the bolometer unit to the microwave power dissipated within the bolometer unit.[14]

[14] Desch, R. F., and R. E. Larson, Bolometric microwave power calibration techniques at NBS, IEEE Trans. Instr. Meas., IM-12, No. 1, 29 (June 1963).

Item	Description	Fee
	Determination of effective efficiency of bolometer unit at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
201.910a-1	WR90 (8.20-12.4 GHz)	(*)
201.910a-2	WR62 (12.4-18.0 GHz)	(*)
201.910a-3	WR137 (5.85-8.20 GHz)	(*)
201.910a-4	WR112 (7.05-10.0 GHz)	(*)
201.910a-5	WR187 (3.95-5.85 GHz)	(*)
201.910a-6	Measurement of effective efficiency of bolometer unit at a single frequency of the following waveguide size terminated with standard waveguide connector: WR42 (18.0-26.5 GHz)	(*)
201.910a-20	Determination of effective efficiency of each additional bolometer unit at the same frequency as for 201.910a-1	(*)
201.910a-21	Determination of effective efficiency of each additional bolometer unit at the same frequency as for 201.910a-2 to 201.910a-5	(*)
	Determination of calibration factor of bolometer unit at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
201.910b-1	WR90 (8.20-12.4 GHz)	(*)
201.910b-2	WR62(12.4-18.0 GHz)	(*)
201.910b-3	WR137 (5.85-8.20 GHz)	(*)
201.910b-4	WR112 (7.05-10.0 GHz)	(*)
201.910b-5	WR187 (3.95-5.85 GHz)	(*)
201.910b-6	Measurement of calibration factor of bolometer unit at a single frequency of the following waveguide size terminated with standard waveguide connector: WR42 (18.0-26.5 GHz)	(*)
201.910b-20	Determination of calibration factor of each additional bolometer unit at the same frequency as for 201.910b-1 to 201.910b-5	(*)
	Determination of calibration factor of bolometer-coupler unit at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
201.910c-1	WR90 (8.20-12.4 GHz)	(*)
201.910c-2	WR62 (12.4-18.0 GHz)	(*)
201.910c-3	WR137 (5.85-8.20 GHz)	(*)
201.910c-4	WR112 (7.05-10.0 GHz)	(*)
201.910c-5	WR187 (3.95-5.85 GHz)	(*)
201.910c-6	Determination of efficiency of bolometer unit at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
	Measurement of calibration factor of bolometer-coupler unit at a single frequency of the following waveguide size terminated with standard waveguide connectors: WR42 (18.0-26.5 GHz)	(*)
201.910d-1	WR137 (5.85-8.20 GHz)	(*)
201.910d-2	WR187 (3.95-5.85 GHz)	(*)
201.910d-20	Determination of efficiency of each additional bolometer unit at the same frequency as for 201.910d-1 to 201.910d-2	(*)
201.910z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.911 Waveguide dry calorimeters, continuous wave, low-level power.

Item	Description	Fee
201.911a-1	Measurement of output voltage versus input microwave power for dry calorimeter at a single frequency of WR90 waveguide (8.20-12.4 GHz) terminated with a standard waveguide connector at power levels from 10 mW to 1 W	(*)
201.911a-2	Each additional power level at the same frequency as for 201.911a-1	(*)
201.911z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.912 Coaxial bolometer units, continuous wave, low-level power.

Item	Description	Fee
201.912a-1	Determination of effective efficiency of a coaxial bolometer unit at a single frequency in the range 4** to 10 GHz and a power level of 10 mW. Bolometer unit must be fitted with male Type N connector and thermistor-type element of nominal operating resistance of 200 ohms	(*)
201.912a-2	Determination of effective efficiency of a coaxial bolometer unit at a single frequency in the range of 4** to 8.5 GHz and a power level of 10 mW. Bolometer unit must be fitted with a 14 mm general precision connector† and a thermistor-type element for nominal operating resistance of 200 ohms	(*)
201.912a-20	Determination of effective efficiency of each additional coaxial bolometer unit at the same frequency** as for 201.912a-1	(*)
201.912a-21	Determination of effective efficiency of each additional coaxial bolometer unit at the same frequency as for 201.912a-2	(*)
201.912z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

**For measurements on coaxial bolometer units below 4 GHz, see section 201.821.

†"Precision Coaxial Connectors," Recommendations of the IEEE I-M Group Subcommittee on Precision Coaxial Connectors, Revised July 10, 1966. This report describes the mechanical, electrical, and environmental requirements for precision coaxial connectors. It is available from: Chairman, IEEE G-IM Technical Committee on High Frequency Instruments and Measurements, The Institute of Electrical and Electronic Engineers, Inc., 345 East 47th Street, New York, N.Y. 10017.

§ 201.920 Waveguide reflectors (mismatches), reflection coefficient magnitude.

(a) Reflection coefficient measurements are made on reflectors producing a reflection coefficient magnitude in the range of 0.24 to 0.2.

(b) Reflectors must be fitted with standard types of waveguide flanges. The faces of these flanges should be machined flat and smooth and should not contain protrusions or indentations. The connecting holes of the flange should be symmetrically and accurately aligned to the rectangular waveguide opening.

Item	Description	Fee
	Measurement of reflection coefficient magnitude of reflector at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
201.920a-1	WR90 (8.20-12.4 GHz)	(*)
201.920a-2	WR62 (12.4-18.0 GHz)	(*)
201.920a-3	WR137 (5.85-8.20 GHz)	(*)
201.920a-4	WR112 (7.05-10.0 GHz)	(*)
201.920a-5	WR187 (3.95-5.85 GHz)	(*)
201.920a-20	Measurement of reflection coefficient magnitude of each additional reflector at the same frequency as for 201.920a-1 to 201.920a-5	(*)
201.920z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.930 Cavity wavemeters, frequency measurement.

(a) Frequency measurements are made on fixed or variable cavity wavemeters of either the reaction (one-port) type or the transmission (two-port) type.

(b) Frequency measurements are made on fixed or variable cavity wavemeters having coaxial terminals with Type N connectors (male or female) in the frequency range of 1000 MHz to 10 GHz.

(c) Frequency measurements are made on fixed or variable cavity wavemeters having standard type waveguide terminals in the frequency range of 2.6 to 90 GHz.

Item	Description	Fee
201.930a	Measurement of resonance frequency of fixed cavity wavemeter	(*)
201.930b	Setting of adjustable cavity wavemeter at prescribed resonance frequency	(*)
201.930c-1	Calibration of dial setting versus resonance frequency of variable cavity wavemeter at initial prescribed frequency	(*)
201.930c-2	Calibration of dial setting versus resonance frequency of variable cavity wavemeter at each prescribed frequency additional to the initial frequency and on the same wavemeter as 201.930c-1	(*)
201.930z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

§ 201.940 Waveguide variable attenuators, attenuation difference.

(a) Attenuation difference measurements are made on step or continuously variable attenuators, usually with the zero dial setting used as the reference position.

(b) Attenuation measurements are made for attenuation values from 0 to 50 dB. This range of attenuation values can be extended to 70 dB in some frequency ranges.

(c) Variable attenuators should have a repeatability of dial setting better than ±0.1 dB.

(d) Variable attenuators should have a VSWR less than 1.1 at each waveguide port.

Item	Description	Fee
	Measurement of attenuation difference of direct-reading variable attenuator at an initial prescribed dial setting at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
201.940a-1	WR284 (2.60-3.95 GHz)	(*)
201.940a-2	WR187 (3.95-5.85 GHz)	(*)
201.940a-3	WR137 (5.85-8.20 GHz)	(*)
201.940a-4	WR112 (7.05-10.0 GHz)	(*)
201.940a-5	WR90 (8.20-12.4 GHz)	(*)
201.940a-6	WR62 (12.4-18.0 GHz)	(*)
201.940a-7	WR42 (18.0-26.5 GHz)	(*)
201.940a-8	WR28 (26.5-40.0 GHz)	(*)
201.940a-9	WR430 (1.70-2.60 GHz)	(*)
201.940a-20	Measurement of attenuation difference of direct-reading variable attenuator at each prescribed dial setting additional to the initial dial setting at the same frequency and on the same attenuator as for 201.940a-1 to 201.940a-9	(*)
201.940a-21	Measurement of attenuation difference of direct-reading variable attenuator at an initial prescribed dial setting at a single frequency as for 201.940a-5 to 201.940a-6, by means of modulated subcarrier method to obtain greater accuracy of measurement	(*)
201.940a-22	Measurement of attenuation difference of direct-reading attenuator at each prescribed dial setting additional to the initial dial setting at the same frequency and on the same attenuator as 201.940a-21, by means of modulated subcarrier method to obtain greater accuracy of measurement	(*)
	Calibration of dial setting versus attenuation difference for indirect-reading variable attenuator at an initial prescribed attenuation difference value at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
201.940b-1	WR284 (2.60-3.95 GHz)	(*)
201.940b-2	WR187 (3.95-5.85 GHz)	(*)
201.940b-3	WR137 (5.85-8.20 GHz)	(*)
201.940b-4	WR112 (7.05-10.0 GHz)	(*)
201.940b-5	WR90 (8.20-12.4 GHz)	(*)
201.940b-6	WR62 (12.4-18.0 GHz)	(*)
201.940b-7	WR42 (18.0-26.5 GHz)	(*)
201.940b-8	WR28 (26.5-40.0 GHz)	(*)
201.940b-9	WR430 (1.70-2.60 GHz)	(*)
201.940b-20	Calibration of dial setting versus attenuation difference for indirect-reading variable attenuator at each prescribed attenuation difference value additional to the initial attenuation difference value at the same frequency and on the same attenuator as 201.940b-1 to 201.940b-9	(*)
201.940b-21	Measurement of attenuation difference of indirect-reading variable attenuator at an initial prescribed dial setting at a single frequency as for 201.940b-5 to 201.940b-6, by means of modulated subcarrier method to obtain greater accuracy of measurement	(*)
201.940b-22	Measurement of attenuation difference of indirect-reading attenuator at each prescribed dial setting additional to the initial dial setting at the same frequency and on the same attenuator as 201.940b-20, by means of modulated subcarrier method to obtain greater accuracy of measurement	(*)
201.940z	Special calibrations not included in the above schedule	(*)

*See footnote, § 201.701.

§ 201.941 Waveguide fixed attenuators, insertion loss.

(a) Insertion loss measurements are made on fixed two-port attenuators.

(b) Insertion loss measurements are made for insertion loss values from 0 to 50 dB. This range of attenuation values can be extended to 70 dB in some frequency ranges.

(c) Fixed attenuators should have a VSWR less than 1.1 at each waveguide port.

Item	Description	Fee
	Measurement of insertion loss of fixed attenuator at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
201.941a-1	WR284 (2.60-3.95 GHz)	(*)
201.941a-2	WR187 (3.95-5.85 GHz)	(*)
201.941a-3	WR137 (5.85-8.20 GHz)	(*)
201.941a-4	WR112 (7.05-10.0 GHz)	(*)
201.941a-5	WR90 (8.20-12.4 GHz)	(*)
201.941a-6	WR62 (12.4-18.0 GHz)	(*)
201.941a-7	WR42 (18.0-26.5 GHz)	(*)
201.941a-8	WR28 (26.5-40.0 GHz)	(*)
201.941a-9	WR430 (1.70-2.60 GHz)	(*)
201.941a-20	Measurement of insertion loss of additional fixed attenuator at the same frequency as for 201.941a-1 to 201.941a-9	(*)
201.941z	Special calibrations not included in the above schedule	(*)

*See footnote, § 201.701.

§ 201.950 Waveguide noise sources, effective noise temperature.

(a) Effective noise temperature measurements are made on waveguide noise sources (usually a gas-discharge tube) under conditions of continuous, unmodulated operation in the range 1000 to 300,000° K (excess noise ratio range 3.8 to 30 dB).

(b) The direct current required for normal operation of the gas-discharge tube should not exceed 300 mA but should be sufficient to prevent excessive plasma oscillations.

(c) The waveguide noise source must have an input VSWR no greater than 1.2.

(d) The gas-discharge tube should be secure in the mount, and the output port of the unit should be terminated with a matched load.

Item	Description	Fee
	Measurement of effective noise temperature of noise source at a single frequency of the following waveguide sizes terminated with standard waveguide connectors:	
201.950a-1	WR90 (8.20-12.4 GHz)	(*)
201.950a-2	WR62 (12.4-18.0 GHz)	(*)
201.950a-20	Measurement of effective noise temperature of each additional noise source at the same frequency as for 201.950a-1 to 201.950a-2	(*)
201.950z	Special calibrations not covered by the above schedule	(*)

*See footnote, § 201.701.

Dated: May 8, 1967.

A. V. ASTIN,
Director.

[F.R. Doc. 67-5333; Filed, May 15, 1967; 8:45 a.m.]